

Press release: New powers to tackle illegal working in licensed premises

Under the measures, brought in as part of the Immigration Act 2016, immigration checks will be part of the process for applying for a licence. From today, a premises or personal licence will not be issued to anyone who does not have permission to be or work in the UK. Being granted a licence and continuing to hold it will also be reliant on complying with the UK's immigration laws.

Additionally, the Home Office will be consulted in the same way as the police before a licence is granted. If a business has any immigration offences and civil penalties, these will be considered as part of the licence application, and as a ground for making a formal request to a licensing authority for a licence to be reviewed.

Immigration officers will also receive the same powers as licensing enforcement officers and the police to enter a premises being used to sell alcohol or late night refreshment, in order to investigate immigration offences. This will enable joint enforcement operations with licensing enforcement officers, and allow immigration officers to enter licensed premises without a warrant where there is intelligence of illegal working taking place.

Immigration Minister Robert Goodwill said:

"Illegal working cheats the taxpayer, has a negative impact on the wages of lawful workers and allows rogue employers to undercut legitimate businesses.

"These new measures will allow us to work more effectively with licensing authorities and the police to prevent illegal working in a high risk sector and take the action needed against businesses flouting immigration laws."

Today's licensed premises provisions form part of a wider package of measures in the Immigration Act 2016 to tackle illegal working, which is a key driver of illegal migration to the UK, and often leads to exploitation. They follow similar changes to the licensing regime for private hire vehicles and taxis which were introduced in December.

About 60% of all civil penalties for illegal working served in the UK in the year to February 2017 were issued in the retail, hotel, restaurant and leisure industry sectors, many of which hold licences.

The Home Office continues to work with the hospitality sector, amongst others, to provide support and guidance on how to carry out right to work checks and to raise awareness of the risks of illegal working.

The new measures which come into force in England and Wales today will be followed later this year in Northern Ireland and Scotland.