



National Offender
Management Service

National
Probation
Service



CEP Workshop

“Foreign Offenders – The Challenge to Offender Management”

Toyin Folawiyo – Manager,
Foreign Nationals Unit, NPS (London)

NPS and Management of FNOs

- Currently in NPS, London is the only Division with a specialist Foreign Nationals Unit (FNU). Plans are in place to roll out similar specialist units across NPS.

Role of the FNO Single Point of Contact (SPOC)

- Provide strategic and operational oversight of work on FNOs;
- Implement policies and instructions on FNOs;
- NPS nationally are responsible for managing FNOs who receive an imprisonment of 12 months or more and meet the criteria for deportation.

Current political climate and challenges for NPS' work with FNOs

- Government's priority is to deport as many FNOs as possible & reduce FNO population
- Government keen for roll out of more specialist units – FNO prisons and specialist units in NPS.
- Developing new partnerships and delivery models with Prisons and Home Office Immigration Enforcement (HOIE) to underpin resettlement back to home countries will be a challenge for NPS.
- Potential for conflict between HOIE's hostile environment to "Remove" and NPS' duty to protect the public, reduce re-offending and support victims.
- Integrated approaches across agencies will mean training staff to feel confident to work with FNOs.

Custody Review and Offender Management Review

- Reviews currently taking place - Custody Review and Offender Management Review
- Review highlights that currently NPS' work with FNOs is undertaken differently across Divisions and plans are in place to roll out specialist Units nationally to bring consistency. Also looks at Harmonisation across HOIE, Prisons and NPS.
- New Offender Management model with increased focus on what happens in custody and the community to improve quality and outcomes of offender management.

Custody Review and Offender Management Review (cont'd)

- Previously, FNO Prisons were mainly to allow Home Office to remove quickly but interventions, safer custody/resettlement provisions were not there.
- Challenge for Offender Managers (OMs) is what sort of interventions will be required to make this work.
- Staff training across agencies will be crucial.

Early Identification of Nationality

- Government is interested in number of FNOs being managed by NPS, therefore it's important for OMs to record nationality from first Court appearance to get more accurate data.
- Important to get this right so case is allocated to correct provider. Incorrect allocations have cost and risk implications.
- Prospect of legal challenges if incorrectly deemed a Foreign National (FN) but later deemed British and vice versa.

FNO Engagement - Start of Sentence

- OMs are encouraged to treat FNOs in the same manner as UK Nationals, but some aspects of needs are particular to FNOs
- Establishing what assistance the FNO needs to enable them to cooperate with all agencies with competing priorities.
- Identifying resettlement objectives for the FNO in their home country and the UK especially for those with No Recourse to Public Funds.
- Building up knowledge of other countries, how to establish links with embassies and cultural awareness play a key role for OMs.
- Promotion of more thorough use of interpretation and translation services

Compliance vs Hostile Environment

The basic principles for NPS OMs involve:

- Motivating and encouraging compliance;
- Preparing the FNO for release either to their home country or into the United Kingdom;
- Risk management and addressing offending behaviour when released into the community.

Compliance vs Hostile Environment (cont'd)

Immigration Enforcement's strategic objectives are based around the Four Ps model of:

- **Prevent:** Remove incentives for people to stay illegally and create incentives for compliance
- **Pursue:** Target the criminality that supports illegal migration
- **Protect:** Manage high harm individuals to reduce the risk to the public
- **Prepare:** Increase our capability to remove people in the country illegally and/or acting unlawfully

Interagency Working

- NPS' continued development work with HOIE is critical to support their key objective of removal
- Developing new partnerships and delivery models with the NPS, Prisons and HOIE to underpin FNO Resettlement back into their communities means instilling more confidence in FNOs
- Continued work with other non statutory partners such as Mental Health, Physical Health, Faith groups to support safer custody particularly prior to removal is an added advantage in improving engagement of FNOs

Vulnerability of FNOs and Keeping FNOs safe

- Foreign National Offenders (FNOs) represent a a vulnerable group.
- OMs have a responsibility to ensure that all FNOs understand what is being said.
- Language barriers may make it difficult for staff to recognise that an FNO is experiencing a personal trauma.

Impact of Immigration Act 2016

- Act will allow the Home Office to tag FNOs as a bail condition instead of detaining them in Immigration Removal centres (IRCs) – implications for NPS in terms of managing those with NRPF & no fixed address.
- Impact of removal of S4 Accommodation may make Non-EEAs homeless & heighten risk management for NPS.
- Act will restrict the support given to people whose claims for asylum have been declined & are pending deportation.
- Act simplifies the basis on which local authorities in England can support migrants without immigration status.
- Expectation is for illegal immigrants to leave the UK rather than provide access to support.

Conclusion

- Work with FNOs needs to be harmonised across NPS, particularly focusing on enhancing joint working with HOIE and Prisons
- Working in partnership will dispel myths and allow the sharing of information about the deportation process
- Advantage of OM and Custody Review is that this will improve staff knowledge and have a positive impact on FNOs.