



The Scottish Parliament  
Pàrlamaid na h-Alba

## Justice Sub-Committee on Policing

Mr Tyson Hepple  
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By e-mail

22 December 2020

Dear Mr Hepple,

### Re: Role of Police Scotland in the UK immigration process

Thank you for [your correspondence](#) of 18 January 2019 as part of [our scrutiny](#) into the role of Police Scotland in assisting the Home Office immigration compliance and enforcement teams in the enforced removal of people from residential properties in Scotland.

In your letter of January 2019, you stated-

“Collaboration on immigration issues is based on the Information Sharing Agreement that is in place between the Home Office, the National Counter Terrorism Policing Functions Command (NCTPFC) and Police Scotland. This allows the Police and the Home Office to work together to support closer cooperation and reduce harm, whilst providing a framework for the lawful and secure flow of information between parties. Police Scotland and the Home Office signed this agreement in 2016.”

The Sub-Committee noted recent [media reports](#) which indicate that the 2016 Home Office administrative removal policy on the deportation EEA citizens who are sleeping rough, which designated rough sleeping as an abuse of EU free movement rights, was declared unlawful in 2017 following a challenge at the High Court in London.

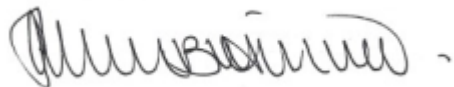
I am writing to you to request an update in relation to the deportation from Scotland of rough sleepers from other EEA countries. Can you confirm what the current immigration rules are in relation to rough sleepers from other EEA countries, and the impact of the 2017 High Court ruling on those rules, and how they are implemented in Scotland.

Does the Information Sharing Agreement you referenced in your letter of 18 January 2019, or any memorandum of understanding with Police Scotland, include information on EEA originating rough sleepers in Scotland who have been deported from the UK? If so, is it possible to share that information with the Sub-Committee?

I have written in similar terms to Police Scotland.

A response by Friday, 12 February would be appreciated.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John Finnie', followed by a small dash.

John Finnie MSP  
Convener, Justice Sub-Committee on Policing