Detection Avoidance in UK Border Immigration Crime

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EXECUTIVE SUMMARY

As record uncontrolled migration takes place across the world driven by war and other factors, border related immigration crime has soared. In the UK's case, criminal human trafficking gangs and other individuals employ a range of detection avoidance measures to achieve their aim of moving people or themselves across sea, land, and national borders. Such crime is problematic because it is often a mere precursor to other intended crimes; for example, engaging in modern slavery practices or furthering terrorism. A wide range of detection avoidance methods may be used to meet criminal objectives, including disguise of identity as well as identity document or technology abandonment and destruction. The variable nature of these methods has meant the Government's strategy has invoked a plethora of countermeasures in response. Drawing also on approaches in other countries, this chapter analyses the response by public authorities in the UK to this persistent and growing issue.

INTRODUCTION

The last few years have seen a substantial increase in border related immigration crime, in particular the highly publicised small boat migrations via France (Brooks, 2023). The UK Government has highly publicised the issue of organised immigration crime; and has sought to stay ahead of detection avoidance measures used by individuals and gangs. More recently it has declared that the situation is an "emergency" (Hughes,

2024) while media representation has framed it as a "crisis" (Parker et al., 2020). Organised border related immigration crime is a serious problem because there are wide-reaching implications for a range of parties and society as a whole. It is often the first stage in further intended crime in the target country, such as modern slavery offences, debt bondage, forced labour or terrorism. Indeed, reckless disregard for human life by human traffickers has been demonstrated in the series of deaths of Channel migrants since 2019 (UK Government, 2021; The Guardian, 2022; Sky News, 2024) and the issue of unaccompanied children brings additional safeguarding obligations to consider. But even isolated immigration border crime – that is, where individuals are participating alone rather than as a group – can lead to negative societal repercussions and the exploitation of vulnerable individuals, as well as contribute to public resource challenges and integration issues.

DIFFICULTIES OF CONTEXTUALISING AND RESEARCHING THE ISSUE

The complex nature of the potential crime setting raises several difficulties for researching criminal detection avoidance strategies used by perpetrators in UK border related immigration crime:

Limited Research

Academic literature is limited and there is an absence of both quantitative and qualitative data to outline the problem; although the Migration Observatory has collected some general quantitative data relating to English Channel migration over a five-year period (2022). The Government has also released asylum statistics (UK Government, 2024), yet the nature of asylum processes – with variable stages and appeal processes - means the data is hard to interpret. For example, it is stated that 33% of asylum claims were denied at the first stage, but following appeals processes, one third of those rejections were reversed. What does this really mean, in practical terms? Importantly, anyway, if criminal detection avoidance strategies are successful, the crimes will not be known – or recorded - by authorities, thereby creating an additional research data challenge.

Conceptual Difficulties in Detection Avoidance

Thus, there are clear conceptual difficulties from the outset. Consideration of detection avoidance as a discipline is still in its early stages, and it is likely this is driven by the nature of the topic as falling within preventative crime, as well as

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