



CUSTOMS AND IMMIGRATION SERVICE

**ANNUAL REPORT
2006**

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FOREWORD

Introduction from the Head of Service

This is the first annual report of the Customs and Immigration Service. The Service was formed by the merging of the old Customs and Excise and Immigration and Nationality Departments in 2005.

The Service is unique in that it has three distinct areas of accountability. We are part of the States of Jersey Home Affairs Department which has overall responsibility for the administration of the Service and, in particular its Law Enforcement functions. I am also answerable, in my role as Agent of the Impôts, to the Minister for Treasury and Resources with regard to Impôts duties. Finally the Service answers to His Excellency, the Lieutenant Governor on all Immigration matters.

2006 was a period of both consolidation and progress for the Service. The finance and administration sections of the former departments were the first sections to be combined and they have had nearly two years to successfully consolidate their functions.

In October 2006 the next logical step was taken with the amalgamation of the Immigration Frontier Teams and the Customs Anti-Smuggling teams. The new structure saw Customs Officers and Immigration Officers working alongside each other to provide the frontier controls. A carefully planned training programme was put in place to help officers undertake their new increased responsibilities.

This joint approach to the frontier controls gave the opportunity for the Service to allocate more officers to its Investigation Unit. The Unit is responsible for developing intelligence in conjunction with the Joint Intelligence Bureau and investigating any criminals engaged in commercial drug smuggling or committing other Customs and Immigration offences. The new structure proved an immediate success for the Investigation Unit who had a particularly productive few months. Drugs importations, particularly Class A drugs, remain the priority for the Law Enforcement section and although seizure totals declined overall compared to 2005, heroin seizures increased significantly.

The Service's policy of intelligence led policing at the frontiers allows officers to concentrate on identifying and catching criminals whilst allowing the innocent public to travel with as little hindrance as possible.

Continued

FOREWORD

The collection of Impôts duties is another core function of the Service and the £51 million collected in 2006 is an important contribution to the States revenues. With the introduction of GST in 2008 the revenue collected and the work involved will increase. All imported goods will be potentially liable to the new tax. We are conscious that we will have to collect import GST with the minimum of disruption to the flow of goods into the Island. We are planning carefully for the extra responsibility and will ensure that we are prepared to manage the situation.

Jersey is part of the Common Travel Area (CTA) which comprises of the United Kingdom and the Republic of Ireland. Once people arrive in Jersey from abroad they can move to anywhere else in the CTA without further checks. We therefore have an obligation to provide stringent and effective Immigration controls.

Last year saw the introduction of the first type of biometric passports. The staff of the Passport section deserve great credit in ensuring that the processes and procedures were in place in time and that the disruption to the public was minimised.

The Service is nothing without its staff. It is the dedication and loyalty of all our officers that enables me to report on a successful and productive year. They serve the Island well. The coming year will be a challenging one for the Service. Our workload is going to increase and resources may have to be cut due to budgetary pressures. It will be a difficult test for us to maintain our high standards and if we are not successful I know that it will not be for the want of effort or commitment of everyone in the Service.

Mike Robinson
Head of Service

CUSTOMS AND EXCISE

2006 represented another busy and varied year for Officers involved in revenue collection and goods control duties. A slowing of the general decline in consumption of excise goods that has been occurring for the last few years resulted in an increase of over £1.5 million in the duty collected in 2006 compared to 2005. The total duty collected by the Service in 2006 was £51,383,585.

Throughout the year the Service remained heavily involved in the implementation of the new Goods and Services Tax, working closely with officers from the Income Tax Department and the international development company, Crown Agents.

Goods Control

Early in 2006 the Service submitted to HM Revenue and Customs the first annual report on the operation of the UK VAT Accounting Scheme regarding the local fulfilment industry. This report was positively received by HMRC who took it as evidence that the Scheme was being properly administered. In February, however, the Minister for Economic Development revised the policy on the industry and imposed additional requirements under the Regulation of Undertakings and Development legislation.

Following discussion with the Economic Development Department, possession of a valid RUD licence was made an additional requirement for participation within the Scheme. A consequence of this development has been that several larger, non-local businesses have now left Jersey to take up operations from other jurisdictions; more are expected to follow in early 2007.

A total of just over 223,000 cigarettes were seized by Officers in the course of the year; this represented cigarettes imported in excess of passengers' personal allowances as well as those imported by post for which the addressees declined to pay excise duty. The source of these cigarettes largely remained either duty free shops in the case of passenger traffic and private consignors in Poland in the case of postal traffic.

CUSTOMS AND EXCISE

The risk posed by the illegal importation of firearms remained a high priority for the Service. In 2006 the Service brought a successful prosecution for the illegal importation of a pistol designed to fire noxious pepper and the possession of a prohibited electric stun gun. In addition to this, two separate seizures were made when paint ball guns were detected on importation from the United States without the required Import Licence. The detection by Officers of airgun ammunition at the Post Office consigned to an individual who did not hold a local Firearms Certificate, led to the seizure of an illegally held air pistol by the States of Jersey Police. As well as five seizures of personal quantities of fireworks detected amongst passenger luggage, Officers also seized a commercial quantity of electronic fuses for igniting fireworks that had been imported contrary to the terms of the relevant Import Licence.

Officers made 56 seizures of material suspected to be indecent or obscene, although none was of a type specified by the Attorney General as warranting consideration for prosecution. In addition, however, a seizure was made of extreme right wing anti-Semitic material; this led to the arrest of an individual by the States of Jersey Police for suspected related offences.

In 2006 there were 21 commercial seizures of counterfeit goods made at the ports; it being a football World Cup year most of these items were England football shirts manufactured in the Far East.

Throughout the year the Service continued to work in close co-operation with Health Protection officers and 7 seizures were made of raw meat imported from outside the EU.

Finally, Officers took part in 9 road checks in conjunction with Police Officers and tested some 205 vehicles for red diesel. Two vehicles were found to be running illegally on duty free fuel; the offending owners were offered civil penalties by way of settlement and these were paid in each case.

Impôts

In June the Minister for Treasury and Resources wished to explore the issues concerning the application of Impôts duty to fuel used by marine pleasure craft. In order to inform any decision as to whether there should be a proposal to include the duty in this year's budget the Service conducted a public consultation. The consultation attracted both local and national media attention with news items in the local press and UK boating publications. It was also the subject of discussion forums on the internet and public meetings. There were a total of 104 responses to the consultation, 101 against the application of duty to marine fuel and 3 in agreement that duty should be applied.

CUSTOMS AND EXCISE

Responses were received from Jersey, Guernsey and the United Kingdom; from States Members, private individuals, boating associations and clubs, businesses involved in the marine and tourism industries; from the recently formed Jersey Boat Owners and Marine Trade Working Party on Fuel Duty and also from the Harbour Office. Responses ranged from short emails and telephone calls expressing an opinion to comprehensive documents presenting detailed arguments why duty should not be applied and a petition against the application of duty attracted 1,581 signatures.

The application of Impôts duty to marine fuel was shown to be an emotive subject for many boat owners and others associated with the marine leisure industry. Almost all respondents were vehemently against the application of the duty. It was clear that there were wider economic implications to the withdrawal of the present marine fuel duty rebate, and these will be the subject of ongoing discussions with the Minister for Economic Development in the context of the promotion of the marine leisure industry. In the meantime, to avoid any ongoing uncertainty, the Minister confirmed that there would be no proposals in the 2007 budget for the withdrawal of the duty concession for marine pleasure craft.

In December the budget was debated by the States Assembly and increases, based on the September rise in the retail price index, of Impôts duty rates on most excise goods were agreed. The vehicle registration duty rate remained unchanged and the reduced rate of duty for beer brewed by small independent breweries was further reduced to 50% of the full rate.

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

- A litre of whisky - £8.54
- A bottle of table wine - £1.02
- A pint of normal beer - 26p
- 20 cigarettes - £3.00
- A litre of unleaded petrol or diesel - 39p

CUSTOMS AND EXCISE

IMPÔTS RECEIPTS £ MILLIONS

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Spirits	4.123	4.083	4.074	3.882	3.835	3.804	4.466	3.781	4.058	4.194
Wine	2.999	3.363	3.562	3.608	3.765	4.426	4.980	4.873	5.272	5.351
Cider	0.282	0.288	0.367	0.413	0.310	0.372	0.473	0.532	0.575	0.633
Beer	1.935	2.323	2.855	2.810	3.163	4.104	4.858	4.708	4.767	5.042
Tobacco	9.126	9.969	10.870	11.167	12.008	12.367	13.354	13.913	12.508	12.953
Fuel	5.782	8.429	10.883	11.763	11.717	13.985	16.355	18.660	18.452	19.051
VRD	-	-	-	-	-	-	2.912	3.687	4.033	4.047
Customs	0.154	0.133	0.158	0.360	0.190	0.106	0.110	0.136	0.174	0.113
TOTAL	24.401	28.588	32.769	34.003	34.988	39.164	47.508	50.290	49.839	51.384

CUSTOMS AND EXCISE

The Future

In the summer of 2006 Crown Agents were commissioned to conduct a review of Customs operational activities and working practices. They concluded that existing methods of working and associated support systems were not adequate to the task of collecting import GST and the Service fully accepted that a programme of modernisation was required.

A project to deliver this modernisation and change was initiated in October 2006. The project will continue up to the time of GST implementation and the following objectives were identified for completion in 2007.

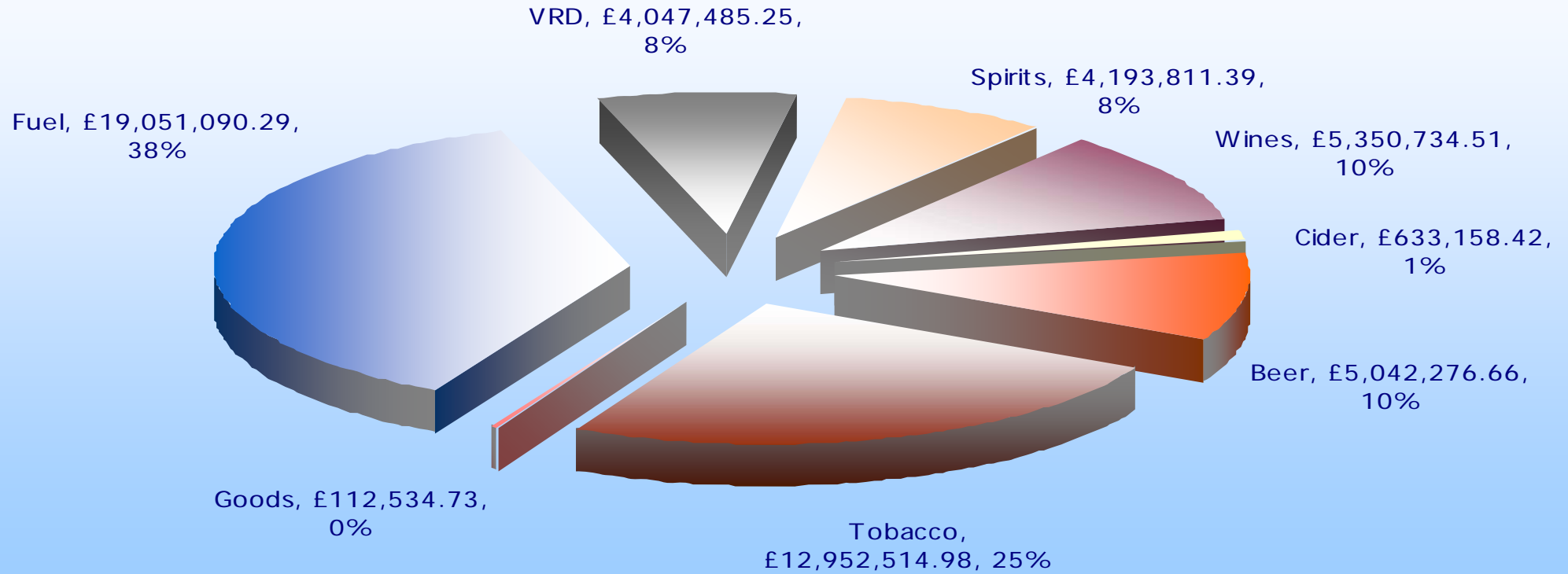
- *Change management strategy*
A high level document was produced in 2006 that set out the overall project objective and how the objective will be met.
- *Organisational review*
A review of the current organisational structure with recommendations for improvement where appropriate was commenced in 2006 and is nearing completion.
- *Review of Legal framework*
A review of the current and proposed legal framework will be undertaken in relation to Customs/Immigration and GST and recommendations for improvement made where appropriate.
- *External stakeholder participation*
Major External stakeholders at the appropriate level are being identified and the project team will ensure that they have the opportunity to fully participate as necessary in the change process. Channels will be set up and developed that will allow the participation of external stakeholders in order to enable them to contribute to the implementation process where necessary.
- *Operational review of Imports and exports*
A review of the current operational system for control of imports and exports commenced in 2006; recommendations for improvement where necessary will be made in 2007.

CUSTOMS AND EXCISE

- *Internal and External training*
The training needs, both internal (within the Service) and external (Other Government Agencies, Traders and Public) will be identified and developed in order to improve the understanding and perception of change being made.
- *Maximise use of new Customs automated import system*
A new Customs automated import control system will be established in 2007.
- *Pilot testing*
Testing of changes at selected pilot locations will be undertaken in order to ensure that systems are working as anticipated. Where faults are diagnosed remedial action will be identified, developed and implemented to ensure a satisfactory conclusion.
- *Final Review and Report*
On completion of the tasks necessary to implement the project a review of activities completed will be undertaken in order to formally sign off the project as complete and/or to identify any aspects requiring further attention with identified remedial action.

CUSTOMS AND EXCISE

Impôts Duties 2006



LAW ENFORCEMENT

Seizures

During 2006 Officers in the Service were responsible for the seizure of £1.8 million of drugs. The majority of these seizures related to heroin with 1.6 kilos of the drug being seized. Based on data collated by the States of Jersey Police Drug Squad, this quantity of heroin could have realised £1.6 million. This represents a significant increase in heroin seizures compared to 2005.

Cannabis seizures were significantly down on previous years. There are a number of factors which could have caused this reduction, but, without doubt, a contributory factor was the arrest and extradition back to France in 2006 of 2 of the principals behind the syndicates that were responsible for the majority of the large cannabis importations into Jersey in recent years. The principals concerned are now facing prosecution by the French authorities and this followed a number of joint operations between French and Jersey Customs which has resulted in the seizure of over 1000 kilos of cannabis since 1998.

In relation to other categories of drugs, seizures remained in line with previous years.

In total there were 83 separate drug seizures during 2006. Of these 32 were of a commercial nature and resulted in the cases being referred to the Royal Court.

In addition to drug seizures, officers at the frontiers seized approximately £100,000 in cash in the baggage of 2 passengers who were attempting to leave the Island. This was the largest cash seizure ever made at the frontiers and resulted in our officers working in the Joint Financial Crime Unit being able to proceed with our first money laundering prosecution. This resulted in a successful conclusion in the Royal Court in December 2006 and the confiscation of the money. It is worth noting that this amount of cash had the potential to purchase approximately 2.5 kilos of heroin in the UK. The street value this amount of heroin could potentially realise is £2.5 million.

LAW ENFORCEMENT

Trends

In the UK and Ireland the trafficking/supply of cocaine is reaching a level which is causing a major concern to both the enforcement and treatment agencies in the respective areas.

Though there has been a slight increase in the level of cocaine seizures at the frontiers during 2006, there does not seem to be a trend developing in Jersey which would indicate that cocaine is becoming the drug of choice for the majority of local drug users.

In recent years the tendency has been for heroin to be imported via the UK whilst the majority of cannabis has been imported via France.

2006 saw a change in this trend with 50% of the heroin seizures being made as a result of importations from the Continent and with the majority of this being sourced from Portugal. In addition nearly £200,000 of drugs was seized as a result of importation from Eastern Europe, with the majority of this being Ecstasy.

Joint Working

The joint working relationship between French Customs and Guernsey Customs continued to develop during 2006 and again produced significant results. In total there were 4 joint operations with France/Guernsey which resulted in the seizure of commercial quantities of heroin, ecstasy and cannabis.

Financial

The Service has 3 officers based in the Joint Financial Crimes Unit. These officers have responsibility for all financial investigations relating to drug trafficking into Jersey. In 2006 these investigations resulted in the confiscation of £1.1 million.

LAW ENFORCEMENT

The Future

Trends

To date the UK has been seen as the largest source area for drugs destined for Jersey. The source areas supplying the Island are now opening up significantly with a large number of commercial quantities of drugs being sourced from Portugal and Eastern Europe. Intelligence would indicate that it is likely that drug importations from these areas will increase which will obviously have an impact on resources.

Equipment

The Service is in the process of investigating the possibility of purchasing x-ray equipment for both the harbour and airport to assist in the identification of drugs concealed in the body. The purchase of such equipment should prove a significant deterrent to this method of smuggling drugs and result in the saving of considerable resources that are currently allocated to investigating these types of importations.

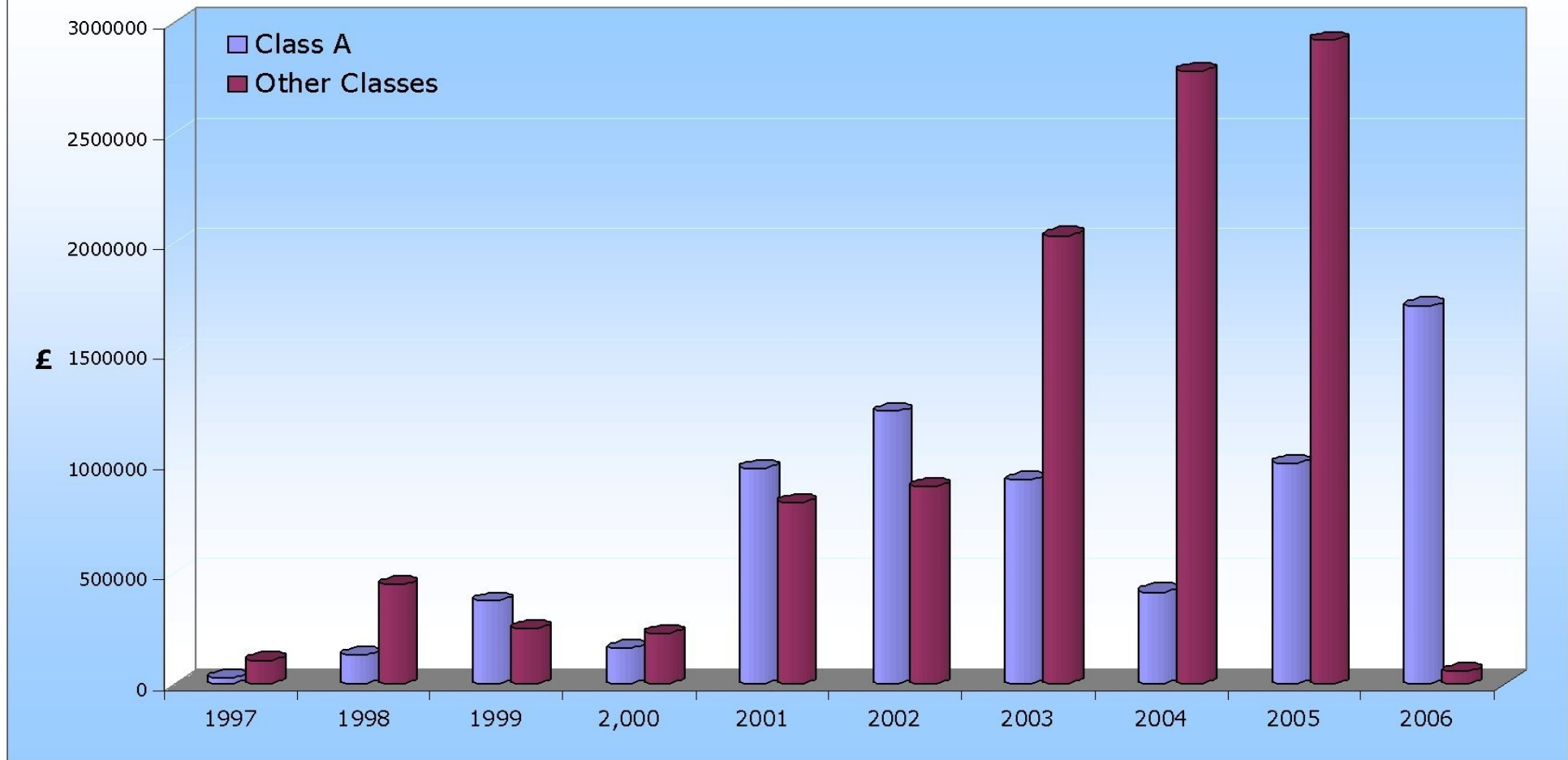
Partnership Working

The Service will continue to build on its successful working relationship with Her Majesty's Revenue and Customs, Guernsey Customs and French Customs (DNRED). Meetings have also taken place with the Serious Organised Crime Agency and it is expected that a Protocol will be agreed with the agency in the near future. Similarly it is expected that a new working Protocol will be agreed with the States of Jersey Police.

It is expected, therefore, that the Service will continue to make a significant contribution to the seizure of drugs being imported into Jersey whilst disrupting/dismantling the syndicates operating in the Island.

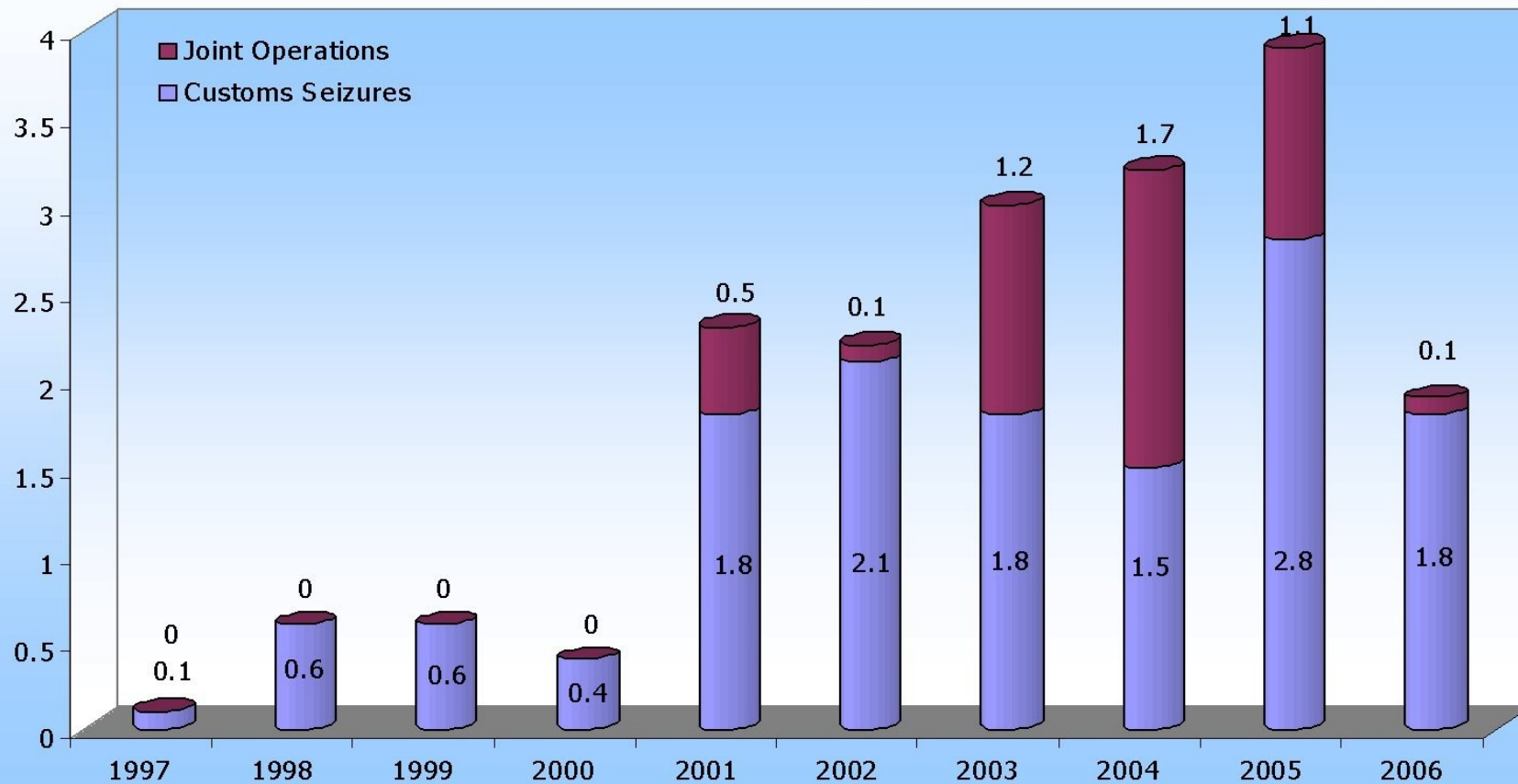
LAW ENFORCEMENT

Drug seizures - 10 year comparison Class A / Other classes



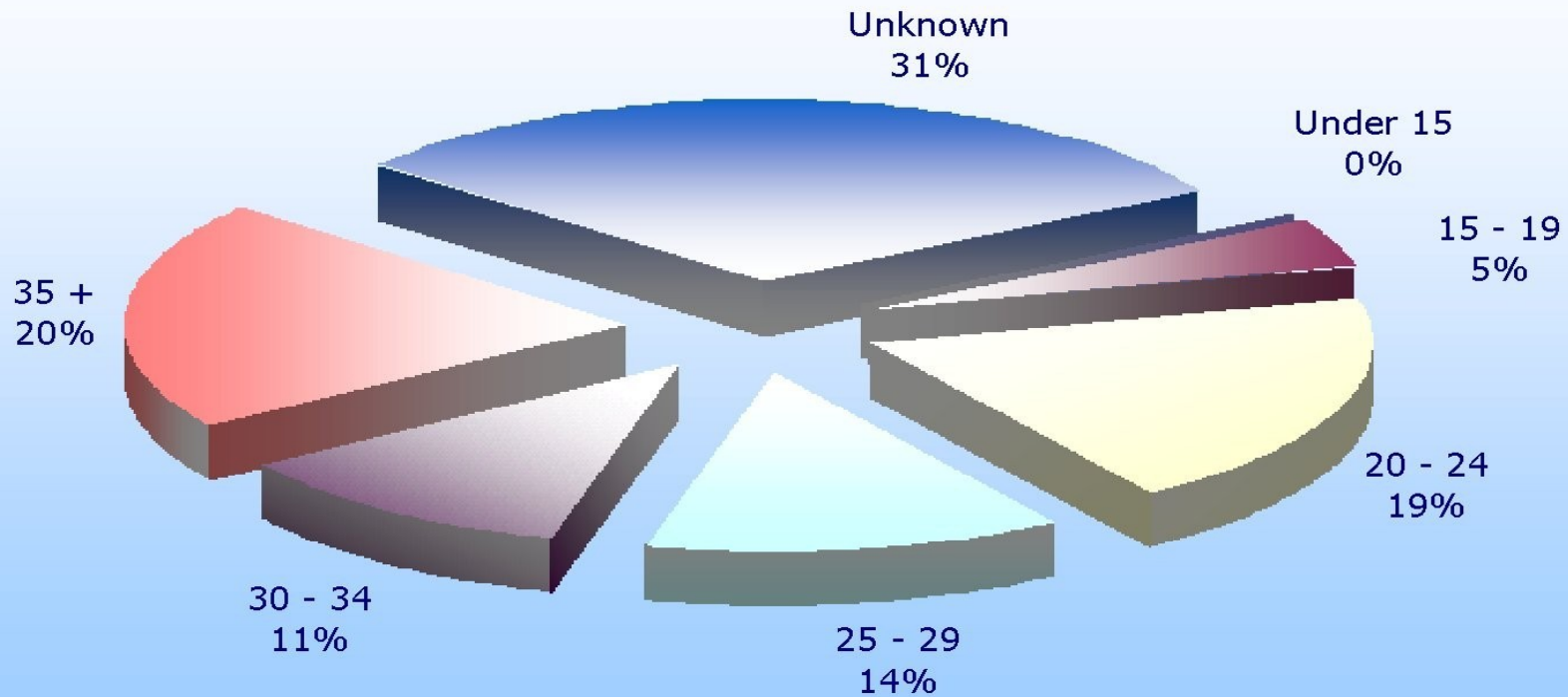
LAW ENFORCEMENT

Drug seizures - 10 year comparison by value
£ Millions



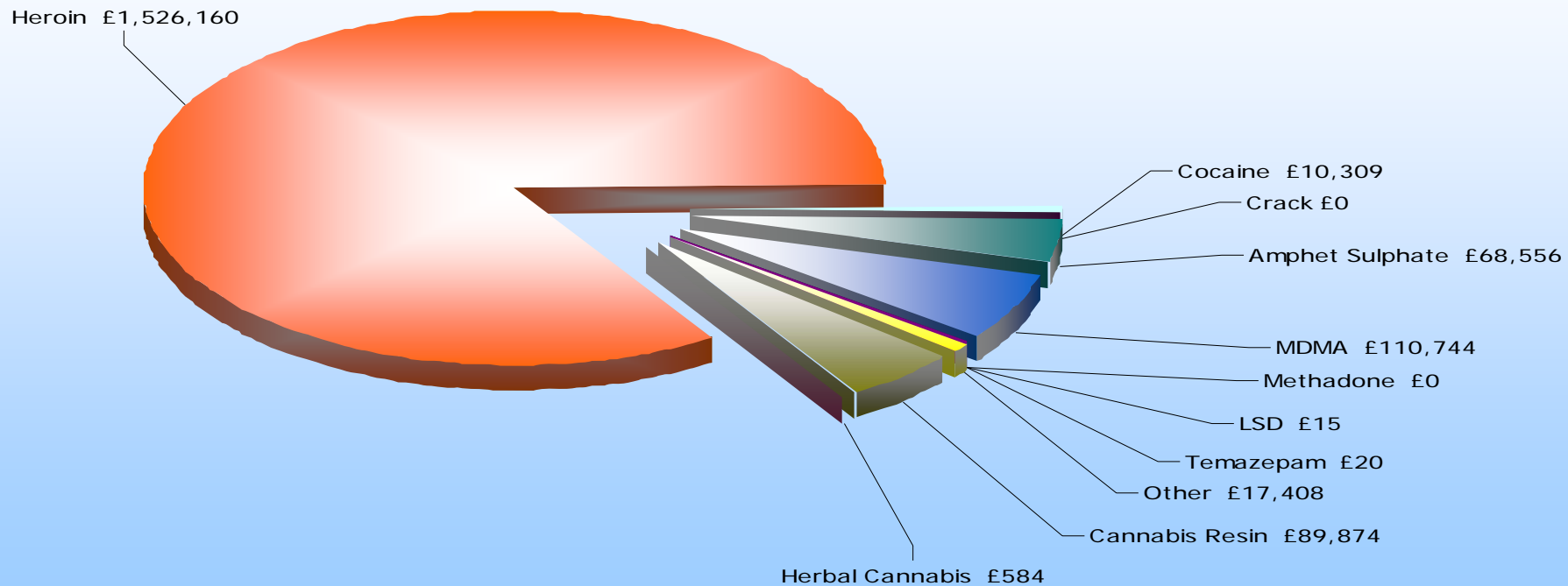
LAW ENFORCEMENT

2006 drug seizures by age



LAW ENFORCEMENT

2006 Drug seizures by value



IMMIGRATION AND NATIONALITY

Introduction

There are three approved ports of entry into the Island: the Airport, St Helier and Gorey. Immigration Officers are responsible for on-entry control and are in attendance for all scheduled arrivals from abroad. These Officers examine all passengers to ascertain their identity and, if without the right of abode, to grant or refuse them leave to enter under the Directions of the Lieutenant Governor.

Arrivals

2006 saw one company, Condor, operating a ferry service between Jersey and St Malo and the overall number of passenger arrival from St Malo fell by 20% compared with 2005.

The losses on the St Malo route were somewhat compensated by a marked increase in traffic on the routes operated by Manche Iles Express from the Normandy ports of Granville (+ 34%) and Carteret (+ 42%).

Arrivals at the airport continued to fall and by the end of the year the only scheduled continental service was from Cherbourg. There were also, however, 47 arrivals from Funchal in Madeira which accounted for 5612 passengers.

COMPARISON OF PASSENGER ARRIVAL STATISTICS 2005/2006

	2005	2006	Difference	%
Airport	19233	17813	-1420	-7.4
St Helier	300931	257808	-43123	-14.3
Gorey	764	1294	+530	+69
Totals	320928	276915	-44013	-13.7

IMMIGRATION AND NATIONALITY

PASSENGER BOAT ARRIVALS BY PORT OF DEPARTURE 2006

Port	No. of Movements. (2005 in brackets)	Total passengers carried. (2005 in brackets)	Difference
St Malo	687 (1226)	216627 (269967)	Decline of 53340 19.7%
Granville	318 (271)	29791 (22189)	Increase of 7602 34.3%
Carteret	111 (78)	12917 (9105)	Increase of 3812 42.0%

Refusals

45 persons were refused entry during 2006. Of these cases fifteen involved forged or counterfeit documentation. There were no identifiable trends in the nationalities of persons refused entry. Half of the persons refused entry had travelled from St Malo which continues to be the port of departure posing the largest risk.

Whilst there is no formal immigration control between the territories of the Common Travel Area (UK, Ireland and Crown Dependencies), potential immigration offenders referred to the Customs and Immigration Service led to 10 persons being refused entry having travelled to Jersey from the United Kingdom:- 3 failed asylum seekers, 3 overstayers, 2 illegal entrants and 2 persons travelling on forged documents.

Deportations

A deportation order requires the subject to leave the Bailiwick of Jersey and authorises his detention until he is removed. It also prohibits him from re-entering the country for as long as it is in force and invalidates any leave to enter or remain in the Bailiwick of Jersey given him before the order was made or while it is in force.

Five persons were deported during 2006 although the number of cases under review at the end of the year was 47. The most significant trend during the year is the addition of seven cases involving Polish nationals – drugs, grave and criminal assault and larceny being the types of crime committed. In the last quarter of 2006 a further nine cases involving young Portuguese nationals were put under consideration, almost all as a consequence of drug importation.

IMMIGRATION AND NATIONALITY

The Future

e-Borders is a United Kingdom Immigration and Nationality Department (IND) led partnership comprising the border agencies of police, HM Revenue Customs, UK Visas and IND Border Control. Using new technology an integrated electronic system will check travellers before they enter the UK and will prevent travel to those who have no right to enter or who are known security threats. E-Borders will also enable appropriate actions to be taken against passengers of interest to the border agencies, and to collect information on when people arrive and whether they leave.

Officers from the States of Jersey Customs and Immigration Service and the States of Jersey Police are currently engaged with Home Office colleagues with regard to the e-Borders programme in the context of the Common Travel Area. The Immigration and Asylum Act 2006 introduced a range of new powers enhancing data capture and information sharing between the border agencies to support the e-Borders initiative. The Act contains an extent clause to provide the Crown Dependencies with the flexibility of any of the Act's provisions and it is on that basis that Jersey is likely to become a full participant in the e-Borders programme in due course.

2007 Summer Season

2007 heralds increased services by both passenger only ships and car ferries with two new operators, HD Ferries and Compagnie Corsaire, operating between St. Helier and St. Malo. Manche Iles Express will also be introducing a third vessel on their routes to Normandy.

April to September 2006, the peak time for continental traffic, saw 821 passenger sailings from France to Jersey. The scheduled number of movements for the same period in 2007 is 1520. While the increase in traffic is welcome news for the Island it does mean that the resources of the Customs and Immigration Service will be severely stretched.

The situation is exacerbated by the fact that three carrying companies are operating in-transit services through Jersey; these companies have requested that their transit passengers are cleared by Immigration on board their vessels. As the first port of call in the Common Travel area Jersey has an obligation to carry out the Immigration controls on passengers arriving from abroad. It has been possible up to now to provide an on board control for one operator, a service which is above that which we are obliged to provide. However there are over 500 transit movements scheduled by the three companies for 2007 as opposed to about 180 such movements in 2006. The on-board controls will be provided in 2007 but will be reviewed for 2008.

The increases in the amount of passenger boat arrivals from France are shown in the table on the following page.

IMMIGRATION AND NATIONALITY

2006/2007 IMMIGRATION BOAT ARRIVALS COMPARISON

	Apr-Sept 2006	Predicted Apr-Sept 2007	Actual Increase	% Increase
Total arrivals from France	821	1520	699	85
Elizabeth Terminal - Car Ferries	468	822	354	75
Albert Pier	348	688	340	97
Gorey	8	49	41	500
In-Transit Vessels	101	402	301	298

Casework

The Casework Section deals with a wide variety of immigration work, pre-entry and after entry, as well as answering general questions from members of the public.

With the exception of nationals of the European Union, most nationalities and most categories of entrant apart from visitors require an entry clearance before they arrive in Jersey. Any application relating to Jersey is dealt with by the Embassy or High Commission in the country where the applicant originates and it has to be referred for authority to issue or refuse. During the course of 2006 nearly 450 referrals were received in many categories. Ease of travel has resulted in relationships with foreign nationals and the greatest number of referrals was received in the fiancée and spouse categories.

The section also deals with permit applications where employers have to prove that they are unable to fill vacancies with either British citizens or nationals of a European Union country. These fall into two categories, skilled and unskilled. The hotel and catering industries still find it difficult to recruit staff and 149 permits were issued in this sector. The buoyant state of the financial sector has resulted in an increase in applications for IT programmers, accountants and other experts in all areas of finance.

IMMIGRATION AND NATIONALITY

Naturalisation

The Customs and Immigration Service received 47 applications for naturalisation in 2006. Application for British citizenship can be made after three years residence in the case of foreign nationals who are married to British citizens and after five years in other cases. The application process has become more demanding with the introduction of a language test and, in 2006, a citizenship test was introduced. This tests the applicant's knowledge of the British way of life by way of a written test with multiple choice answers, some of the questions relate specifically to Jersey. The first test took place in June and during the course of the year 42 applicants sat the test, some re-sitting after initial failure, and a total of 30 passed the test. If the application is successful the applicants take part in a citizenship ceremony.

Of the applications received in 2006 over half were from Commonwealth countries, the largest number coming from South Africa. Ease of travel is often cited as a reason for applying for British citizenship and the fact that only three applicants were from the European Union probably reflects the fact that in general EU nationals can travel as freely as British citizens.

PASSPORT OFFICE

Passports

2006 saw the introduction of Biometric passports in Jersey. In order for British citizens to remain in the USA visa waiver scheme all British citizen passports issued after 26th October 2006 had to include a biometric. This deadline, originally scheduled for October 2004 had already seen two one year extensions and would not be extended again. The pressure was therefore on for all authorities issuing British citizen passports to have a suitable system in place and running by mid October.

The 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 were to be taken from the applicant's photograph and much stricter standards for photographs were introduced.

The cost involved in Jersey having its own system looked likely to be very high, especially as for technical reasons relating to the security of part of the system we could not have the entire system on site locally. The solution was to look once again at the alliance we have formed with Guernsey and the Isle of Man. We have for many years worked closely with our colleagues in the other islands on passport and immigration issues and purchased our last passport system, known as GENIE, in co-operation with them.

On this occasion our alliance was extended to include the British Overseas Territory of Gibraltar who were in a similar situation to us. For the supply of a system we looked to the Foreign and Commonwealth Office, as the size of our individual operations and the volumes of passports we produce is similar to many of their overseas posts. The FCO had developed a system, known as BRIT, which could be modified to suit needs of the islands, the costs being shared four ways, and they could host the system for us in the UK.

The island version of BRIT was named GIPSY (Gibraltar and Islands Passport SYstem) and after much planning and hard work it was installed first in Guernsey and then simultaneously in Jersey, Isle of Man and Gibraltar. Our first biometric passport was produced on 9th October 2006, in time for the 26th October deadline.

This is a good example of how working with our fellow islands can provide cost effective solutions to problems which would be too expensive to tackle individually. It has strengthened our resolve to work closely together exchanging views and ideas and sharing costs where possible.

Passport issues remained fairly constant with a total of 10,904 in 2006 being just 200 short of the previous year.

PASSPORT OFFICE

Legalisation of Documents

One of the roles undertaken by the Passport Office staff is the legalisation of documents which are to be used outside of the island. The role of legalising Jersey documents was passed onto the Office of the Lieutenant Governor by the Foreign and Commonwealth Office in March 1990. Since then there has been a steady increase in demand reflecting the growth of the local finance industry and the number of local registered companies. The total number of documents legalised in 2006 was 8,970, an increase of 1,200 over the previous year.

**HOME AFFAIRS DEPARTMENT
CUSTOMS AND IMMIGRATION SERVICE**
FROM OCTOBER 2006

