



# **CUSTOMS AND IMMIGRATION SERVICE**

**ANNUAL REPORT  
2008**

# MISSION STATEMENT

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**“THE CUSTOMS AND IMMIGRATION SERVICE IS COMMITTED TO PROVIDING A STRONG AND EFFECTIVE BORDER CONTROL IN ORDER TO PROTECT JERSEY FROM THE THREATS OF:**

- ILLEGAL IMMIGRATION AND THE MOVEMENT OF PROHIBITED OR RESTRICTED GOODS; AND**
- LOSS OF GOVERNMENT REVENUE FROM THE EVASION OF IMPORT TAX OR DUTY;**

**WHILST HONOURING THE ISLAND’S EXTERNAL CUSTOMS, IMMIGRATION, PASSPORT AND NATIONALITY OBLIGATIONS AND, WHEREVER PRACTICAL, MEETING THE PRINCIPLES OF FREE MOVEMENT FOR PEOPLE AND GOODS.”**

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# FOREWORD

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## FOREWORD BY THE HEAD OF SERVICE

I am pleased to present the Service's Annual Report for 2008, which proved to be another very busy and challenging year for us. The Report demonstrates the continuing effectiveness of the Service in all its areas of work. This is entirely due to the dedication and hard work of all our Officers and the excellent support I have received from my Senior Management Team.

This Report will showcase the variety of work undertaken by the Service which is reflected in our lines of responsibility:

- the Home Affairs Minister for law enforcement and general administration;
- the Treasury and Resources Minister for revenue collection; and
- His Excellency the Lieutenant Governor for immigration and nationality.

I comment below, not in any particular order of priority, on some of the more noteworthy matters that arose in 2008.

### **GST**

2008 saw the biggest change to the Service's revenue collecting function since the Island's entry to the EU Customs territory in 1973. I refer of course to the introduction of the Goods and Services Tax in May. Whilst the administration of GST is the responsibility of the Income Tax Office, the control of imported goods liable to the tax lies with the Service.

There was a dramatic increase in the amount of goods that had to be controlled on import. Prior to the tax approximately 200 consignments a week were potentially liable to customs or impôts duty, following the introduction of GST this figure increased to more than 14,000 consignments a week potentially liable to duty and/or GST. The priority for the Service was to manage this huge increase without delaying goods at the ports but still accounting for any tax due. This was achieved by the implementation of a bespoke IT system, CAESAR 2, which allowed for the electronic control of all imported goods. Allied to this were the introduction of procedures for regular and large importers which allowed postponed declarations and payments and, most importantly, the hard work of the officers in our Revenue and Goods Control section. After experiencing what can best be described as a hectic start the systems and procedures have settled down as carrying companies, businesses and private importers all become more used to them.

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# FOREWORD

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In December 2008 a Post Implementation Review (PIR) was conducted by HM Revenue and Customs and found that the introduction of the tax had been well managed. This was entirely due to the close working relationship and impressive efforts of the Income Tax and the Service's GST implementation teams. The Service's team was very ably led by the Director and Assistant Director with revenue responsibilities.

The PIR also highlighted the need for a review of staffing levels. The Service did receive an additional five officers to help manage GST but still had to divert yet another officer away from front line work to complement this number and I welcome the review.

## **Intelligence and investigation capabilities**

Last year I received the results of two independent reviews of our investigation and intelligence work, both conducted by the Criminal Justice & Enforcement Standards Assurance Branch of HM Revenue and Customs. Both reviews strongly endorsed the professionalism and ability of our work in these areas. This was particularly gratifying given the challenges that the officers have had to deal with over the last few years. It is much to the credit of the Director and Assistant Directors in Law Enforcement that our investigation and intelligence functions are so successful.

Much effort has been expended in 2008 to ensure sensible and cooperative working between the Island's two enforcement agencies in these areas. I look forward to continuing to work with the management team of the States of Jersey Police in ensuring that our resources are used effectively and appropriately for the good of the Island.

## **Frontiers**

The frontier teams had their own challenges during the year, continuing to work under strength despite heavy workloads. Nonetheless the Service's ongoing commitment to training and the enhancement of officers' skills as a result of on the job experience ensured that they continued to develop their skills in their new joint customs/immigration role. The officers' hard work and increased levels of experience were well evidenced by the excellent results on illegal immigration and seizures of illicit or dutiable goods.

## **Immigration casework and Passport office**

Along with the rest of the Service the Immigration Casework and Passport section had a very busy year. They were one of the sections that were affected most by the new management structure and I was gratified by how quickly the new Assistant Director fitted into his role and the way the section consistently dealt with their large workload. In particular the turnaround times for work permits and passports remains impressive despite the, at times, relentless pressure.

# FOREWORD

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## **Resources**

The under funding of the Customs and Immigration staff budget has been an ongoing issue for many years. The Education and Home Affairs Scrutiny Panel undertook a comprehensive review of the funding pressures on the Service which was presented to the States on 3 December 2008. The headline finding of the Panel was that it agreed with the Comptroller and Auditor General who said in his 2008 review of States spending that the Service was, “if anything, under funded”. The Panel’s main recommendation was, therefore, that the Service’s budget should be “adequately increased...from either central funds or existing Home Affairs resources”.

Whilst the Minister for Home Affairs has accepted the findings and recommendations of the Panel he noted that the Home Affairs Department’s cash limit has actually been increased by £250,000 in 2009. This allowed the Customs and Immigration Service to fill vacant posts and provide initial funding for the recruitment of 3 additional officers for Frontier Teams. However, the States was not asked to approve the additional £400,000 from 2010 that would have enabled an additional 3 officers to be recruited to bring the Frontier Teams up to strength. In response to the Panel’s main recommendation the Chief Officer Home Affairs will, in the first instance, carry out an internal review of budgets allocated to all the Home Affairs services to see whether there is any flexibility to increase support to priority areas.

## **Management review and restructuring**

August last year saw the retirement of John Noel, Director Immigration & Nationality, after over forty years of public service – a well earned retirement indeed!

Before John’s departure the Senior Management team took the opportunity to review the management structure in the Service for the first time since the Customs and Immigration merger in 2005. The old structure was for three Directors reporting to the Head of Service and under them four Assistant Directors - which was a logical transition from the management structure that had been in place in the former Departments of Customs & Excise and Immigration & Nationality. However the formation and progression of joint customs and immigration frontier teams had left this structure somewhat unwieldy and not a sensible representation of reporting lines.

# FOREWORD

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The new structure is shown in the organisation chart at the end of this Annual Report. It can be seen that there are now just two Directors with five Assistant Directors. The responsibilities formerly sitting with the Director Immigration & Nationality have been reassigned. Responsibility for technical immigration/nationality matters and the Passport Office has been allocated to the Director Legal Status & Revenue and the Assistant Director Immigration Casework & Nationality; responsibility for the immigration (and customs) frontier controls is solely with the Director Law Enforcement and the Assistant Director Frontiers.

## **Conclusion**

I am aware that in this introduction I have mentioned all the sections of the Service and I would like to thank every one of my colleagues for their sterling efforts, but last and certainly not least I must acknowledge the vital work of our finance and administration teams who so energetically and good humouredly helped to keep the whole Service running.

I am convinced that it is essential for the Island to have an effective and robust Customs and Immigration Service, properly resourced, trained and committed to help maintain a prosperous and safe place for us all to live. I know that I speak for all my colleagues in saying that we will do our best to ensure that we continue to provide such a Service.

**Michael Robinson**  
**Head of Service**

# LAW ENFORCEMENT

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## INVESTIGATION

The investigation strategy of the Customs and Immigration Service is as follows:-

### Drugs

To investigate the importation of all types of controlled drugs, but with a particular emphasis on the importation of Class A drugs as these are judged to pose the biggest risk to the people of the Island.

For this purpose the intelligence and investigation sections of the Service will work together closely and support each other in the development of drug operations which lead to the arrest and prosecution of the principals behind these drug syndicates.

The Service will look to work jointly with other law enforcement agencies, both on and off Island, wherever possible to achieve its aims in this area.

In such operations, officers in the Service will always look to effect arrests and make seizures where this will cause the greatest impact on the drug syndicate itself. If this means arranging for action to be taken by a law enforcement agency outside the Island then that is the strategy that will be adopted. In this way the Service will meet its responsibilities under the Island's Criminal Justice Policy.

A significant part of the work of officers in the Frontiers section of the Service is the identification of drug couriers. The role of the courier is usually at the lower level of the drug syndicate chain and such investigations are concluded over a short period of time. Nevertheless the quantity/value of the drugs seized can often be large.

The identification, interception and prosecution of drug couriers, therefore, will continue to be an important part of the Service's daily drug investigation duties.

The Service's investigation remit does not extend to drug street dealing/possession of drugs in the Island.



# LAW ENFORCEMENT

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## **Financial Crime**

The officers in the Service, who are based in the JFCU, will continue to investigate the financial status of those individuals who are convicted of drug trafficking offences in Jersey, with a view to making a confiscation order to the Royal Court to seize any assets which are identified as the proceeds of drug trafficking.

The officers will also undertake financial investigations on behalf of Customs authorities from outside the Island particularly in relation to drugs/VAT/Excise fraud.

The Service has 3 officers based in the Joint Financial Crimes Unit. These officers have responsibility for all financial investigations relating to drug trafficking in Jersey. In 2008 these investigations resulted in court confiscations of £105,411 and a cash forfeiture of £122,252.

## **Immigration**

The Service will investigate all aspects of 'illegal immigration' both at the frontier and inland. The term 'illegal immigrant' includes persons attempting to enter the Island either with false documents, by employing deception or entering clandestinely, and persons discovered after entry who gained entry or leave to remain illegally, e.g. asylum seekers.

Again the Service will look to work jointly with other law enforcement agencies, both on and off Island, wherever possible in such investigations.

## **Excise/GST Fraud**

The investigation of offences into excise fraud and GST importation fraud will also be undertaken by officers from the Service. Depending on the scale of the fraud the resources of the Intelligence section of the Service would be utilised in such investigations. At the present time however, excise/GST fraud is considered low risk.

# LAW ENFORCEMENT

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## ENFORCEMENT ACTION

### Drug Seizures

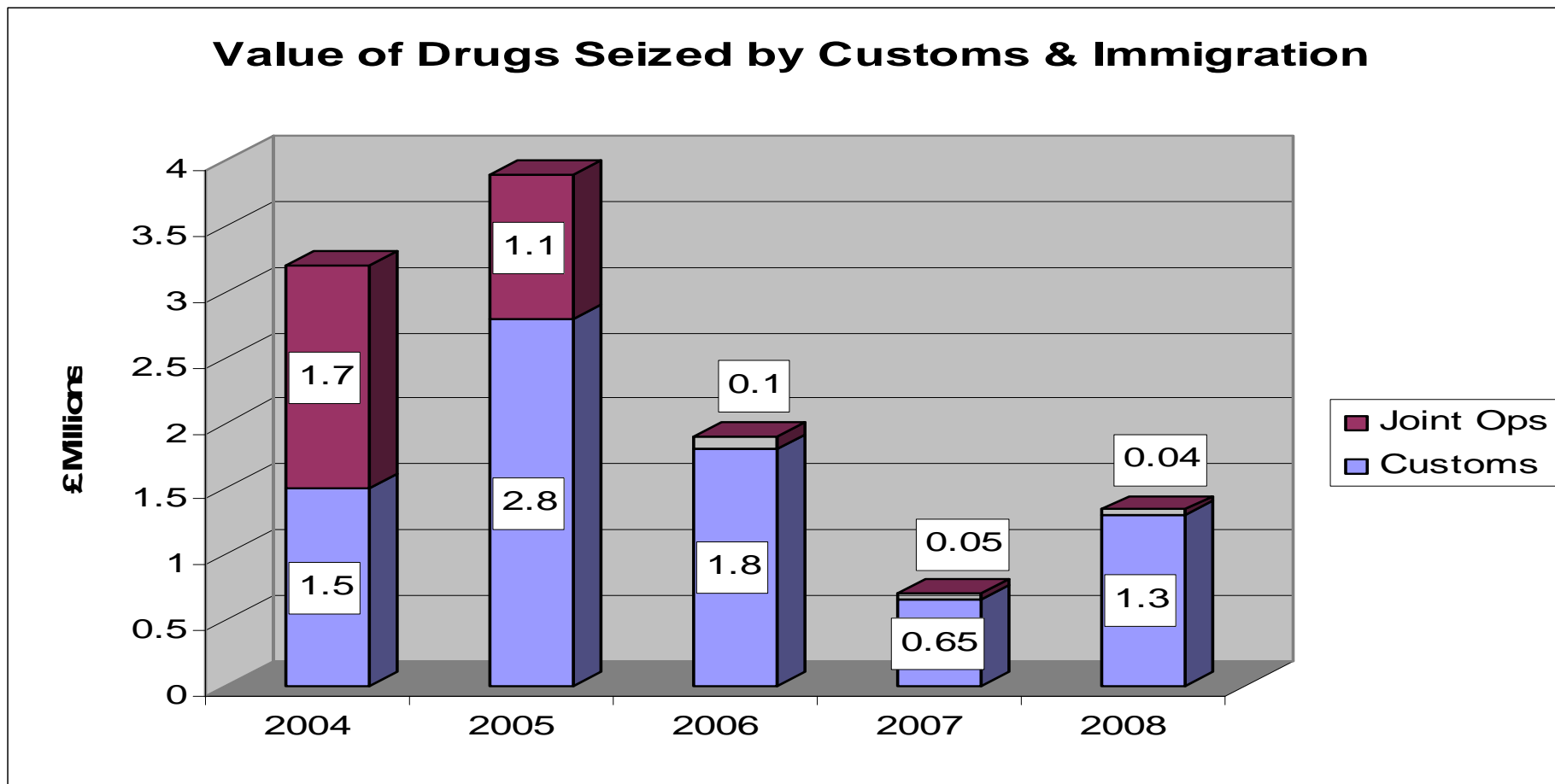
During 2008 Officers in the Service were responsible for the seizure of just over £1.3 million of drugs. In addition, drugs with a value of £40,000 were seized as a result of joint operations with Law Enforcement agencies outside the Island. In total there were 92 separate drug seizures during 2008. Of these 24 were of a commercial nature and resulted in the cases being referred to the Royal Court. All cases brought to court in 2008 resulted in a conviction for the individuals concerned.

Heroin represented approximately 70% of the drugs seized. It has been reported that there is an increase in cocaine on the streets of Jersey. The number of cocaine seizures discovered by Officers in the Service increased from 6 in 2007 to 8 in 2008. One of those seizures totalled approximately half a kilo. This had the effect of increasing the quantity of cocaine seized by 468% in 2008 when compared to 2007.

In light of the experiences of the UK and Ireland in relation to cocaine, it is not surprising that drug syndicates in the Island have easier access to cocaine. It is important however that Customs and Immigration Officers continue to monitor intelligence relating to cocaine in both the UK and Jersey and maintain their vigilance at the borders.

Overall, drug seizures were up 46% on 2007 though they were down approximately 49% on the previous 3 years' average.

# LAW ENFORCEMENT



# LAW ENFORCEMENT

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## Refusals

The number of third country nationals who were refused leave to enter the Island totalled 25 which was approximately a 1.5% increase on the 2007 figure. This was below the previous 3 year average of 32. Of the 22 refused entry there were 9 Brazilians (41%) and 5 Russians (23%). In light of the low numbers, however, it would not be appropriate to identify this as a trend.

Approximately 64% of the persons refused entry had travelled from St. Malo which continues to be the port of departure posing the largest risk.

## LOGISTICS

### Equipment

The Service's Law Enforcement database was replaced in 2008 with the system going live in June 2008. The Service now has a database which meets current legislation requirements.

### Training

In February 2008 the Serious Organised Crime Agency (SOCA) ran a 2 week surveillance course for Officers in the Service. As a result a further 8 officers were accredited to undertake surveillance work.

The development of the multi functional Customs/Immigration concept continued throughout 2008. In the first 3 months Officers received training from specialist trainers from both Her Majesty's Revenue and Customs (HMRC) and the UK Border and Immigration Agency so as to equip them with the basic skills to carry out both functions. In the last 3 months of the year, 6 more experienced Officers attended a secondment at Gatwick Airport to work in the Immigration controls in both the North and South Terminals. In addition, 6 Officers were also seconded to the HMRC Custody Suites at both Gatwick and Heathrow Airports to enhance their knowledge of Custody Officer procedures.

Some of the results achieved at the frontiers in 2008 provide positive evidence that this training is starting to produce some excellent results. There is also evidence that Officers are being used more flexibly than in previous years.

# LAW ENFORCEMENT

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## Resources

The increase in shipping movements from abroad in recent years and the expectation that the Service would continue to provide simultaneous Immigration controls on board vessels, which is beyond what is normally expected of a basic Immigration control, continued to stretch resources at the frontiers in 2008. The Service was given financial support from both the Economic Development Department and the Harbour Department.

This enabled the Service to recruit the services of 2 recently retired Immigration Officers on a part-time basis and offer overtime payments to current Officers thus ensuring that these controls were adequately maintained.

It should be noted however, that the Service continues to have significant concerns regarding the long-term viability of on-board immigration controls particularly in relation to their effectiveness/robustness. The Guernsey Customs and Immigration Service have similar concerns and during the course of 2009 both agencies will engage with the UK Border Agency (UKBA), the respective Economic Development/Harbour Departments and the relevant shipping companies to finally resolve the issue.

## HMRC Review

In October 2008 Officers from the HMRC Enforcement and Compliance Governance and Assurance Unit undertook a review of the Customs/Immigration section of the Joint Intelligence Bureau. The overall conclusion of the review was that there were no serious control weaknesses identified.

The reviewers were particularly impressed with the effective training programmes that were in place, the robust, secure and auditable IT systems and the instructions that are given to staff. A number of recommendations were put forward and all have subsequently been implemented.

# LAW ENFORCEMENT

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## THE FUTURE

### Frontiers

When the Service management identified the concept of the multi-functional Customs/Immigration Officer in 2006 it had in mind a 5 year strategy to achieve this aim. It is important that the Service continues to provide the appropriate support and training to Frontier Officers as they continue their development into fully competent Customs/Immigration Officers.

### Investigation/Intelligence

The Service's investigation/intelligence capability has developed significantly in the last 2 years. The Service will continue to build on this in the future in terms of identifying and providing further specialist training that will benefit the sections. In addition the Service will continue to explore the opportunity of purchasing specialist equipment which will enhance its capability in this area.

# REVENUE AND GOODS CONTROL

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## REVENUE

2008 again represented a busy and varied year for Officers involved in revenue collection and goods control duties. During the year the general consumption of certain excise goods dropped whilst for other excise goods consumption remained consistent with 2007. However the total Customs and Excise duty collected in 2008 was £49.8 millions, a significant decrease from the duty collected by the Service in 2007. This decrease was due to the removal of Vehicle Registration Duty (VRD) in May that resulted in a loss of approximately £4 millions in revenue.

Goods and Services Tax collected by the Service on importations of goods by non-registered entities during 2008 amounted to £0.86 million

Total revenue collected in 2008 was £50.661 million (see pages 6&7 for more detail)

## Impôts

In December the budget was debated by the States Assembly and increases, based on the June rise in the retail price index, of Impôts duty rates on alcohol and tobacco were agreed.

Proposals by the Minister for Treasury and Resources to defer an increase in the rate of duty on fuel by maintaining the 2008 duty rates for 2009 was also agreed by the Assembly

Following the budget the proportion of Impôts duty on the local retail price of some common excise goods are:

- A litre of whisky - £9.37
- A bottle of table wine - £1.12
- A pint of normal beer - 28p
- 20 cigarettes - £3.15
- A litre of unleaded petrol or diesel - 41p

# REVENUE AND GOODS CONTROL

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## **Vehicle Registration Duty**

VRD was abolished in May 2008 to correspond with the introduction of GST. At this time a proposal was brought before the States Assembly for a Vehicle Emissions Duty (VED), as a more environmentally targeted vehicle tax basing the duty liability on vehicles Carbon Dioxide - CO<sup>2</sup> - emissions rather than engine size. However the States decided not to introduce the new VED proposals and instead requested that progress be made towards a package of environmental tax and spend initiatives.

In September the Council of Ministers proposed such a package in the draft Annual Business Plan 2009, but following an amendment agreed by the States Assembly the proposal for a low level VED was rejected. During 2009 the Planning and Environment Department will undertake further consultation to identify a preferred environmental tax.

## **Goods and Services Tax**

Although the Income Tax Department was tasked with the overall administration of GST, the responsibilities that fell to the Customs and Immigration Service concerning the tax on imported goods were considerable.

The strategy adopted by the Service was firstly, to rely heavily upon information technology (see Goods Control, p.17) and secondly, to seek to considerably expand its system of 'Approved Traders'. Approved Traders benefit from being able to take possession of their imported goods directly on arrival and to declare and pay duties at a later date. These arrangements avoid unnecessary delays at the ports and simultaneously assure the revenue by means strict terms and conditions applicable to all Traders.

In order to explain and promote these initiatives, Officers participated in a variety of publicity events and educational evenings. Publicity material was widely published. Detailed rules for the operation of the new system were issued as directions from the Agent of the Impôts (Agent's Directives). Further detail was added to the control when the Comptroller of Income Tax also issued Directions regarding certain categories of imported goods that would be subject to relief of GST.



# REVENUE AND GOODS CONTROL

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The expansion of the Approved Trader scheme was a great success and by year end there were 1,050 businesses that were both Approved with Customs and Registered for GST with Income Tax; in addition there were a further 496 businesses that were simply Customs Approved.

The States agreed to a £12.00 de-minimis charge level for the Service which ensured that officers would not be tied up resolving low value imports. This de-minimis waiver allows goods up to the value of £400, inclusive of any freight or postal charges, imported by non-approved traders to be free of GST as long as these goods are not liable to any customs or excise duty.

The volume of consignments processed by CAESAR II between May and the end of the year exceeded 550,000. The proportion of consignments detained on entry for formal clearance remained at an acceptable level of approximately 2.6% of the total. In other words the procedures for accounting for Import GST ensured that 97.4% of all freight consignments were not held up at the ports awaiting payment of the tax.

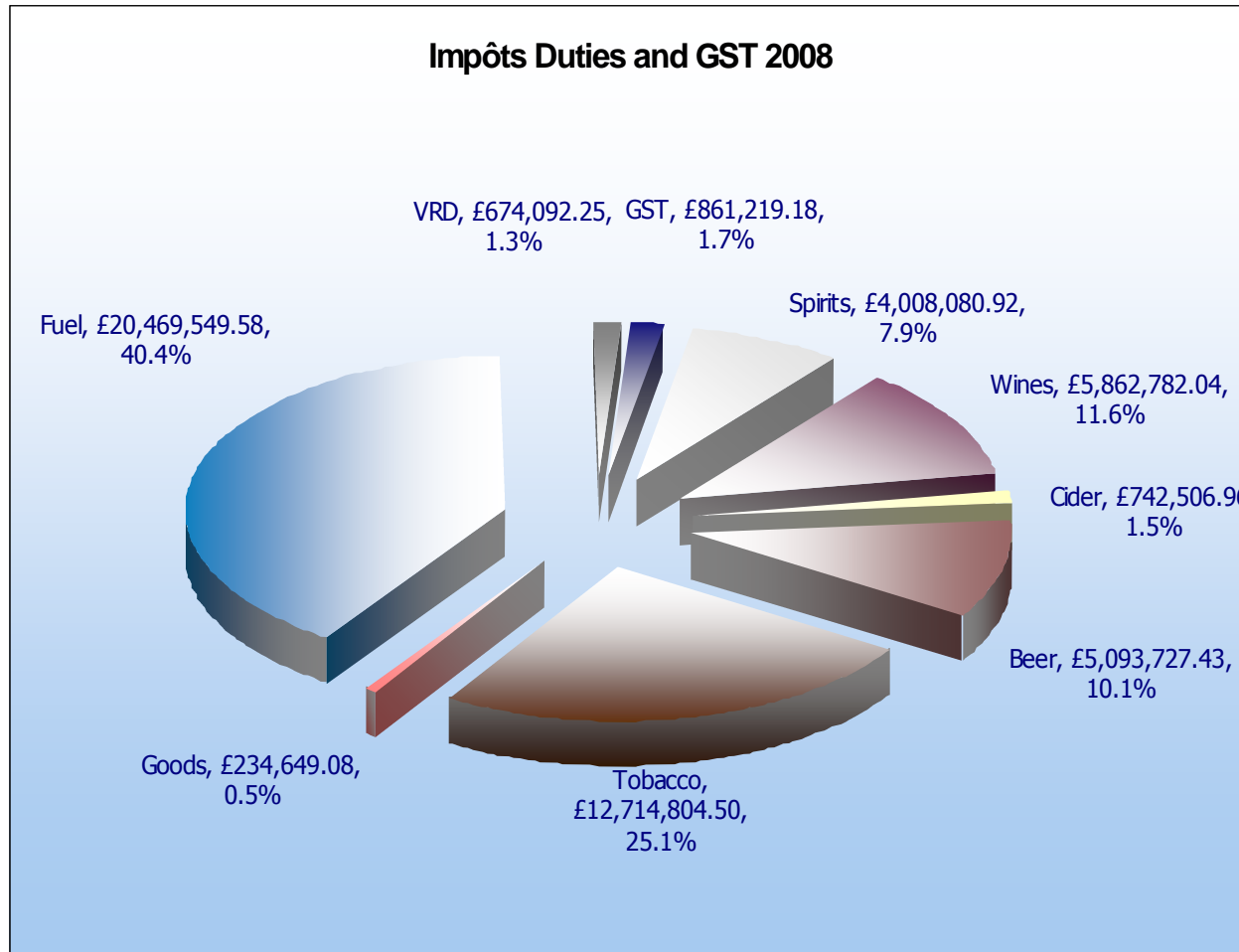
# REVENUE AND GOODS CONTROL

## IMPÔTS RECEIPTS £ MILLIONS

	1999	2000	2001	2002	2003	2004	2005	2006	2007*	2008*
<b>Spirits</b>	4.074	3.882	3.835	3.804	4.466	3.781	4.058	4.194	3.928	4.008
<b>Wine</b>	3.562	3.608	3.765	4.426	4.980	4.873	5.272	5.351	5.661	5.863
<b>Cider</b>	0.367	0.413	0.310	0.372	0.473	0.532	0.575	0.633	0.710	0.742
<b>Beer</b>	2.855	2.810	3.163	4.104	4.858	4.708	4.767	5.042	4.961	5.094
<b>Tobacco</b>	10.870	11.167	12.008	12.367	13.354	13.913	12.508	12.953	12.672	12.715
<b>Fuel</b>	10.883	11.763	11.717	13.985	16.355	18.660	18.452	19.051	19.876	20.469
<b>VRD</b>	-	-	-	-	2.912	3.687	4.033	4.047	5.836	0.674
<b>Customs</b>	0.158	0.360	0.190	0.106	0.110	0.136	0.174	0.113	0.193	0.235
<b>GST from non-registered importers</b>										0.861
<b>TOTAL</b>	<b>32.769</b>	<b>34.003</b>	<b>34.988</b>	<b>39.164</b>	<b>47.508</b>	<b>50.290</b>	<b>49.839</b>	<b>51.384</b>	<b>53.837</b>	<b>50,661</b>

\*Please note that 2007 and 2008 figures include all accrual adjustments to comply with Generally Accepted Accounting Policies (GAAP)

# REVENUE AND GOODS CONTROL



# REVENUE AND GOODS CONTROL

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## GOODS CONTROL

Significant changes occurred in the area of goods control during 2008. The Service successfully moved from paper based control mechanisms to a modern, electronic goods control platform. The CAESAR II computer system introduced the following advances:

- Remote, electronic manifest submission to the Service by all shippers and airlines
- The allocation of consignment clearance routes according to goods type and consignee status
- Remote, on-line access for all importers, private or commercial, to make Import Declaration and duty payment.

The instrumental factor behind this move to automated processing was the introduction of GST on 6<sup>th</sup> May 2008. As has already been explained the Income Tax Office is responsible for the overall administration of GST but the Customs and Immigration Service is responsible for the collection or correct accounting of import GST and these new responsibilities caused an exponential increase in the number of dutiable, imported consignments that the Service was required to control.

## Excise Seizures

A total 201,902 of cigarettes were seized by Officers during 2008 with a revenue potential of £29,477.69. In line with previous years, these cigarettes were either imported in travellers' baggage, in excess of duty free reliefs, or via the postal system, where importers or addressees declined to pay the relevant excise duty. A total of 320 individual seizures were made. These figures represent a fall in cigarette seizures of approximately one third from 2007 levels and are judged to be indicative of manpower levels at the Frontiers rather than a marked improvement in compliance.

# REVENUE AND GOODS CONTROL

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Two prosecutions were brought during the year as a result of two examinations on commercial vehicles conducted by Frontier Officers. The two importers concerned were carrying goods for their respective grocery businesses and in each instance failed to make full declarations of the excise goods imported. The first case involved the fraudulent evasion of excise duty on 207.12 litres of beer, 31.6 litres of spirits and 339 litres of wine amounting to duty liability of £905.36 and led to a fine of £750 at the Magistrate's Court. The second case involved 382 litres of wine and 13 litres of spirits, a £665.73 duty evasion that was dealt with by way of a £2,000 fine by the Magistrate.

No further incidents arose and no specific intelligence was received that might indicate a wider smuggling of excise goods for commercial purposes.

## **Medications**

During 2008 the Service did not make any seizures of medications imported into the Island without a 'product licence' (as required by the Medicines Law).

The Service remains vigilant to this threat, however, and continues to liaise closely with Health and Social Services about all goods that may be subject to control on import and export under local medicines legislation.

## **Other Seizures**

During 2008 Officers made 5 seizures of fireworks that had been imported without an Import Licence amongst passenger baggage. A flick knife and CS gas spray were also seized at the ports. 58 individual seizures of indecent or obscene material were made, predominantly as a result of anti-smuggling checks on incoming postal packets. There were 5 seizures of commercial quantities of counterfeit items; 4 of which involved the unwitting purchase by local importers of falsely branded clothing items from Far East sources. None of these cases had any serious aggravating factors that might have caused a prosecution to be brought; in all cases the items concerned were seized and subsequently destroyed. Total figures for 'other seizures' were slightly down on 2007 levels.

# REVENUE AND GOODS CONTROL

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## **VAT Accounting Scheme**

The UK Import VAT Accounting Scheme allows for the pre-payment of UK Import VAT on postal items that are over £18 in value sent by locally based traders to customers in the UK. Traders who agree to join the scheme are required to keep records and submit to a regime of audit and assurance. Import VAT is remitted by the traders to Jersey Post who in turn pay the monies onto HM Revenue and Customs.

The scheme continued to perform well and the Annual Report submitted to HM Revenue and Customs on the operation of the Scheme during 2007 was accepted in full.

The number of Scheme members rose to 114 and compliance with Scheme terms and conditions (which were updated during the year at the instigation of HM Revenue and Customs in the UK) remains very high.

## **Diesel Checks**

No road side fuel checks to test for the illegal use of duty free red diesel were conducted during 2008 due to exceptionally high workloads - these checks usually begin in April and this coincided with introduction of GST.

## **THE FUTURE**

### **CAESAR II**

Whilst the CAESAR II system is working well and the feedback from those who use the system regularly is positive the system is still under final development and requires a small number of upgrades to be added before the Service considers its development to be totally in line with expectations. These upgrades will include enhanced management reporting and presentational improvements with additional on-screen guidance and information for the user and are scheduled to be complete by May 2009.

# REVENUE AND GOODS CONTROL

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## **Excise Duty on Marine Fuel**

The Minister for Treasury and Resources believes that it is now appropriate to re-examine the duty-free concession on fuel for marine pleasure craft. This issue will be the subject of a review during 2009.

# IMMIGRATION AND NATIONALITY

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## IMMIGRATION CASEWORK

The Casework section is responsible for implementing the laws and rules for the purposes of controlling overseas nationals seeking to enter the Island with an entry clearance and wishing to remain for a further period. In addition the section provides advice and information to members of the public on immigration requirements.

### Entry clearance

Certain nationalities need to obtain a visa before travelling to the United Kingdom or Islands. Nationals of other countries may also need an entry clearance depending on their reason for travel. Applications for travel to Jersey are processed at British Diplomatic Posts in the country where the application is submitted and are referred to the Casework section for authority to issue or refuse.

A total of 619 referrals were received during the course of 2008 (up 17% on 2007 and 28% on 2006), notwithstanding the current financial climate this increase in referrals shows no sign of diminishing.

### Work Permits

The Casework section also administers the Work Permit scheme which allows employers, subject to meeting set criteria, to recruit overseas nationals where they are unable to fill vacancies with either British citizens or European Economic Area nationals.

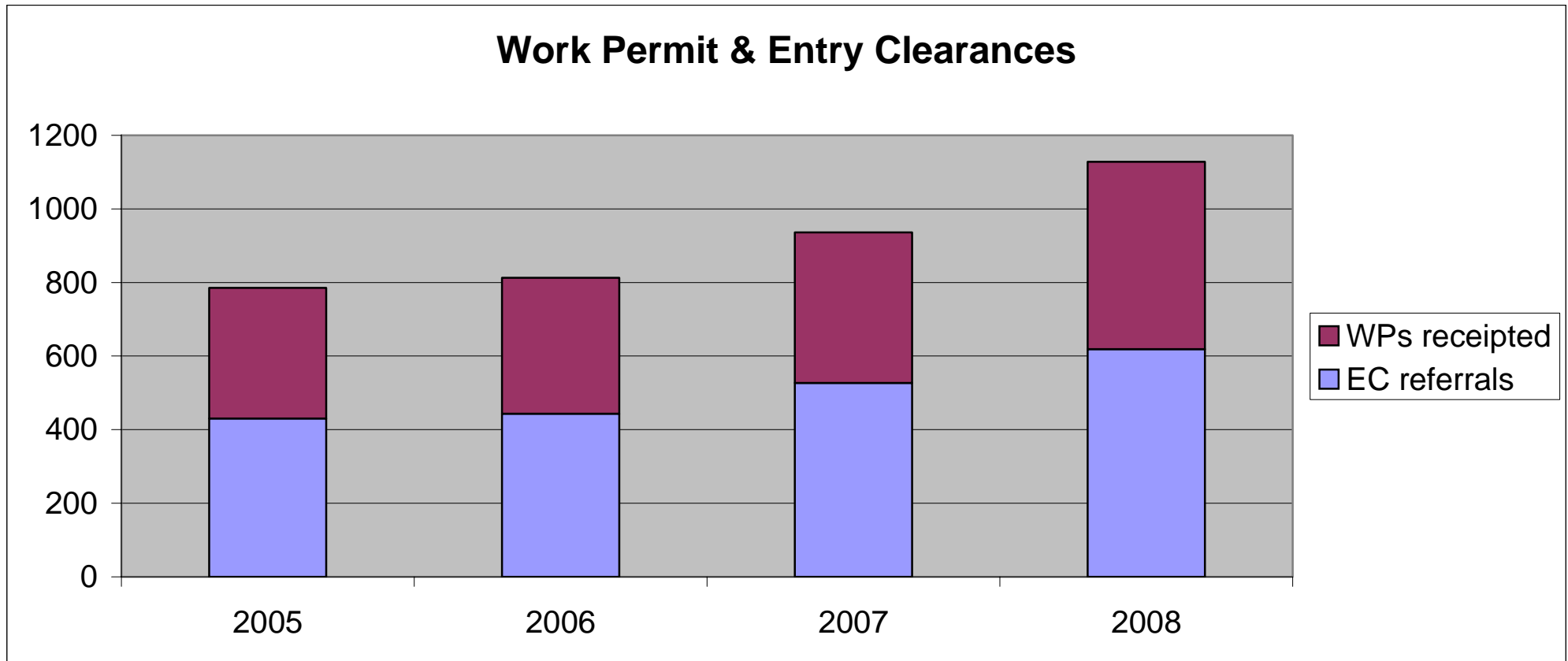
Unskilled work permits are issued for the hospitality sector, but the numbers of such permits issued in 2008 continued to decline (down 15% to 95) in line with the previous 3 years.

On the other hand the number of skilled work permits continues to increase strongly. In particular the finance (up 50% to 242) and information technology sectors (up 189% to 55) continue to experience a shortage of suitably qualified and experienced workers from within the European Union.



# IMMIGRATION AND NATIONALITY

## Work Permit & Entry Clearances



# IMMIGRATION AND NATIONALITY

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## **Citizenship Test**

Since the first of January 2008 non-European Union nationals applying for permanent residence ('Indefinite Leave to Remain') have been required to demonstrate knowledge of the English language and to pass a Citizenship Test. Obtaining such residence is a pre-requisite to later applying for British citizenship and it encourages people to gain knowledge of the United Kingdom and Jersey at an earlier stage in their residency in the Island. The tests are administered by Highlands College and sittings are arranged approximately every month.

The number of persons granted indefinite leave to remain in 2008 declined 62% compared with 2007 with 74 applications being approved as opposed to 120 the previous year. It is considered likely that the introduction of the Citizenship Test has, at least in part, led to this decrease.

## **Naturalisation**

Overseas nationals may apply to naturalise to become a British citizen, subject to meeting qualifying criteria, after three years residence in the case of foreign nationals who are married to British citizens, and after five years in other cases. In 2008 the Service received 53 applications for naturalisation.

## **PASSPORT OFFICE**

### **Passports**

2008 was a busy year for the Passport office team with the passport system, GIPSY, providing a reliable service to the passport issuing offices in Jersey, Guernsey, the Isle of Man and Gibraltar.

In the last quarter of 2008 a project was started to decommission the server from our previous passport system, GENIE. The GENIE server was left operational when GIPSY was installed in order to allow us to have local access to the passport records on that system, the server is now 10 years old and is vulnerable to failure. The data it contains needs to be migrated onto a different system before such a failure occurs.

Passport issues totalled 10,783 for the year, 122 up on 2007.

# IMMIGRATION AND NATIONALITY

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## Legalisation

For the first time in several years our Legalisation of Documents service saw a slight reduction in demand, possibly as a result of the global financial crisis which is currently being experienced.

9602 documents were legalised during 2008 as against 10197 the previous year, a reduction of nearly 600, and providing an income of £192,000.

## THE FUTURE

### Citizenship

The Borders, Citizenship and Immigration Bill was introduced to Parliament in the United Kingdom on 14 January 2009. The Bill introduces the concept of earned citizenship for persons wishing to become British citizens and clarifies immigration powers in relation to the Common Travel Area. It is likely that certain relevant clauses contained within the Bill will be extended to take effect in the Island in the latter part of 2009.

### Passports

In 2006 the Jersey Passport Office commenced issuing Biometric passports containing details of the holder in electronic format. The first biometric to be used was a facial recognition biometric, a mathematical formula based on the layout of the holder's face, which is fairly unique to each individual. The required measurements are taken from the applicant's photograph.

The Service continues to work closely with colleagues in Guernsey and the Isle of Man whilst also liaising with the UK Identity and Passport Service and the Foreign and Commonwealth Office on the introduction of passports containing a secondary biometric. This secondary biometric will contain a copy of the holder's fingerprints and is scheduled to be introduced in 2011. A representative from the Islands sits on the UK second biometric passport programme board on behalf of all the Crown Dependencies.

# IMMIGRATION AND NATIONALITY

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The introduction of secondary biometric passports will involve many changes to passport issuing processes and a new layout to the public office may be required. It is also likely that considerable capital investment will be required for the new passport system, however it is impossible to estimate costs until such time as the United Kingdom have agreed a contract with the supplier of the new system

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