



**domestic
abuse
commissioner**

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Rt Hon Suella Braverman KC MP
Secretary of State for the Home Department
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CC: Rt Hon Ed Argar MP
Minister of State for Justice
102 Petty France
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9 November 2023

Dear Rt Hon Suella Braverman KC MP, Secretary of State for the Home Department,

Follow the introduction of the Victims and Prisoners Bill in the King's Speech on Tuesday, I am writing to you today to highlight the timely opportunity this presents for your Department to improve public safety and better support migrant victims and survivors of domestic abuse and other heinous crimes.

Today, I have published a briefing entitled *Safety Before Status: How to ensure the Victims and Prisoners Bill meets the needs of all victims*. This uses new data on information sharing between police and Immigration Enforcement regarding victims and survivors of domestic abuse to illustrate why a data-sharing firewall between statutory services and Immigration Enforcement is necessary.

Evidence, including from an investigation by His Majesty's Inspectorate of the Constabulary, Fire and Rescue Services (HMICFRS) in 2020, shows that victims of crime with insecure immigration status do not report domestic abuse to the police or other statutory services due to the fear that their information will be passed onto Immigration Enforcement, and that the reported crime(s) will not be investigated. I have personally heard from migrant victims and survivors that any interaction with Immigration Enforcement can instil fear and insecurity, regardless of whether any enforcement action will be taken.

Sadly, there is nowhere in England and Wales where migrant victims and survivors are safe from this fear being realised – my briefing unveils new evidence that every

single police force in England and Wales has shared the data of a victim of domestic abuse with Immigration Enforcement between April 2020 and March 2023. This has amounted to 537 victims' data being shared. Although some forces shared the data of just a handful of victims, even one victim's data being shared is enough to deter others from ever reporting to the police and other public services.

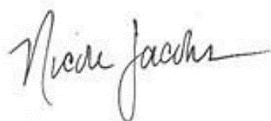
This data-sharing practice comes at incredibly high cost to both the personal safety of victims and public safety on the whole. Migrant victims themselves become trapped in immigration abuse, unable to safely report what is happening to them or access support. The general public are then at risk of abuse from serial perpetrators who are empowered to continue abusing, because there is no opportunity for criminal justice action, diversion, or risk reduction to protect current and future victims.

Critically, the high cost to both personal and public safety of inciting further fear and disincantizing victims from reporting crime resulted in no enforcement action that might be considered to justify the sharing of information – no victims or witnesses were detained or removed from the UK. The number of victims of domestic abuse referred to Immigration Enforcement may only make up a small proportion in the wider context of efforts to uphold immigration law, but for these individual victims and those who hear their stories, every referral to Immigration Enforcement is another deterrent to reporting abuse, accessing support, and bringing perpetrators to justice.

With the Victims and Prisoners Bill returning to Parliament, there is a unique opportunity for Government to take real action to support its position that victims are treated as victims first and foremost, regardless of their immigration status. I am recommending an amendment to the Victims and Prisoners Bill which would establish a data-sharing firewall between Immigration Enforcement and statutory services, including the police, so that migrant victims and witnesses can safely report domestic abuse and other crimes. This would increase victims' confidence in reporting and provide statutory services with the intelligence and clarity needed to protect not only the victim but also the wider public, without any significant impact on the wider work of Immigration Enforcement.

I would be happy to discuss this further with you, and I look forward to your response.

Yours sincerely,
Nicole Jacobs

A handwritten signature in black ink that reads "Nicole Jacobs". The signature is written in a cursive, flowing style.

Domestic Abuse Commissioner for England and Wales