

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss 5A(3) (a) and 5B; MC Rules 1981, r.70)

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Statement of: [REDACTED]

Age if under 18: **OVER 18** . (If over 18 insert "over 18") Occupation: **CHIEF IMMIGRATION OFFICER**

This statement (consisting of 3 pages 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 anything which I know to be false or do not believe to be true.

Signature Date: 22 March 2023

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Chief Immigration Officer of the Home Office Immigration Compliance & Enforcement Team for the East of England, based at Custom House, Viewpoint Road, Felixstowe, Suffolk IP11 3RF. I have been an Immigration Officer since April 1991 and have worked at several ports of entry to the UK, although my main work has been in the areas of enforcement and crime investigation. My current role is as a senior officer of the Immigration Enforcement arrest team for the East of England, responding to intelligence relating to alleged immigration offences in this area, liaising with local police and other law enforcement agencies and supporting other government departments, local authorities and relevant other organisations in enquiries or investigations relating to non-British nationals. As part of my duties, I have responsibility for the compilation and custody of Home Office records in both written and electronic form. These records are compiled by officers and members of staff during their duties, from information which they have particular and specific knowledge of at the time of compiling, considering the volume of records compiled and the length of time that has elapsed, they cannot reasonably be expected to have any recollection of the matters dealt with in relation to a specific record.

I have examined Home Office records relating to two separate immigration enforcement visits that were undertaken to the premises of Tavan Restaurant located at 77 Lincoln Road, Peterborough PE1 2SH. These records are in electronic form and are automatically created

Signature [REDACTED]

Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: [REDACTED]

and time & date stamped from the individual officers own electronic notebooks or computers.

On 18 May 2022 following receipt of an allegation of employing illegal workers and paying them off-the-books, Immigration Officers from this team conducted an enforcement visit to these premises. On arrival at the premises, they spoke to a man who gave his details as "[REDACTED]", who stated that he was the owner of the Tavan Restaurant. [REDACTED] stated that there was only one other employee present, a female who was working at the bar. On conducting a search of the premises, officers encountered a man who was exiting the kitchen area of the premises and was subsequently arrested as an immigration offender. Subsequent enquiries established that the man who had been arrested was an Egyptian national by the name of [REDACTED]. The Home Office had no records relating to [REDACTED] and as an Egyptian national he required both a visa to travel to the United Kingdom and a grant of leave to enter upon arrival, for those purposes he would also be fingerprinted. His fingerprints returned no trace on any government system and the absence of any record showing him to have lawfully entered the country led to him being served with notice that he was an illegal entrant to the United Kingdom. However, because of him making an application to remain, he was granted bail subject to a restriction of not undertaking any employment.

Records additionally show that on 23 November 2022 Immigration Officers from this team conducted an enforcement visit to these premises, this time following receipt of information that the business was again employing staff illegally. Officers were accompanied on this occasion by the local authority licensing officer and a police licensing officer. In the rear kitchen, Immigration Officer (IO) [REDACTED] encountered the man who had been arrested on the previous occasion – [REDACTED] and interviewed him, recording this in Q&A format on his electronic notebook. I produce a printed record of the interview as my exhibit JD/1 which consists of four pages. In summary, [REDACTED] stated that he was the main chef in the restaurant, working on an ad-hoc basis and that he is paid cash-in-hand by the boss, who he names a "[REDACTED]". He also admits that he had shown no documents to get his employment and that his boss knew he was not allowed to work.

[REDACTED]

Signature: [REDACTED]
2004/05(1)

Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: [REDACTED]

Page 3

IO [REDACTED] spoke to the manager at the premises the same day and recorded his interview with him in Q&A format on his electronic notebook. The manager's details were recorded as [REDACTED] and I produce a printed record of the interview as my exhibit JD/2 which consists of three pages. In summary, [REDACTED] stated that he was the owner of the business, that he is responsible for the hiring of staff and that the man from Egypt who he named as [REDACTED] was a customer who had come for a trial working today and the other chef was off for the day. He stated that he was aware of right to work checks for employees but did not know if this man was allowed to work in the United Kingdom. [REDACTED] signed the electronic notebook to confirm that the recorded questions and answers were accurate.

I make this statement of my own free will from records that I have seen and accessed today, 22 March 2023. I am willing to attend court or any other judicial or review hearing if necessary.

[REDACTED SIGNATURE]

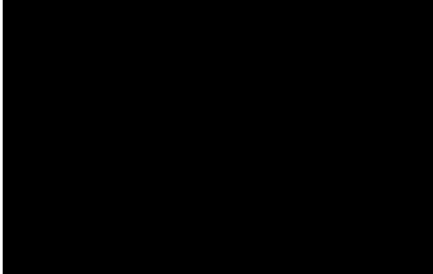
Signature
2004/05(1)

Signature Witnessed by:

Exhibit JD/1.

Print out of electronic notebook entry for interview of [REDACTED]
[REDACTED] dated 23 November 2022 and timed at 19:33hours.

This exhibit consists of four single sheet pages.



Signed:

[REDACTED]
Chief Immigration Officer 353
23 March 2023

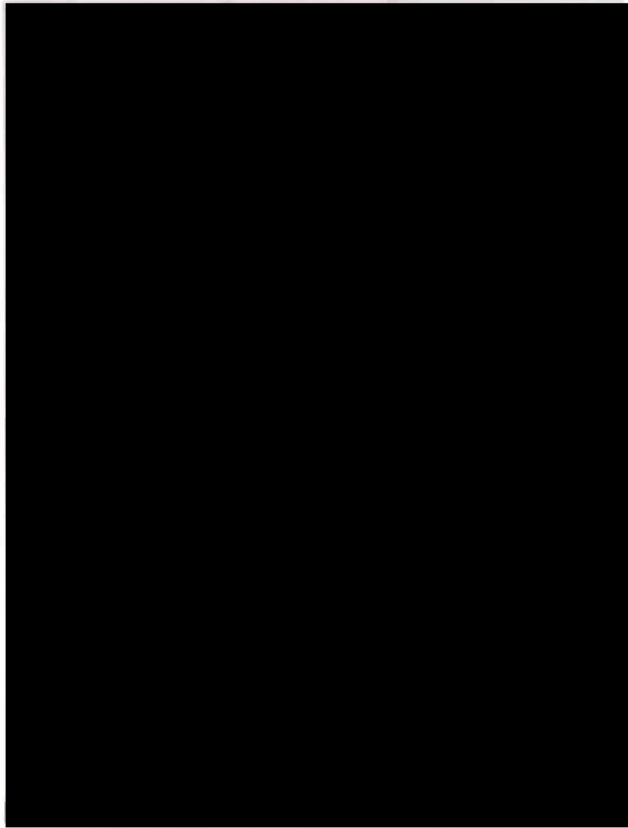
Illegal Working - Employee	
Details	
Type of work	Visit
Visit reference	██████████
Created by	██████████
ProntoID	██
Subject CID Person ID	██████████
Subject name	████████████████████
Subject DOB	██████████
Subject nationality	EGY Egypt
Subject gender	Male
Time	19:33
Created at geolocation	No geolocation available
Creation date	23-11-2022 19:33:05
Language of Interview	
What language is the interview carried out in?	English
Interpreter used?	No
Obligation	
How long have you been working here?	Sometimes the call me Sometime the don't
so on average how many days do you help out	Same as I said I don't know just when they ask me to work
What is your job role/ what are your duties?	I work on the grill as the chef,,I do all the cooking
Control	
Who gave you this job (name and role in business)?	The boss asked me
Who tells you what days/ hours to work?	The same man tell me when to help out ██████████ is his name 1
Who tells you what tasks/ duties to do each day? And what uniform to wear	Yes the Boss tells me
Remuneration	
How are you paid (money, accommodation, food)?	40 pounds sometime maybe a little more

OFFICIAL SENSITIVE

If money, how much and how do you receive it?	Cash in hand
Who pays you?	The boss pays me
Do you pay income tax or have a National Insurance number?	No
do you get food	Yes as much as I want
will you get food to take home for your family as well	Yes
Pre-employment Checks	
What name does the employer know you as?	My name he know me
Did you show documents before being offered the job? If so, what?	No
Does your employer know you're not allowed to work in the UK?	Yes he does
bear in mind I found you working here a year ago	Yes I know I don't know what to say
and what did he say when you told him you were not allowed to work due to your Asylum	He knows and so do you as you found me here year ago
Additional Questions	
Who else works here?	No one just me
so you do know your not allowed	Yes I do.but I have to live
so you were found yet again working in the kitchen of the premises I found you in last time and you were told then you were not allowed to work	I know.but I need to live

Photographs

subject



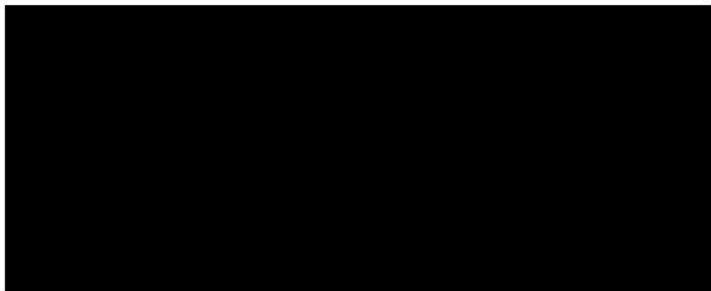
Declaration

I confirm that I have understood all the questions and that the details are true and correct.

Interviewee signature



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23-11-2022 19:47:20

Observations

Observations

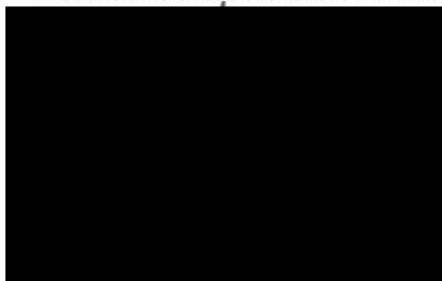
Found working for the second time in the same kitchen in over a year , subject found working as the chef over the hot grill on Entering the kitchen in full xhefs clothing

Do you suspect this person of illegal working?	Yes
Management Checks Complete	
Date management checks complete	26-11-2022 12:09:12
Reviewer(s)	[REDACTED]

Exhibit JD/2.

Print out of electronic notebook entry for interview of [REDACTED]
[REDACTED] dated 23 November 2022 and timed at 19:27hours.

This exhibit consists of three single sheet pages.



Signed: 

[REDACTED]
Chief Immigration Officer 353
23 March 2023

Illegal Working - Employer

Details

Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED]				
Subject CID Person ID	Unknown				
Employer	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	BGR Bulgaria				
Subject gender	Male				
Time	19:27				
Created at geolocation	<table border="0"> <tr> <td>Easting</td> <td>519152</td> </tr> <tr> <td>Northing</td> <td>299325</td> </tr> </table>	Easting	519152	Northing	299325
Easting	519152				
Northing	299325				
Creation date	23-11-2022 19:27:45				

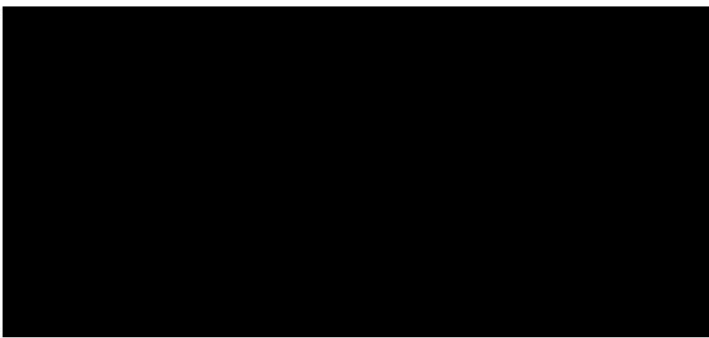
Language of Interview

What language is the interview carried out in?	English
Interpreter used?	No

Employer Details

What is the name of the business?	Burgasea Ltd
What are the Companies House and VAT numbers of the business?	I'm registered on companies House the number is 13376729. Not registered with vat.
What is your position here?	I am the sole owner since when August 2021 when I bought the business.
Do you act in the capacity of manager also when you're here?	Yes
Who is responsible for the hiring and firing?	Me
Have you employed everyone here?	No, the guy from Egypt, [REDACTED]. He was a customer here. He has now come for a trial today. I've met him before but only as a customer.
Is he receiving payment today?	No
is he receiving food today?	No
What time did he say start?	16:50 today.
What duties has he been doing today?	He is on the grill.
Is he the only the chef today?	Yes the other one is off today.

OFFICIAL SENSITIVE

Have you seen [REDACTED] documents?	No because it's just a trail, I would have done checks before employing him.
Are you aware of right to work checks?	Yes I've done them before.
Do you know if the gentleman is allowed to work in the UK?	No
Do you provide him with accommodation?	No
When does his shift finish?	Tonight at 10pm.
Do you know where he lives?	No
Has he asked for a job here?	Yes.
What's the best contact number for yourself?	[REDACTED]
Do you keep records of all your staff?	Yes I do, the file is in my house where my office is.
What checks do you do?	I go to the gov website when I get the code from the employee, I put this on file. I'm aware of the checks i need to do.
Why haven't you checked [REDACTED]?	Because he's not working, its a trial day.
We have encountered [REDACTED] before here when you was in charge, what has changed in his circumstances?	I don't know, I wasn't aware he was working illegally. I am not aware of this last time. As far as i know last time he was only a customer. He was drinking at the bar.
What are your opening hours?	12-14:30 and then 17:00-23:00
Declaration by Employer	
I confirm that I have understood all the questions and that the details are true and correct.	
Signed by [REDACTED]	 23-11-2022 19:45:13
Observations	
Observations	
Management Checks Complete	
Date management checks complete	29-11-2022 15:17:01

Reviewer(s)

