

**WITNESS STATEMENT**

**Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

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Statement of: Gordon Ashford

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Licensing Manager

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:  (witness) Date: 16.08.19

Since 2016 Essex Police Licensing and Immigration Compliance and Enforcement (ICE) teams have co-operated in their efforts to detect and deter illegal working in the licensed trade.

Independent of the powers exercisable by ICE officers under the Immigration Act 1971, Essex Police licensing officers have delegated powers under the Police Reform Act 2002 to enter licensed premises (s179 Licensing Act 2003) and powers to seize evidence (s19 Police and Criminal Evidence Act 1984).

On the evening of Thursday 15<sup>th</sup> August 2019, together with police licensing officer Vicky POWELL I accompanied officers from Immigration Compliance and Enforcement (ICE) who were engaged in an operation to execute warrants under the Immigration Act 1971.

The object of the operation was to attend a number of premises where the immigration service had received reports that named individuals with no right to work in the United Kingdom were in fact working at those premises. The officer in charge of the operation was Immigration Officer WHITING who was accompanied by a team of immigration officers.

At approximately 6.00 p.m. ICE Officers entered the premises of India Villa, Watling Street, Thaxted under the authority of a warrant and proceeded to search the premises for persons and

Signature:  Signature witnessed by: .....

then secure all staff in the area immediately in front of the bar. Once ICE officers had secured the premises, myself and Vicky POWELL entered the premises.

ICE officers soon discovered that the Designated Premises Supervisor (and Premises Licence Holder) Mr MIAH was not there and neither was the business owner, Mr HUSSAIN.

The ICE officers began to question the staff and check their identities, identifying 5 individuals:

- R [REDACTED] AHMED (of Bangladesh birth but a UK citizen);
- [REDACTED] MIAH (of Bangladesh birth but a UK citizen);
- [REDACTED] HOQUE (of Bangladesh birth but a UK citizen);
- M [REDACTED] AHMED (of Bangladesh birth but a UK citizen); and
- [REDACTED] CILMAU (a Romanian National).

All had, by virtue of their nationality, a right to work in the UK.

Whilst identities were being checked one of the IOs encountered a ring binder which contained training and right to work check records. He handed this to me.

The folder contained loose leaf A4 typed papers, all dated January 2018 with start dates of 1<sup>st</sup> January 2018 for 4 staff members (with a copy of the staff member's passport). No entries existed prior to or after January 2018 and Vicky POWELL identified these as records created by the solicitor acting for the previous licence holder following the issue of a new licence (the previous one having been surrendered when Essex Police launched a licence review following the finding of illegal workers in 2017).

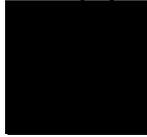
It was clear that having been created in January 2018, in line with assurances given to Essex Police that right to work checks would be completed for all staff, the folder had not been used since.

Indeed, of the 5 individuals found working at the restaurant on the 15<sup>th</sup> August 2019 – only R [REDACTED] AHMED's details were recorded in the right to work checks folder.

Signature [REDACTED]

Signature witnessed by: .....

It was my opinion that even having been caught employing illegal workers in 2017 and most recently on 21<sup>st</sup> June 2019 – that since January 2018 no right to work checks had been completed when workers were employed.



Signature: ..... Signature witnessed by: .....

