

**Sentencing Council meeting:**  
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**SC(19)MAY07 – Immigration and Modern  
Slavery**

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## **1 ISSUE**

1.1 This is the first paper on the Immigration and Modern Slavery Offences guidelines and covers the scope of the project.

1.2 There are currently five meetings scheduled to discuss these guidelines, with sign-off in January next year. Consultation is currently scheduled for February to May 2020, with publication of the definitive guideline in early 2021.

1.3 Initial evidence to support the development of the new guideline is set out in the Annex. This annex contains volumes over time, sentence outcomes, and ACSLs for adult offenders for some of the offences discussed below, and a full list of all immigration offences currently in force, including those which we are not proposing to include.

## **2 RECOMMENDATION**

2.1 That the Council agrees:

- the main offences to include within these guidelines;
- initial proposals for grouping the offences; and
- approach to the Modern Slavery Act offences guidelines, given the low numbers of current prosecutions and sentences.

## **3 CONSIDERATION**

3.1 There are currently no definitive guidelines for immigration offences or for offences under the Modern Slavery Act 2015, other than limited guidance on trafficking for the purpose of sexual exploitation within the Sexual Offences guideline (revised in 2017). There are over 125 separate immigration offences, most of which are never or very rarely sentenced. These offences cover such areas as seeking to obtain leave to enter the UK by deception, facilitating acts which breach UK immigration law, entering the UK without a passport, providing immigration services/advice when not qualified to do so, or in contravention of a prohibition, and failure to take action to enforce immigration decisions. There are only seven of these

offences for which more than 10 offenders have been sentenced in any year over the past five years. The maximum penalties for these offences range from 2 to 14 years, with some triable either way and others indictable only.

### *Immigration offences*

3.2 The enforcement of most immigration rules is dealt with administratively by the Border Force, with relatively few individuals being charged with criminal offences, as can be seen from the numbers below. In December last year, the government published a white paper on new immigration arrangements after Brexit. Much of the white paper focuses on changes relating to EU citizens who will require permission to enter and remain in the UK in the same way as non-EU citizens. At the moment, whilst this will affect immigration offences to some extent, it appears as though these changes would mainly affect who can commit offences, rather than the substance of the offences themselves. I therefore propose to continue development of guidelines for these offences, but to review the situation when more information is available on the Brexit timetable and any resulting changes to immigration offences.

#### ***Question 1: Does the Council agree to commence work on guidelines for immigration offences and to keep Brexit-related developments under review?***

3.3 As mentioned above, there are over 125 immigration or immigration-related offences, most of which are never prosecuted or sentenced. In the absence of evidence of difficulty in sentencing any particular offences, I propose to focus on developing guidelines for those offences which have been most commonly sentenced over the last five years, which are:

<b>Legislation</b>	<b>Offence</b>	<b>Stat Max</b>	<b>2017 volume</b>
1. Immigration Act 1971 s25(1) and (6)	Do an act to facilitate the commission of a breach of UK immigration law by a non-EU person.	14 yrs	237
2. Immigration Act 1971 s24A(1)(a), s24A(1)(b) and (3)	Seek / obtain leave to enter / remain in UK by deceptive means - immigration. Secure avoidance of enforcement action by deceptive means - immigration.	2 yrs	22
3. Immigration and Asylum Act 1999 s91(1)	Provide an immigration service in contravention of a prohibition. Provide an immigration service in contravention of a restraining order.	2 yrs	3

4. Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 s35(3) and (4)	Deportation / removal - fail to take action as required by Secretary of State	2 yrs	9
5. Immigration Act 1971 s24(1)(a)	Enter United Kingdom in breach of a deportation order	6 mths	8
6. Identity Documents Act 2010 s4	Possessing or controlling identity documents with intent	10 yrs	625
7. Identity Documents Act 2010 s6	Possessing or controlling a false or improperly obtained or another person's identity document	2 yrs	131

3.4 Based on volumes, offences 1 and 2 above seem, of all the immigration offences, the most likely candidates for inclusion in the guideline. Offences 3, 4 and 5 have been included because whilst there are fewer offenders sentenced in 2017, there have been a higher number of offenders sentenced in the last three years (see tables on page 1 of Annex A). In addition, for offence 3, we understand from the Office of the Immigration Services Commissioner, which prosecutes these offences, that they are prosecuting some of these cases as Fraud offences, in part because of a lack of a sentencing guideline and a concern about inconsistent sentencing, so there is a stronger case for including it in the guideline.

3.5 In addition to the above, the offence of entering the UK without a passport (Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 s2(1) and (9)) has seen higher volumes in 2013 and 2014, but volumes have recently dropped dramatically, to only 6 cases in 2016 and 1 case in 2017. I therefore propose not to include this offence within the guidelines, unless we receive further information from the Home Office/Border Force that such a guideline is needed, or see an increase in case numbers in 2018 sentencing data due out in late May.

3.6 The last two offences on the above list relate to identity documents. There are guidelines in the Magistrates Courts Sentencing Guidelines for the now repealed offences relating to identity cards which the above offences replace, but no guidelines for these specific offences in the magistrates' or Crown courts. Some aspects of the offending may be similar to immigration offences relating to deception and to modern slavery cases and when considering the remaining triable either-way offences without a guideline in July last year, the Council agreed that these offences should be revised as part of the work on immigration offences. The volumes of these offences remain relatively high and I intend to include them within the scope of this guideline.

**Question 2: Is the Council content to include the offences in the above table within the guidelines? Are there any additional offences which should be covered?**

3.7 Initial review discussions with Home Office officials suggest that some of the above offences share some common aspects, not least a statutory maximum penalty, and could perhaps be dealt with in one guideline. However, I propose to deal with them in separate guidelines at this stage, bringing them together if it seems when we have considered transcript and factors in greater detail later in the development of the guidelines. In addition, there are many other less frequently sentenced offences which share maximum penalties and other aspects with the above offences. Where this is the case, I propose to develop a list of “analogous offences” similar to that used in the Breach guideline, setting out where elements of a guideline may be useful to judges in sentencing several of the less frequently seen offences.

***Question 3: Is the Council content to develop separate guidelines for the above offences at this stage, and to develop a list of analogous offences alongside the guidelines?***

#### *Other offences committed by migrants*

3.8 In addition to the immigration offences per se, there may be scope (and therefore calls at consultation) for this guideline to include overarching principles for sentencing offenders for any offence who have some sort of irregular immigration status, or are at the time of sentencing in the process of applying for leave to remain or asylum in the UK. We have not had specific calls for this yet, however, and there is already guidance for the courts in dealing with migrants, refugees and asylum seekers in the Equal Treatment Bench Book. I believe it could greatly extend the scope of what is already a broad set of guidelines, and be difficult to develop overarching principles for such a disparate group of offenders, so do not propose to include this within the scope of the current guideline.

***Question 4: Does the Council agree not to include overarching principles on sentencing migrants convicted of other offences within the scope of this guideline?***

#### *Modern Slavery*

3.9 The Modern Slavery Act 2015 repealed and replaced several pre-existing trafficking and slavery offences which had existed in other Acts, including the Sexual Offences Act 2003 and the Coroners and Justice Act 2009. It covers offences of trafficking for various purposes, holding someone in servitude, and forced labour offences. In addition to the offences, it provides for various orders, including trafficking and slavery reparation orders and prevention orders. Although the provisions relating to offences only came into force in July 2015, its

implementation has already been subject of two reviews, partly in response to concern about the low level of successful prosecutions for offences under the Act. The first of these reviews, by Caroline Haughey in 2016, recommended the development of guidelines for these offences. The second review, led by Baroness Elizabeth Butler-Sloss, has also made a recommendation in March this year relating to sentencing guidelines. There has been continued concern that the Act has not brought about a significant increase in prosecutions and, crucially, convictions, and that offences are being committed in new ways, such as county lines drug activity. Discussions with the Home Office reveal concerns about cases where the offender is him/herself a victim of a modern slavery or other offence, and the overlap with immigration cases, in which a victim of a modern slavery offence does not have leave to remain in the UK. These are matters which I intend to consider carefully during the development of the guideline.

3.10 Since the implementation of the Act, there have been very few successful prosecutions. No-one was sentenced for any of these offences until 2017, when the numbers of offenders sentenced were as follows:

<b>Offence</b>	<b>Description</b>	<b>No.</b>	<b>Stat Max</b>
S 1(1)(a)	Hold person in slavery or servitude	0	Life
S 1(1)(b)	Require person to perform forced or compulsory labour	7	Life
S 2(1)	Arrange or facilitate travel of another person with a view to exploitation	8	Life
S 4	Commit offence of kidnapping or false imprisonment with intention of committing human trafficking offence	0	Life
S 4	Commit offence other than kidnapping or false imprisonment with intent to commit human trafficking offence	3	10yrs
S 30(1)	Breach a slavery and trafficking risk or prevention order	2	5yrs
S 30(2)(a)	Failure to comply with requirement to surrender a passport	0	5 yrs
S 30(2)(b)	Failure to comply with requirement to provide a full name and address	2	5 yrs
<b>Total</b>		<b>22</b>	

3.11 Given that there are so few offences in the Act, I propose to explore developing guidelines for all the above offences in order that the guideline be as complete as possible. This approach would not, of course, be consistent with the approach proposed for immigration, of considering only the most commonly sentenced offences, but I believe it is justified on the basis of completeness, and because there are so few Modern Slavery Act 2015 offences overall.

***Question 5: Is the Council content to develop guidelines for all the offences referred to above?***

3.12 As with the immigration offences, inclusion of all the above offences does not necessarily require each to be subject of a separate guideline. Some consideration of transcripts and initial discussions with the Home Office have suggested that there is sufficient overlap between the s1(1) offences of holding a person in servitude and requiring a person to perform forced labour that they may be appropriate candidates for combining into one guideline. The two s4 offences of committing other offences with the intent to commit a human trafficking offence could also be covered by one guideline, as could the two s30(2) offences (failure to surrender passports/provide names and addresses). I therefore propose to group these offences together initially, and review the approach as the guidelines are developed.

***Question 6: Does the Council agree to covering some of the Modern Slavery Act offences within the same guideline, as set out above?***

*Modern Slavery – sources of information and approach*

3.13 Although very few cases have been sentenced, so we have little information and evidence of current sentencing practice, the Act replaces older offences which have been sentenced. Whilst these must be treated with caution, particularly where the statutory maximum penalty has been increased, they will nevertheless provide valuable information on the culpability, harm, aggravating and mitigating factors for these offences. Early discussions with the Home Office suggests that, especially for the forced labour and arranging travel offences, evidence from the older cases could be particularly valuable. I therefore propose to consider sentence levels and case transcripts for these older cases as evidence which will assist us in developing these guidelines. In addition, the one existing guideline for trafficking for the purpose of sexual exploitation, currently part of the Sexual Offences guideline, will provide a useful template for developing these guidelines.

***Question 7: Is the Council content to use evidence from the repealed offences, and the previous sexual exploitation trafficking offence guideline, as part of the evidence base as we start to develop the guidelines for the modern slavery offences?***

## **4 IMPACT AND RISKS**

4.1 Impacts of these guidelines will be difficult to assess, particularly for the lower volume offences. A resource assessment will be carried out prior to consultation, and we will share further information as the guideline is developed.

**Table 1: Number of adult offenders sentenced for specified immigration offences, 2013-2017<sup>1</sup>**

Offence	Legislation	Number of adult offenders sentenced				
		2013	2014	2015	2016	2017
Seek / obtain leave to enter / remain in UK by deceptive means - immigration. Secure avoidance of enforcement action by deceptive means - immigration.	Immigration Act 1971 s24A(1)(a) and (3) Immigration Act 1971 s 24A(1)(b) and (3)	53	40	20	30	22
Provide an immigration service in contravention of a prohibition. Provide an immigration service in contravention of a restraining order. Includes providing immigration advice.	Immigration and Asylum Act 1999 s91(1)	7	13	9	13	3
Do an act to facilitate the commission of a breach of UK immigration law by a non EU person. Conspire to do an act to facilitate the commission of a breach of UK immigration law by a non EU person	Immigration Act 1971 s25(1) and (6) Criminal Law Act 1977 s1(1)	209	232	236	264	237
Enter United Kingdom without a passport	Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 s2(1) and (9)	43	33	27	6	1
Traffic a person into the United Kingdom for exploitation	Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 s4(1) and (5)	5	18	5	11	9
Deportation / removal - fail to take action as required by Secretary of State	Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 s35(3) and (4)	1	2	13	10	9
Enter United Kingdom in breach of a deportation order	Immigration Act 1971 s24(1)(a)	4	8	5	10	8

Source: Court Proceedings Database, Ministry of Justice

Note:

1) The time period 2013-2017 has been chosen to give the number of offenders sentenced over the past 5 years

**Table 2: Number of adult offenders sentenced for specified identity document offences, 2011-2017<sup>2</sup>**

Offence	Number of adult offenders sentenced						
	2011	2012	2013	2014	2015	2016	2017
Possessing or controlling identity documents with intent	608	865	858	720	680	670	625
Possessing or controlling a false or improperly obtained or another person's identity document	240	238	218	191	156	165	131

Source: Court Proceedings Database, Ministry of Justice

Note:

2) The identity document offences came into force in January 2011 and therefore sentencing statistics have been provided from 2011 onwards

**Table 3: Number of adult offenders sentenced for specified modern slavery offences, 2017<sup>3,4</sup>**

Offence	Number of adult offenders sentenced
	<b>2017</b>
Hold person in slavery or servitude	0
Require person to perform forced or compulsory labour	7
UK national arrange or facilitate travel of another person with a view to exploitation	8
Commit offence other than kidnapping or false imprisonment with intention of arranging travel with view to exploitation	3
Commit offence of kidnapping or false imprisonment with intention of arranging travel with view to exploitation	0
Do act prohibited by slavery and trafficking risk or prevention order	2
Fail to comply with requirement to surrender passport under Modern Slavery Act 2015	0
Fail to comply with requirement to provide name and address under Modern Slavery Act 2015	2

Source: Court Proceedings Database, Ministry of Justice

Notes:

3) The Modern Slavery Act 2015 offences came into force in July 2015 and the first offenders sentenced for these offences were sentenced in 2017. Therefore the statistics for Modern Slavery are only provided for calendar year 2017.

4) Due to a data quality issue, volumes for the Modern Slavery offences may be an undercount. The issue is not believed to have a large effect on these figures, and revised statistics will be available from May 16 2019.

Table 4: Sentence outcomes for adult offenders sentenced for specified immigration, identity document and modern slavery offences, 2017

Offence	Absolute Discharge	Conditional Discharge	Fine	Community Order	Suspended Sentence	Immediate Custody	Otherwise dealt with <sup>1</sup>	Total
<b>Immigration offences</b>								
Seek / obtain leave to enter / remain in UK by deceptive means - immigration.								
Secure avoidance of enforcement action by deceptive means - immigration.	0	0	0	1	5	16	0	22
Provide an immigration service in contravention of a prohibition. Provide an immigration service in contravention of a restraining order. Includes providing immigration advice.	0	0	0	0	2	1	0	3
Do an act to facilitate the commission of a breach of UK immigration law by a non EU person. Conspire to do an act to facilitate the commission of a breach of UK immigration law by a non EU person	0	0	0	0	31	201	5	237
Enter United Kingdom without a passport	0	0	0	0	1	0	0	1
Traffic a person into the United Kingdom for exploitation	0	0	0	0	0	9	0	9
Deportation / removal - fail to take action as required by Secretary of State	0	0	0	0	0	9	0	9
Enter United Kingdom in breach of a deportation order	0	0	0	0	1	7	0	8
<b>Identity document offences</b>								
Possessing or controlling identity documents with intent	0	3	1	11	121	485	4	625
Possessing or controlling a false or improperly obtained or another person's identity document	1	3	23	23	25	54	2	131
<b>Modern slavery offences<sup>2</sup></b>								
Hold person in slavery or servitude	0	0	0	0	0	0	0	0
Require person to perform forced or compulsory labour	0	0	0	0	0	7	0	7
UK national arrange or facilitate travel of another person with a view to exploitation	0	0	0	0	0	8	0	8
Commit offence other than kidnapping or false imprisonment with intention of arranging travel with view to exploitation	0	0	0	0	0	3	0	3
Commit offence of kidnapping or false imprisonment with intention of arranging travel with view to exploitation	0	0	0	0	0	0	0	0
Do act prohibited by slavery and trafficking risk or prevention order	0	0	0	0	0	2	0	2
Fail to comply with requirement to surrender passport under Modern Slavery Act 2015	0	0	0	0	0	0	0	0
Fail to comply with requirement to provide name and address under Modern Slavery Act 2015	0	0	1	0	0	0	1	2

Source: Court Proceedings Database, Ministry of Justice

Offence	Absolute Discharge	Conditional Discharge	Fine	Community Order	Suspended Sentence	Immediate Custody	Otherwise dealt with <sup>1</sup>	Total
<b>Immigration offences</b>								
Seek / obtain leave to enter / remain in UK by deceptive means - immigration.	0%	0%	0%	5%	23%	73%	0%	100%
Provide an immigration service in contravention of a prohibition. Provide an immigration service in contravention of a restraining order. Includes providing immigration advice.	0%	0%	0%	0%	67%	33%	0%	100%
Do an act to facilitate the commission of a breach of UK immigration law by a non EU person. Conspire to do an act to facilitate the commission of a breach of UK immigration law by a non EU person	0%	0%	0%	0%	13%	85%	2%	100%
Enter United Kingdom without a passport	0%	0%	0%	0%	100%	0%	0%	100%
Traffic a person into the United Kingdom for exploitation	0%	0%	0%	0%	0%	100%	0%	100%
Deportation / removal - fail to take action as required by Secretary of State	0%	0%	0%	0%	0%	100%	0%	100%
Enter United Kingdom in breach of a deportation order	0%	0%	0%	0%	13%	88%	0%	100%
<b>Identity document offences</b>								
Possessing or controlling identity documents with intent	0%	<0.5%	<0.5%	2%	19%	78%	1%	100%
Possessing or controlling a false or improperly obtained or another person's identity document	1%	2%	18%	18%	19%	41%	2%	100%
<b>Modern slavery offences<sup>2</sup></b>								
Hold person in slavery or servitude	-	-	-	-	-	-	-	-
Require person to perform forced or compulsory labour	0%	0%	0%	0%	0%	100%	0%	100%
UK national arrange or facilitate travel of another person with a view to exploitation	0%	0%	0%	0%	0%	100%	0%	100%
Commit offence other than kidnapping or false imprisonment with intention of arranging travel with view to exploitation	0%	0%	0%	0%	0%	100%	0%	100%
Commit offence of kidnapping or false imprisonment with intention of arranging travel with view to exploitation	-	-	-	-	-	-	-	-
Do act prohibited by slavery and trafficking risk or prevention order	0%	0%	0%	0%	0%	100%	0%	100%
Fail to comply with requirement to surrender passport under Modern Slavery Act 2015	-	-	-	-	-	-	-	-
Fail to comply with requirement to provide name and address under Modern Slavery Act 2015	0%	0%	50%	0%	0%	0%	50%	100%

Source: Court Proceedings Database, Ministry of Justice

## Notes:

1) Includes a number of orders, for example hospital orders, confiscation orders and compensation orders

2) Due to a data quality issue, volumes for the Modern Slavery offences may be an undercount. The issue is not believed to have a large effect on these figures, and revised statistics will be available from May 16 2019.



**Table 5: Average and maximum custodial sentence lengths for adult offenders sentenced to immediate custody for specified immigration, identity document and modern slavery offences, 2017**

Offence	Post guilty plea		
	Mean sentence length (in years) <sup>1</sup>	Median sentence length (in years) <sup>2</sup>	Maximum sentence length (in years)
<b>Immigration offences</b>			
Seek / obtain leave to enter / remain in UK by deceptive means - immigration. Secure avoidance of enforcement action by deceptive means - immigration.	0.7	0.7	1.8
Provide an immigration service in contravention of a prohibition. Provide an immigration service in contravention of a restraining order. Includes providing immigration advice.	0.4	0.4	0.4
Do an act to facilitate the commission of a breach of UK immigration law by a non EU person. Conspire to do an act to facilitate the commission of a breach of UK immigration law by a non EU person	2.8	2.1	9.5
Enter United Kingdom without a passport	-	-	-
Traffic a person into the United Kingdom for exploitation	3.9	4.5	6.3
Deportation / removal - fail to take action as required by Secretary of State	0.9	0.8	1.5
Enter United Kingdom in breach of a deportation order	0.1	0.1	0.3
<b>Identity document offences</b>			
Possessing or controlling identity documents with intent	0.7	0.7	3
Possessing or controlling a false or improperly obtained or another person's identity document	0.5	0.5	1.5
<b>Modern slavery offences<sup>3,4</sup></b>			
Hold person in slavery or servitude	-	-	-
Require person to perform forced or compulsory labour	5.2	5.8	6
UK national arrange or facilitate travel of another person with a view to exploitation	4.1	4.5	8
Commit offence other than kidnapping or false imprisonment with intention of arranging travel with view to exploitation	4.1	3.8	5.3
Commit offence of kidnapping or false imprisonment with intention of arranging travel with view to exploitation	-	-	-
Do act prohibited by slavery and trafficking risk or prevention order	1.8	1.8	2
Fail to comply with requirement to surrender passport under Modern Slavery Act 2015	-	-	-
Fail to comply with requirement to provide name and address under Modern Slavery Act 2015	-	-	-

Source: Court Proceedings Database, Ministry of Justice

- Where no offenders were sentenced to immediate custody in 2017, average custodial sentence lengths are not available. Offences for which this applies to have been represented by a dash "-" in the table above.

Notes:

- 1) The mean is calculated by taking the sum of all values and then dividing by the number of value:
- 2) The median is the value which lies in the middle of a set of numbers when those numbers are placed in ascending or descending order
- 3) Mean and median should be treated with caution, due to the low number of offenders sentenced to immediate custody for these offences:
- 4) Due to a data quality issue, figures for the Modern Slavery offences may not include some cases. The issue is not believed to have a large effect on these figures, and revised statistics will be available from May 16 2019.

Legislation	Section	Title	Mode Of Trial	Stat Max
Asylum & Immigration (Treatment of Claimants, etc.) Act 2004	2(1)&(9)	Enter United Kingdom without a passport	EITHER WAY	2 yrs
Asylum & Immigration (Treatment of Claimants, etc.) Act 2004	2(2)&(9)	Enter United Kingdom without a passport for a dependent child	EITHER WAY	2 yrs
Asylum & Immigration (Treatment of Claimants, etc.) Act 2004	35(1),(3)&(5)	Deportation / removal - fail to take action as required by Secretary of State	EITHER WAY	2 yrs
UK Borders Act 2007	3(1)(a) &(2)	Abscond from a designated immigration officer having been detained under section 2 - UK Borders Act 2007	SUMMARY IMPRISONABLE	51 weeks
UK Borders Act 2007	3(1)(b) &(2)	Assault a designated immigration officer at a port exercising a power of detention - UK Borders Act 2007	SUMMARY IMPRISONABLE	51 weeks
UK Borders Act 2007	3(1)(c) &(3)	Obstruct a designated immigration officer at a port exercising a power of detention - UK Borders Act 2007	SUMMARY IMPRISONABLE	51 weeks
UK Borders Act 2007	22	Assault an immigration officer - UK Borders Act 2007	SUMMARY IMPRISONABLE	51 weeks
UK Borders Act 2007	42	Disclose information in breach of section 41 confidentiality re identity of a person - UK Borders Act 2007	EITHER WAY	2 yrs
Immigration, Asylum & Nationality Act 2006	21	Employ adult subject to control who had not been granted leave to enter / remain in UK	EITHER WAY	2 yrs
Immigration, Asylum & Nationality Act 2006	32(2) & 34	Owner / agent of ship / aircraft fail to comply with immigration requirement to provide passenger / service information	SUMMARY IMPRISONABLE	51 weeks
Immigration, Asylum & Nationality Act 2006	32(3) & 34	Passenger / crew fail provide to owner / agent of ship / aircraft information	SUMMARY IMPRISONABLE	51 weeks
Immigration, Asylum & Nationality Act 2006	34(1) &(3)	Owner / agent of ship / aircraft etc fail to provide freight information	SUMMARY IMPRISONABLE	51 weeks
Immigration, Asylum & Nationality Act 2006	41(6)(a) &(8)	Abscond from detention under s.40(7)(c) - Immigration, Asylum and Nationality Act 2006	SUMMARY IMPRISONABLE	51 weeks
Immigration, Asylum & Nationality Act 2006	41(6)(b) &(8)	Abscond from detention under s.40(7)(d) - Immigration, Asylum and Nationality Act 2006	SUMMARY IMPRISONABLE	51 weeks
Immigration, Asylum & Nationality Act 2006	41(6)(c) &(8)	Obstructs authorised person in the exercise of a search power under s.40 - Immigration, Asylum and Nationality Act 2006	SUMMARY IMPRISONABLE	51 weeks
Immigration, Asylum & Nationality Act 2006	41(6)(d) &(8)	Assault authorised person exercising a search power under s.40 - Immigration, Asylum and Nationality Act 2006	SUMMARY IMPRISONABLE	51 weeks
Immigration and Asylum Act 1999	92A(5) &(6)	Obstruct Immigration Services Commissioner in entry / search of premises under a warrant	SUMMARY IMPRISONABLE	6 mths

Immigration and Asylum Act 1999	92B(1) & (3)	Offer / advertise to provide immigration advice / services	SUMMARY NON-IMPRISONABLE	Fine
Immigration and Asylum Act 1999	91(1)	Provide an immigration service in contravention of a prohibition	EITHER WAY	2 yrs
Immigration and Asylum Act 1999	91(1)	Provide an immigration service in contravention of a restraining order	EITHER WAY	2 yrs
Immigration and Asylum Act 1999	105(1) & (2)	Make a false statement / representation - immigration	SUMMARY IMPRISONABLE	3 mths
Immigration and Asylum Act 1999	105(1) & (2)	Produce / give false document / information - immigration	SUMMARY IMPRISONABLE	3 mths
Immigration and Asylum Act 1999	105(1) & (2)	Knowingly cause / allow false document to be produced - immigration	SUMMARY IMPRISONABLE	3 mths
Immigration and Asylum Act 1999	105(1) & (2)	Fail to notify change of circumstances - immigration	SUMMARY IMPRISONABLE	3 mths
Immigration and Asylum Act 1999	105(1) & (2)	Knowingly cause another to fail to notify change of circumstances - immigration	SUMMARY IMPRISONABLE	3 mths
Immigration and Asylum Act 1999	106(1) & (2)	Make false statement / representation re benefit - immigration	EITHER WAY	7 yrs
Immigration and Asylum Act 1999	106(1) & (2)	Produce / give false document re benefit - immigration	EITHER WAY	7 yrs
Immigration and Asylum Act 1999	106(1) & (2)	Immigration - benefit - allow false document to be produced	EITHER WAY	7 yrs
Immigration and Asylum Act 1999	106(1) & (2)	Immigration - benefit - fail to notify of change of circumstances	EITHER WAY	7 yrs
Immigration and Asylum Act 1999	106(1) & (2)	Immigration - benefit - cause another to fail to notify of change of circumstances	EITHER WAY	7 yrs
Immigration and Asylum Act 1999	107(1) & (2)	Asylum seeker delay / obstruct official - immigration	SUMMARY NON-IMPRISONABLE	Fine
Immigration and Asylum Act 1999	107(1) & (2)	Asylum seeker refuse / neglect to answer question - immigration	SUMMARY NON-IMPRISONABLE	Fine
Immigration and Asylum Act 1999	107(1) & (2)	Asylum seeker refuse / neglect to give information - immigration	SUMMARY NON-IMPRISONABLE	Fine
Immigration and Asylum Act 1999	107(1) & (2)	Asylum seeker refuse / neglect to produce document - immigration	SUMMARY NON-IMPRISONABLE	Fine
Immigration and Asylum Act 1999	108(1) & (2)	Sponsor fail to maintain applicant rules - immigration	SUMMARY IMPRISONABLE	3 mths
Immigration and Asylum Act 1999	Sch11 Para 1	Custody officer made / recklessly made a false statement - immigration	SUMMARY NON-IMPRISONABLE	Fine

Immigration and Asylum Act 1999	Sch11 Para 4	Assault on a detainee custody officer - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration and Asylum Act 1999	Sch11 Para 5	Resisting a detainee custody officer - immigration	SUMMARY NON- IMPRISONABLE	Fine
Immigration and Asylum Act 1999	Sch11 Para 5	Wilfully obstruct a detainee custody officer - immigration	SUMMARY NON- IMPRISONABLE	Fine
Immigration and Asylum Act 1999	Sch12 Para 4(1) & (3)	Assisting detained person / persons to escape - immigration	EITHER WAY	2 yrs
Immigration and Asylum Act 1999	Sch12 Para 4(1) & (3)	Assist detained person / persons to attempt to escape - immigration	EITHER WAY	2 yrs
Immigration and Asylum Act 1999	Sch12 Para 4(2) & (3)	Convey item to detention centre to facilitate escape - immigration	EITHER WAY	2 yrs
Immigration and Asylum Act 1999	Sch12 Para 4(2) & (3)	Send item into a detention centre to facilitate escape - immigration	EITHER WAY	2 yrs
Immigration and Asylum Act 1999	Sch12 Para 4(2) & (3)	Place an item at detention centre to facilitate escape - immigration	EITHER WAY	2 yrs
Immigration and Asylum Act 1999	Sch12 Para 5(1) & (4)	Bring alcohol into detention centre / to detained person - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration and Asylum Act 1999	Sch12 Para 5(1) & (4)	Attempt to bring alcohol into detention centre / to detained person - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration and Asylum Act 1999	Sch12 Para 5(2) & (4)	Placed alcohol outside detention centre with intent - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration and Asylum Act 1999	Sch12 Para 5(3) & (4)	Immigration - allow alcohol for sale / use - detention centre	SUMMARY IMPRISONABLE	6 mths
Immigration and Asylum Act 1999	158(1) & (2)	Unauthorised disclosure of information by immigration custody officer	EITHER WAY	2 yrs
Immigration and Asylum Act 1999	Sch 12 Para 6(a)	Convey thing in / out detention centre / to person	SUMMARY NON- IMPRISONABLE	Fine
Immigration and Asylum Act 1999	Sch 12 Para 6(2)(a)	Place thing outside detention centre for detained person	SUMMARY NON- IMPRISONABLE	Fine
Immigration and Asylum Act 1999	Sch 12 Para 3(4) & 3(5)	Asylum applicant failed to submit medical examination - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration and Asylum Act 1999	93(2) & (4)	Immigration - unlawful disclosure of information	EITHER WAY	Fine
Accession (Immigration and Worker Authorisation) Regulations 2006	12(1) & (6)	Unauthorised employment of accession State National - Accession (Immigration & Worker Authorisation) Reg's 2006	SUMMARY NON- IMPRISONABLE	Fine

Accession (Immigration and Worker Authorisation) Regulations 2006	13(1) & (2)	Accession State national take unauthorised work - Accession (Immigration & Worker Authorisation) Reg's 2006	SUMMARY IMPRISONABLE	3 mths
Accession (Immigration and Worker Authorisation) Regulations 2006	14	Obtain / seek to obtain an accession worker card - Accession (Immigration & Worker Authorisation) Reg's 2006	SUMMARY IMPRISONABLE	3 mths
Immigration Act 1971	24(1)(a)	Enter United Kingdom in breach of a deportation order	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24(1)(a)	Enter United Kingdom without leave - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24(1)(b)(i)	Immigration - enter / remain in UK beyond time limit	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24(1)(b)(ii)	Fail to observe conditions to enter / remain in United Kingdom	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24(1)(c)	Enter United Kingdom lawfully without leave but remain beyond time limit	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24(1)(d)	Fail to comply with immigration requirement of medical test	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24(1)(g)	Breach immigration restriction on embarkation	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(a)	Refuse / fail to submit to examination by immigration officer	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(a)	Refuse / fail to submit to examination by medical inspector	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(d)	Alter immigration certificate / permit / clearance	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(d)	Use / possess false immigration document / passport	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(e)	Fail to complete / produce landing card - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(e)	Fail to complete / produce embarkation card	SUMMARY IMPRISONABLE	6 mths

Immigration Act 1971	26(1)(f)	Foreign national failing to register with the police	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner failed produce passport / document when registering	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreign national - fail to report change of residence	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreign national fail to notify change in particulars	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail to inform his referee of temporary address	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail to provide name / nationality to hotelier	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Hotel keeper fail require information from foreigner	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Hotel keeper fail to keep proper records	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Hotel keeper fail to open records for inspection	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail to provide information to hotel keeper	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail to produce registration certificate	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail to pay for registration certificate	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(g)	Obstruction of immigration officer / other person	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	27(a)(ii)	Captain of ship / aircraft fail to comply with direction to remove person from United Kingdom	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail to notify address other than residence	SUMMARY IMPRISONABLE	6 mths

Immigration Act 1971	26(1)(f)	Foreigner fail to notify change of address within 8 days	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail to notify change of referee's address	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Referee fail to furnish information as to foreigner	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail explain no passport / documents when registering	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreigner fail to produce registration certificate at a police station	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(f)	Foreign national fail furnish information to registration officer	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(b)	Fail to furnish information - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(b)	Fail to produce documents - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(c)	Make a false return / statement - immigration	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	26(1)(c)	Cause false return / statement to be made to immigration officer	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24(1)(e)	Fail to observe immigration act restriction	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24(1)(f)	Disembark ship / aircraft when being removed from United Kingdom	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	27(a)(i)	Captain of ship / aircraft fail to comply re disembarkation of passenger / crew	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	27(a)(i)	Captain of ship / aircraft permit disembarkation in United Kingdom	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	27(b)(i)	Owner / agent of ship / aircraft arrange call at unscheduled entry port	SUMMARY IMPRISONABLE	6 mths

Immigration Act 1971	27(b)(i)	Owner / agent of ship / aircraft concerned in call at unscheduled entry port	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	27(b)(ii)	Owner / agent of ship / aircraft fail to supply passenger with landing card	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	27(b)(ii)	Owner / agent of ship / aircraft fail to supply passenger with embarkation card	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	27(b)(iii)	Owner / agent of ship / aircraft fail to arrange removal of person from United Kingdom	SUMMARY IMPRISONABLE	6 mths
Immigration Act 1971	24A(1)(a)	Seek / obtain leave to enter / remain in UK by deceptive means - immigration	EITHER WAY	2 yrs
Immigration Act 1971	24A(1)(b) & (3)	Secure avoidance of enforcement action by deceptive means - immigration	EITHER WAY	2 yrs
Immigration Act 1971	25(1) & (6)	Do an act to facilitate the commission of a breach of UK immigration law by a non EU person	EITHER WAY	14 yrs
Immigration Act 1971	0	Conspire to do an act to facilitate the commission of a breach of UK immigration law by a non EU person	INDICTABLE	14 yrs
Immigration Act 1971	25(A) & 25(6)	Help asylum seeker to enter United Kingdom - immigration	EITHER WAY	14 yrs
Immigration Act 1971	25(B)(1) & 25(6)	Assist entry into United Kingdom in breach of a deportation order - immigration	EITHER WAY	14 yrs
Immigration Act 1971	25(B)(3) & 25(6)	Assist arrival / entry / remain in United Kingdom in breach of exclusion order - immigration	EITHER WAY	14 yrs
Immigration Act 1971	26A(3)(a) & (5)	Make a false registration card - immigration	EITHER WAY	10 yrs
Immigration Act 1971	26A(3)(b) & (5)	Alter / enable another to alter a registration card with intent to deceive - immigration	EITHER WAY	10 yrs
Immigration Act 1971	26A(3)(c) & (6)	Possess a false / altered registration card without reasonable cause - immigration	EITHER WAY	2 yrs
Immigration Act 1971	26A(3)(d) & (5)	Use a false registration card for a purpose for which a registration card is issued	EITHER WAY	10 yrs
Immigration Act 1971	26A(3)(d) & (5)	Attempt to use a false registration card for a purpose for which a registration card is issued	EITHER WAY	10 yrs
Immigration Act 1971	26A(3)(e) & (5)	Use an altered registration card with intent to deceive	EITHER WAY	10 yrs
Immigration Act 1971	26A(3)(e) & (5)	Attempt to use an altered registration card with intent to deceive	EITHER WAY	10 yrs
Immigration Act 1971	26A(3)(f) & (5)	Make an article designed for use in making a false registration card	EITHER WAY	10 yrs
Immigration Act 1971	26A(3)(g) & (5)	Make an article designed for use by self / another in altering a registration card with intent to deceive	EITHER WAY	10 yrs
Immigration Act 1971	26A(3)(h) & (6)	Have article designed for use by self / another to alter / make registration card with intent to deceive	EITHER WAY	2 yrs
Immigration Act 1971	26B(1) & (4)	Possess an immigration stamp without reasonable excuse - immigration	EITHER WAY	2 yrs
Immigration Act 1971	26B(2) & (4)	Possess a replica immigration stamp without reasonable excuse - immigration	EITHER WAY	2 yrs
Immigration Act 1971	27c	Port manager fail take steps re embarkation of passengers in designated control area	SUMMARY IMPRISONABLE	6 mths



Immigration Act 1971	27c	Port manager fail to take steps re disembarkation of passengers in a designated control area	SUMMARY IMPRISONABLE	6 mths
Nationality, Immigration and Asylum Act 2002	106(4)	Fail to comply with a requirement to attend before adjudicator / at tribunal - immigration	SUMMARY NON- IMPRISONABLE	Fine
Nationality, Immigration and Asylum Act 2002	Sch. 3 Para 13(1)	Person returns to UK and requests travel and accommodation arrangements - immigration	SUMMARY IMPRISONABLE	6 mths
Nationality, Immigration and Asylum Act 2002	Sch. 3 Para 13(2)	Person failing to mention previous request - requests travel and accommodation arrangements - immigration	SUMMARY IMPRISONABLE	6 mths

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