

## **Consultation on the renewal of the EU Internal Security Strategy**

### **Topic – Immigration Marriage Fraud**

I am contributing to this consultation as a citizen who has been defrauded by an Immigration Marriage Fraud, a member of two Campaign in the UK – Stop UK Marriage Fraud UK and Immigration Marriage Fraud UK who through necessity has become one of the most knowledgeable victims in the UK about this crime, the numbers and the lack of processes and systems to deal with it. I am also a Business Consultant who has expertise in assessing processes and systems and implementing change. I myself had to fight to get my own case investigated through my MP, Parliamentary Ombudsman and the Information Commissioner – where my cases were upheld.

Immigration Marriage Fraud is a heinous crime yet one not being given the research time it requires or in the UK the necessary systems and processes put in place to address and very rarely if at all these criminals deported. This is immigration through the back door which at the moment is wide open. If I was Al – Qaeda wanting to put a sleeper cell of Terrorists into the UK Immigration Marriage Fraud would be the route I would use.

Some countries such as Canada are addressing the issue by putting public warnings on Television and all the evidence collated internationally shows that these crimes have a direct link to – terrorism, financial fraud, people trafficking, fake documentation, murder and rings specifically set up to guide the con artists through the process.

The situation is made more difficult to research as there is no standard terminology for these crimes in the EU e.g. Immigration Marriage Fraud, Mariage Gris, Marriage of Convenience, Sham Marriage, Scam Marriage. It is therefore necessary that a common term and definition is agreed by the EU as a priority.

### **Objective of the Consultation**

- 1) The role of Border Security in the area of Immigration Marriage Fraud should be to protect its citizens - through education, improved immigration processes, effective systems and implementation of the law, systems that enable the victim to report the crimes easily, effective systems and processes to enable collaboration between the Home Office and the Police, victim support, speedy removal of those found guilty of fraud, false representation and concealment of material fact. Revoking ILR and Citizenship.

In order to address the challenges of addressing these crimes it is evident that an Audit across the EU is necessary to understand the extent of these crimes. The difficulty with this is that any statistics obtained on the numbers will not be accurate if systems are not in place to collate. In the UK we saw this clearly as an issue when statistics for Sham marriages were presented to the EU. The UK gave a figure in the hundreds when the reality turned out to be 10's of thousands:

Possible Audit Questions

1. What is the name given to these frauds in the EU countries?
2. What is each country is doing about these crimes?
3. The numbers of victims?
4. How are statistics collated? (An audit of the number of cases being brought to MP's throughout the European Union would be the simplest way to obtain some base line figures until such times as more accurate systems are put in place).
5. How the crimes are dealt with?
6. Patterns emerging e.g. where did the victim meet their spouse? Was there conspiracy to defraud? Were the foreign embassy's involved in the fraud? What false paperwork was obtained?
7. What laws exist to deport these criminals and what criteria must be met to deprive Citizenship and ILR? Are they being used?
8. How do the Police and the Home Office collaborate in bringing these criminals to trial?
9. Are these crimes being addressed as a specific crime of Immigration Marriage Fraud or dealt with under existing laws. Who takes the lead? The Police or the Home Office?
10. How can the existing legal system be improved?

Based on anecdotal evidence from European victims the audit will reveal that not a lot is being done presently to address the issue and this could be seen as an opportunity to implement systems across the EU.

The Challenge will therefore be to implement a standardised process to collate statistics to enable effective research on the issue and to devise appropriate strategies to deal with the crime. The outcome would be some joined up thinking e.g. if it is found that the crimes are originating from a particular country or a town in that country it becomes evident where resources should be directed. On the basis of the research the automatic consequence will be that the work of Interpol and Europol can be focussed to provide the intel and investigations to address.

The challenge is for all EU countries to implement processes that results in the victims being listened to. They alone understand how the fraud was perpetuated on them and how it could possibly have been prevented. Additionally EU Governments must not presume that the victims are not prepared to pay for investigations and the obtaining of documents in foreign countries.

Some joined up thinking and collaboration between member states would inevitably lead to a financial saving e.g. if the UK was to report a high number of such crimes coming from the Gambia and Senegal which matched information from other member states it becomes clear where resources and education should be directed. In my own case the fraud came from Dakar in Senegal a few weeks ago a victim contacted me with exactly the same fraud – 'Bigamy, Fraud and other associated crimes' requiring the same evidence from the Civil Etat in Dakar. The Topix Gambia Forum reports 100's of these crimes coming out of this area. Clearly on the basis of this evidence alone shared information between member states on

issues such as: How to obtain evidence from the Civil Etat? How to obtain evidence from a Mosque? What the legal status of religious ceremonies in those countries is? How do victims extract themselves from these religious and legal marriages? On the basis of collating statistics it may make economic sense of having an investigate team in the area paid for jointly or to refine the role of embassies.

One of the biggest challenges the EU will face is changing the perception of the crime across member states, the media and the authorities dealing with the crime. It is evident reading stories in the media and speaking to the authorities that there is a negative view of these crimes towards the victim. This must be challenged. The EU understands the crimes of Paedophilia and victims given full support, understands that Asian gangs are grooming young vulnerable girls and the victims are given full support and that elderly people can be conned from their life savings but in the case of Immigration Marriage Frauds these crimes are reported as being the fault of the victim this view permeates into the authorities dealing with. This can begin to be part challenged when for example statistics are collated showing the numbers of victims who are meeting their spouses in their home country and not in an area known for sex tourism. More understanding regarding how these crimes are carried out and the psychological strategies used will enable education to be developed. It must be noted in crimes of Bigamy there is the additional crime of Rape by deception (consent) which is leaving many victims traumatised and with mental health issues.

It must also be considered that the Target is not the only victim here for the Home Office will also have been conned.

To address the issue of Immigration Marriage Fraud requires an understanding of the systems used to address. In the UK there is a lack of collaboration between the Police and Home Office which severely prejudices the outcome of justice e.g. Bigamy is a crime and therefore falls under the jurisdiction of the Police to investigate and take to trial with the CPS however they do not have the knowledge of these international crimes, the resources or in-depth knowledge about the country of origin the Home Office has the evidence that proves that the criminal has lied on documentation, resources and in-depth knowledge about the country of origin. The consequence is that cases are failing. This is proved by the fact that despite extensive research we cannot find a case that has been successful. If there are any they are in Home Office case notes and despite Parliamentary Questions not available. Additionally the National Office of Statistics in the UK only obtains statistics of Bigamy from one source – the Police - and as many of these international cases involving Bigamy and fraud are not being taken by the Police so the statistics are incorrect. Victims of Immigration Marriage Fraud often only report these crimes to the Home Office who do not record these statistics nor do they have a duty to give the statistics to the NOS.

These crimes are International and so require countries to work together. It is not acceptable that citizens are not being protected, not being given education, not having their cases taken to trial, that due to the failure to deport the criminals that other citizens can be targeted. In the UK there are more Immigration Marriage Frauds than Murders, more Immigration Marriage frauds than the victims of Terrorist attacks. Why should the Post Traumatic Stress Disorders of victims be seen as less important than the Post Traumatic

Stress Disorders of other victims of crime? Unlike victims of the majority of Bigamy cases other crimes victims of Immigration Marriage Fraud will usually be losing their financial assets, have been financially defrauded and Raped by Deception (consent). Why should their financial loss which could include their homes be seen as less important than a Bank Robbery or a financial fraud carried out on a bank?

- 2) At an EU level there must be some collaboration as this would not only save costs but would address the issue of the victims which is presently not happening. Unless there is a clear and visible policy of deporting these criminals Europe will remain as being seen as a soft touch. With the clear link established by many countries into the other associated crimes we become a gateway for criminals. Note: after 9/11 of the 94 suspects rounded up 16 had got into the country through Immigration Marriage Frauds be they Sham marriages or other: see Center for Immigration- Immigration and Terrorism Sept 2005. There is a huge cost to the victims that leads to a financial cost to each country as victims require health service support, police support and are often left unable to work. In the UK these criminals remain to carry out further crimes by targeting other victims.

What is evident anecdotally is that these crimes are on the increase and this must be ascertained as a fact. Victims I have spoken to have given me clear evidence that often the criminal is involved in cross European border crimes e.g. a criminal will have a wife in their home country who they do not declare, marry a UK National, obtain citizenship, divorce, go to another European country, marry and divorce, go to another European country, marry and divorce at each stage removing the target of money and other material assets to support the primary family in their home country. There are variations of this scam and sometimes they are not divorcing the European wives.

***At an EU level a Task Force should be set up to investigate the issue and it is imperative that the victims be included in this as their voice has been buried for too long. A Task force that can make recommendations on good practice and implement the change necessary.***

- 3) In the UK all victim allegations have to be presented through a 'catch all' Allegation Form for all immigration improprieties, these allegations are then sifted to go to the correct department. This could take up to 4 weeks in cases involving criminal investigation this is unacceptable in criminal cases. There is a huge difference between someone using this form to report an illegal worker and the criminal cases of the victims. This data must be dealt with in the appropriate manner with due regard to the Data Protection act. This data belongs to the victim. It is their criminal case and their marriages and they have 'Subject Access Rights'.

The specific technology required is cheap and easy to acquire. If the situation in the UK is replicated across the EU what is necessary is a standalone web page on Home Office Web sites specifically designed for victims to report the crime. The form sent is acknowledged as having been received and a case number immediately given and contact with a case worker. This then enables the Police to collaborate. With forms going straight through to the correct department a tier of administration is removed. With victims answering specific questions data can automatically be collated about these crimes. If the victim has the ability to scan documents straight into their online cases this removes the necessity for post which can not

only get lost, requires sorting. This streamlined approach to administration will speed up the criminal investigations. In essence the process is very similar to those used by Mortgage Companies who have to collect many bits of information at different times from many people such as solicitors, surveyors, banks and use the data collated to plan their businesses. Mortgage Company processes by necessity are 'alive' cases with a time scale for completion this is the same for Immigration Marriage Fraud crimes.

***At an EU level this simple technology replicated amongst the member states would lead to the cases being addressed and data collated for research. There would be a cost saving in purchasing in bulk which would bring the added benefit of ease of sharing data. Shared data that could be used to track the serial Bigamists and Fraudsters across UE countries.***

Some of the specific research required is:

1. How many EU citizens are reporting immigration Frauds?
2. What are the findings of the campaign and support groups set up in each country?
3. How do these figures match?
4. How many of these crimes involve Bigamy?
5. How many involve concealment of a family unit?
6. How many involve the divorce, marry a foreign national, divorce and remarry the original wife to enable the whole family to cross borders - scam.
7. How many victims are reporting that their spouse whilst still married to them has married ano subsequent to their marriage after obtaining citizenship?
8. How many of these cases are leading to trial?
9. How many of these cases leading to deportation?
10. How many of these crimes involve cross border crimes e.g. the Bigamist marries in the UK and goes on to marry another European citizen.
11. Where are these Frauds coming from?
12. How are they being carried out? e.g. Bigamy, non disclosure of another family unit, romance scam – online or other
13. What systems are in place for the Police and the Home Office to collaborate? e.g. Bigamy is a crime in the UK so falls under the Police remit but Fraud, False representation, concealment of material fact in the immigration process is a Home Office issue (N.B. if Bigamy cannot be proved due to lack of Police resources in a foreign country there still could exists concealment of a family unit which as a fraud may be easier to prove and the Home Office will have the proof through the immigration process).
14. What is being done to educate those marrying foreign nationals about the scams which have names e.g. **The Game, Beznness.**
15. What difficulties are the victims of Immigration Marriage Fraud having reporting these crimes?
16. What are the systematic difficulties?
17. How is the Data Protection Act being applied to the victims Data? The UK Home Office has been putting victims Data on the Criminals file thereby denying the

victims their 'Subject Access Rights' the Information Commissioner has recently upheld the case.

18. How much money has the victim lost by defraud?
19. How much has the victim lost in legal fees -solicitor advice and in court fees?
20. How many children has the victim had with the criminal spouse?
21. Can the victim put a figure on the other associated crimes such as financial fraud?
22. Has the victim found other associated crimes such as visa fraud, people trafficking, harbouring illegal's, false paperwork?
23. Does the victim believe that the embassy was involved in the scam? And which embassy?
24. Does the victim believe that there was conspiracy to defraud by other family members, friends or Embassy?
25. Does the victim believe that more can be done to help victims? If so give details?
26. What are the statistics of marriages failing in cross cultural relationships and the reasons why?
27. How many victims believe that they were impregnated to secure the immigration status of their spouse?
28. What are the difficulties that Home Offices and the Police have in addressing these crimes?
29. What factors such as religion, cultural issue of Polygamy exist?
30. What mental health issues has the victim been left with?

The EU needs to rise to the proven security challenges Immigration Marriage Fraud poses. There are financial reasons to address these crimes as money taken from the victims is going to those countries of origin. The EU must not forget its citizens whose security is being taken away from them for unless the EU addresses there are so many victims losing their assets through the civil Divorce proceedings where they are losing their homes. In the UK the civil courts are not accepting the evidence that the victim has been defrauded because unless there is a criminal case to provide the evidence these are criminal matters which neither the Police nor the Home Office is supporting with investigation and trial. In the UK the law on Annulment does not include the criteria of fraud and this causes further difficulties for the victim.

In a report compiled for the Home Affairs Select Committee on the work of the UK Border Agency November 2013 **only 6.2% of all allegations received between 30<sup>th</sup> Sept 2012 to 30<sup>th</sup> June 2013 had been investigated and the figures were staggering - there were 48,660 allegations and only 1.5% led to deportation!**

How many of these were immigration Marriage Frauds? No one can say at present.

Peter Bone MP for Northampton says if you multiply the number of Immigration Marriage Frauds being brought to him each week through his constituency across the country the number of cases annually in the UK is thousands. He himself tried to obtain statistics from the Home Office on the issue and there were none available. [\(BBC Northampton Radio Interview June 2014\)](#). This matches with Chris Byrants' Parliamentary question to Mark

Harper – See Hansard Oct 2013. – The reply in essence said - Numbers are in case notes and therefore too difficult to ascertain. The anecdotal evidence from the campaign groups of the numbers involved are in the 1,000 -2,000 a year range.

In the UK our cases are not addressed or statistics kept.

The Law exists in the UK to revoke citizenship

**‘Under Section 40 of the BNA 1981 the Law clearly states that Citizenship can be deprived in cases of a) Fraud b) False Representation c) Concealment of material fact.**

**How many people had their Citizenship revoked in 2013 –‘3’ – and the Home Office would not reveal the reasons.**

- 4) To safeguard the rights of European Citizens under the Human Right of Section 8. The right to a Private and Family life is being denied the victims. Being unable in the UK to divorce or to annul our marriages the victim has to commit perjury to extract themselves from marriages through the divorce procedure when it is known that the marriage is Bigamous enabling the criminal to target other victims to carry out further scams by marrying again. Once citizenship is achieved these bigamists are travelling to other UK countries to marry.

#### **The Charter of Fundamental Rights of the European Union 2010**

Article 6 – Right to Liberty and Security - citizens are being denied security if the issue of Immigration Marriage Fraud is not being addressed

Article 7 – Respect for private and family life – citizens are being denied the right to a family life if systems do not exist to extract themselves from fraudulent marriages

Article 8 – Protection of Personal Data – victims of Immigration Marriage Fraud in the UK and their MP’s are being denied the right to find out what is happening with their Data provided by them to the Home Office regarding their Criminal Cases, their Bigamous Marriages. Case up held by the Information Commissioner. Question is this replicated across the EU?

Article 9 – Right to Marry – victims are being denied the right in some countries to remarry because the law does not exist to annul a marriage on the basis of fraud, Bigamy is not being addressed and to Divorce would mean that the victim would have to perjure themselves knowing that the marriage is a Bigamous one

Article 23 – Equality between women and men – victims in the UK are being denied equality under the Annulment laws. If a woman was pregnant with another man’s child at the time of a marriage the marriage can be annulled but not if the man had made another woman pregnant. This denies all the female victims who find out that their spouse has another family unit and has made their wife or partner pregnant n.b. in ‘The Game’ it is common that a deal is made between the first wife that in order to marry another the first wife is given a baby.

Is there a gender issue in why these crimes are not being addressed as the majority of victims are women?

Article 41 – Right to good Administration

**Every person has the right to have his or her affairs handled impartially, fairly and within a reasonable length of time by institutions, bodies, offices and agencies of the union.**

In the UK this is clearly not happening. Allegations of Immigration Marriage Fraud have to put their cases on the Allegation Form where it is stated that they will not be contacted in receipt of their information and it could take up to 6 months for a reply! In addition our cases are not being addressed with the necessary collaboration required between agencies.

5) How can the EU's Foreign Policy improve the security within the EU and/or your country?

In the EU Foreign Policy there exist all the elements to address these Immigration Marriage Frauds however they are contained under separate headings and departments. Immigration Marriage Fraud is a cross department issue. There are EU's Citizens rights, Fundamental Rights, Discrimination, Data Protection, Borders and Border Control, Fight against crime – particularly Fraud, Immigration, Police Matters, and Criminal justice.

Immigration Marriage Fraud requires this crime to be put on all their agenda and there are benefits in making this a distinct crime with the CPS drafting criteria for the Police Legal Handbook by which it can be addressed.

By addressing Immigration Marriage Fraud security of our countries will improve. Inevitably it will lead to fewer criminals entering our countries when they realise that this open door is closed to them. This could be achieved more efficiently if Immigration Marriage Fraud was made a separate crime with strong punishments in place and speedy deportation and revoking of citizenship. Laws can then be aligned to help victims to extract themselves from these marriages.

It must be recognised that these frauds are long cons destroying the lives of many. Without justice these fraudsters go on to commit other crimes and target more victims within the EU. Research already exists that those carrying out Bigamist crimes and con artists in general usually have a sociopathic personality this is how they can carry out these scams. If Sociopaths number between 1 and 3% within a population how can these figures be translated into the circa 50,000 spousal settlements granted within the UK last year? The EU has to address the hard fact that unless it addresses Immigration Marriage Fraud it is enabling sociopaths to enter into the EU through the back door and as other countries have found out these fraudsters have a direct link to other crimes.

As these crimes are across agencies there is a benefit to all countries to clarify the procedure that should be followed in best practice. This will result in clear procedures to be followed by the Police and clear expectations of the Home Office. It is clearly unacceptable that crimes should languish between the two authorities because no one is clear what their role is and the necessary procedures and systems established. It is clearly unacceptable for victims of these crimes to be bounced around between the two authorities because information does not exist to tell them how to report the crimes and who is responsible to take their criminal investigation. Bigamy is a crime, Fraud is a crime, Conspiracy to defraud is a crime, Rape by deception (consent) is a crime and financial fraud is a crime however so is fraud perpetuated on the Home Office under immigration rules. Under Section 40 of the BNA 1981 the Law clearly states that Citizenship can be deprived in cases of a) Fraud b) False Representation c) Concealment of material fact. Unless the Police, CPS and Home Office work together there is no ability to take these criminals to justice the cases just remain as a lit bomb that the authorities pass between each other until the only victim of the explosion is the victim but the perpetuating fraud leads to other victims who again try to get the authorities to address and fail leading to other victims. Citizens of the EU deserve better than this.

I have spoken many victims and supported them through their attempted suicides, bankruptcy, depression, financial loss, losing their homes and inability to get justice, through their failed attempt to get the Police or Home Office to address their cases. I produced an 18,000 word document as a guide to victims on the law and how to get the authorities to investigate. This was given to Kent Police and the SE and SW Home Office for their contribution and to date there has been no response.

I believe on the basis of anecdotal research that Immigration Marriage Fraud affects thousands annually across the EU – and is one that no government should ignore. As statistics are not being collated it is hard to put a figure on these but possibly in the range of 5,000 to 10,000 a year across the EU. If only there are only found to be 5,000 victims losing only £25,000 on average this equates to a £125,000,000 industry without the associated crimes and cost to society especially in the cases that involve children.

The UE has a duty to protect citizens. You have a duty to take criminals to justice. You have a duty to protect borders and you have a duty to stop further people being scammed when the victims have given the Home Office all the information to prevent this from happening again. The victim's voice must be listened to or there is no effective Foreign Policy. In some countries there must be changes to the law to enable the victim to extract themselves from the marriages. In the UK we victims are unable to use the law on annulment if we cannot prove Bigamy and as Fraud is not a criterion in our law the victims are trapped.

### **What is Immigration Marriage Fraud as it applies to the UK – Extract from my Document titled 'Joining up the Dots' by Kim Jones**

Immigration Marriage Fraud is a 'long con' to obtain UK Citizenship by defrauding a 'target' and the Home Office/UK Government at the same time. In the majority of cases the confidence trickster also has the aim of financially taking as much as possible from their spouses either by means of getting the victim to give them money, defrauding them or the big prize of obtaining the matrimonial assets.

It is well recognised by other countries that those involved in Immigration Marriage Fraud are often involved in other criminal activities.

There are three forms of the crime.

### **Immigration Marriage Fraud which includes - Bigamy**

### **Immigration Marriage Fraud that includes – an unknown Family Unit**

### **Immigration Marriage Fraud – Romance Scam**

1 and 2 clearly show intent to defraud.

The most common pattern is for the con artist to leave the victim immediately after Indefinite Leave to Remain or Citizenship is achieved. When the point of departure is ILR it is common that the con artist makes a claim of Domestic Abuse. There are many advantages of using this ruse e.g. the target may be asked to leave the matrimonial home, black mail, strengthening their cases to stay in the UK, Legal Aid (note: Legal Aid for Divorce was stopped in 2013).

Due to a general lack of knowledge about these crimes in the UK there is little understanding that at the point where the victim reports the crimes the fraud is often only part completed. In the majority of cases the fraudster will be starting the Divorce procedure as soon as possible to claim Ancillary Relief and a share of the Matrimonial Assets. Victims find themselves trapped by the Civil Law in these cases unable to bring to the attention of the judiciary that a fraud has been perpetrated on them and that it is still continuing. The costs of challenging a Divorce Petition are extremely expensive quotes range from £15,000 to £30,000.

The con artist or victim can be either male or female. The victims will come from all walks of life and professions and be of any generation, for the age or the looks of the victim are immaterial, it is the value they have as a target that is important e.g. Can they pay for the Citizenship process? Can they support me? Can they help my career? Do they own property? What other assets do they have? How easy are they to extract money from? How altruistic are they? When assessing a target they will be looking for their vulnerabilities and their good natures.

Whilst many 'Immigration Marriage Frauds' occur between a UK National and a spouse whose country of origin is a 'third world' country some spouses come from 'first world' countries. In these cases often they will be running away from a previous criminal history or wives.

At times of civil unrest the numbers of fraudsters coming from those unsettled countries will increase. High numbers of Fraudsters are currently coming from Arab Spring countries. By way of illustration a new Tunisian website exposing 'Love Rats' - [www.tunisianloverats.com](http://www.tunisianloverats.com) has received 150,000 messages.

Paradoxically it would seem that the numbers of Immigration Marriage Frauds are increasing as the Immigration Processes are made more difficult e.g. African musicians used to be able to come to the UK fairly easily by the Work Permit route, their ability to travel easily from their home country to another being vital to them being able to work. As the costs of Visa and Work Permits increased and the process was made more complex many found themselves unable to support their families at home through their profession. The Credit Crunch meant that there were fewer concerts, tours,

festivals and less Arts Council funding creating a 'Perfect Storm' this has led to an increase in 'Immigration Marriage Frauds' amongst African musicians particularly where Bigamy is a factor.

There are distinct patterns in the way in which these crimes are carried out which alter slightly depending on the country of the spouse's origin, profession, religion, culture. Sometimes these crimes are loosely organised by a ring or there is at least shared knowledge e.g. where to obtain fake paperwork, words and phrases to use to seduce the target, what Marabout to use etc. These crimes are given names in the home country of origin such as 'The Game' – West Africa, 'Beziness' – North Africa, Middle East. The Governments of those countries are well aware of the scams coming out of their countries but unfortunately these are not known or acted on by the authorities in the UK and there is little education available in the UK for those considering marrying a foreign national.

Here is a Tunisian National explaining how the 'Love Rats' operate the 'Beziness' in Tunisia.

*They are not tempted to fall in love.....they have a game plan ...*

*It is easy to understand once you realise to them it is a job.....*

*The other person is a commodity... if the girl is attractive that is a bonus for the rat.*

*One thing you must try to understand is the 'rat' will not be sidetracked from his end goal.*

*He acts for as long as he needs to...he does not win an Oscar for his performance...But his prize is greater.....He wins money, he gains respect, he gains the freedom to choose a Tunisian virgin bride ...etc, etc.*

*If you look around when you are in Tunisia you will see many beautiful (physically) girls/women....The men have no need to look for Europeans for marriage, But they do because of the benefits....*

*The European mind cannot understand or easily accept this cold hearted business plan and get caught and dragged into the trap....*

*Yrs ago in UK the gentry married for land and property, love did not come into it...It still happens today here.....very rarely will a landed gentleman marry someone beneath his status....Yes shocking as it might seem it does happen here too....The big difference is the Tunisian rat does the love talk very well indeed .....*

In the Gambia and Senegal where it is called '**The Game**' the whole family, extended family and community may be conspiring together to defraud the victim. The con artist may well be already married. The 'target' will be discussed at length with the family as to their suitability and often the Marabout consulted. In such cases spells, potions, amulets, fetish and Ju Ju's will be used to increase the power of the spouse who then believes they are omnipotent and this gives them the belief in their power to carry out the scam. As with 'The Beziness', 'The Game' is a cold hearted business plan.

As with all cons and scams the processes used are very simple to recognise after the event but when you are being scammed it is difficult to know that this is happening to you. Our human brains are

hardwired to quite easily fall into what's known as the 'Trust Trap.' The big hurdle for the con artist is not to make *you* trust them — it's to convince you that *they* trust you. Once they succeed, your trust will organically develop, and that's when the con is set. To understand more about the processes see [www.fraudaid.com](http://www.fraudaid.com) and [www.lovefraud.com](http://www.lovefraud.com).

The use of religion often forms part of the scam 'I am a religious person' – 'It would be Haram for me to live with you' – 'I have to be married to you under the eyes of Allah' – 'Mohammed married a person older than him - age is but a number'.

Cultural aspects can make it easier for us in the UK to be targeted and scammed. We have been brought up to believe in the concept of 'love at first sight', our fairy stories end 'and then they got married and lived happily ever after' i.e. with only one partner not four wives! Rarely will we have even been taught about Polygamy. Then there is the factor that we live in a multi cultural society and are therefore more accepting and tolerant of those from other nationalities which in some ways makes us blinkered to the fact that perhaps those living in other countries may not be so warmly inclined towards us blaming us for slavery, colonialism and their poverty. The anger, jealousy and hatred can be channelled into 'having us over'. Many people will be guarded visiting another country regarding potential hustles but when they are targeted in the UK the antennae may not be operating.

### **The Basic Process**

1. Target the victim
2. Set the Trust Trap
3. Love Bombing (see - [www.lovefraud.com](http://www.lovefraud.com))
4. Grooming and manipulation (see -[www. Out of the Fog.net](http://www.OutoftheFog.net) – Grooming)
5. Push for a fast marriage
6. Con – if successful the target pays for ILR, Citizenship, Plane Tickets and regular trips aboard, school fees, medical bills etc for the family. Get the target to change their Will, put property in joint names. The sophisticated con artist may ask the victim to be allowed to pay some Bills. They may say that this is to help the Immigration process but in reality they are collecting the evidence to claim a beneficial interest in their homes on Divorce. As the marriage is not a real one often the con artist will be looking elsewhere for sex, romance, thrills and adultery is a common aspect of these frauds. Many Immigration Marriage Fraudsters set up a Plan B by targeting their next victim in case they are found out
7. If the target is asking difficult questions they may have to use the manipulation techniques of 'Gas Lighting' e.g. you have a mental problem, you have issues of trust
8. ILR – if the con reaches this point a decision will be made to bail out now or go for the Citizenship. The longer the con can be continued the greater the financial rewards. The domestic violence ruse might be used.
9. Citizenship - Once obtained the initial goal has been achieved. Many victims report that within hours, a few days or a few months their spouse has filed for Divorce. For many this is the first time they come to realise that their marriage is not real and that they are being defrauded and many will be in deep shock and traumatised. As the con artist is working towards the end game credit cards maybe skimmed, loans taken out in the spouse's name, signatures faked, finance loans taken out , money borrowed from friends and family.

10. The con artist believes that neither the Police nor the Home Office will be interested in the victim's plight. A belief brought about by the lack of cases being brought to trial and the reality.
11. The Divorce. This is the end game. How much can they take?
12. Either try to bring over to the UK an existing family or move on to the next target.

Unlike the perception of the crime many of those targeted meet their spouses in the UK. Other places victims will be targeted are on holiday, online or when working abroad. The media like to focus on the few titivating stories of 60 year old women weighing 25 stone marrying 25 year old fit men from the Gambia or 60 year old men with no hair or teeth marrying a 25 year old beauty from Thailand. Not one UK Newspaper has done a serious piece about this crime, there exists no easily found research, statistics or papers and the Home Office/UKBA did not keep statistics before Jan 13. Therefore the body of research is kept within two pressure groups – Stop UK Marriage Fraud and Immigration Marriage Fraud both organisations offer support through their membership. Both organisations keep abreast of the scams and the International picture where the scams may have another name e.g. Sham Marriage, Mariage Gris, Grey Marriage, Marriage of Convenience etc. Many countries have systems or are developing systems to deal with what they see as an increasing crime.

Talking to Victims nationally there is a lack of understanding about the crime and its effects in Police Forces across the country. There are few processes for dealing with and a severe lack of collaboration between the Police and the Home Office. When a victim goes to report a crime or many crimes to the Police Station anecdotally many report that there is little understanding that in many cases they are only part way through the fraud - as the end game for many of these con artists is to take as much money as they can through the Divorce procedure – this is a fraud in itself. Numerous victims lose their properties and other financial assets some find that for many years their details are used to obtain loans and there is nothing they can do from having their home address used to obtain loans since the changes in data protection laws regarding credit searches. Many countries already have fraud as a category for annulling marriages here in the UK we do not.

It must be remembered that in many countries, particularly Islamic countries, a decision is made at the point of marriage to have the equivalent of a Pre-Nup in case of divorce e.g. all property owned prior to the marriage remains in the ownership of each party and only joint assets after the event of marriage is separated or all assets are combined. For the con artist the UK is a soft touch this is what makes the UK victims so vulnerable.

Marriage for the reasons of citizenship and financial gain is a heinous crime. The victims are often left traumatised and with mental health issues such as Post Traumatic Stress Disorder, Compulsive washing, Depression, Anxiety, Agoraphobia, Sleep disorders or attempt Suicide etc. Often the victim reports that they feel Raped and dirty. This is because they have been. This is 'Rape by Deception'. It is 'Non Consensual Sex'. The victim did not consent to marry someone with another wife or another family unit. The victim did not consent to share their body with a spouse who from day one was continuing to have sex with another. In many cases unprotected sex has led to sexually transmitted diseases or children born.

Often the victim will find out they have been financially supporting another family unit they knew nothing about leaving them feeling financially raped as well.

In cases where Bigamy is a factor the victim may have believed that the children they were supporting were theirs as the spouse may have presented as a widower/widow when in fact they were married. Coming to terms with the loss of a 'fantasy family' will be particularly hard to bear.

Most victims will have experienced having to financially support their spouse as they adjust to life in the UK and to have to pay out more in a divorce leaves them feeling deeply betrayed and robbed.

Why should the effect of 'Immigration Marriage Fraud' be worse than other forms of Bigamy or Divorce? Simply - because the victim has to come to terms that they have been conned from day one – there never was any love. They have been targeted and played with like a cat with a mouse. There was never any intention of sustaining the relationship and the usual pattern for such crimes is that as soon as the ILR or Citizenship is obtained the con artist disappears in most cases taking money and other financial assets. The common pattern is that as soon as they leave they start Divorce proceedings to complete the scam to take even more of their assets. Victims are left in a state of deep shock.

All the research on Bigamy and Love Fraud shows that the perpetrator of such crimes often has a sociopathic type personality. The 'Immigration Marriage Fraudster' will have no moral compass and no empathy which is how they can carry out these crimes often for many years lying every day. Cultural and religious factors can make the crimes easier for the fraudster to justify their actions e.g. Polygamy. In countries where Polygamy is an accepted way of life the con artist may see it as a very small step to marry a UK Citizen without informing them or the Home Office of their true status.

It is clear that if people from 3<sup>rd</sup> World Countries are prepared to risk life and limb by crossing the deserts and seas those with a more sociopathic personality will find other ways. Sociopaths are numbered between 1% and 3% of any population and with circa 50,000 spousal settlements a year in the UK in this cohort will be Sociopaths. The realisation that you have been conned by a Sociopath brings with it additional trauma for you did not know your spouse at all and do not know what they are truly capable of. Most countries have identified that the perpetrators of these crimes are often involved in others such as terrorism, financial fraud, people trafficking, murder etc.

Whilst Bigamy is a distinct crime, finding out there is another family unit in existence or that one has been romanced/scammed, are not. However these crimes do fall under the category of fraud.

The victim is further disadvantaged in reporting the crime due to the perception that many hold about 'Immigration Marriage Fraud' – 'it is your fault, you should not have married a foreign national (after all aren't white people good enough for you!), you are old fat and ugly why are you marrying a young person, you deserve all you have got'. The media has not helped in this respect portraying victims as stupid and with little sympathy. Yet these are perceptions not based on statistics or research. Many have met their spouses in the UK, many do not have an age difference, and many victims are intelligent people in professions like the Police, Company Directors, teachers etc.

Our society currently recognises that children can be groomed by Paedophiles, that there are Asian gangs targeting vulnerable teenagers for sex, that old people can be targeted to pay extortionate rates to have tarmac replaced or a roof tile fixed and that the rich can be deceived in a Madoff type scam and yet they scorn those who have been deceived in a romance scam! Unlike all the above the Home Office has also been deceived which ultimately means the Tax Payers. These are usually

complex and sophisticated scams which are sometimes carried out as part of a ring. Yet there seems to be reluctance by the Home Office to address these crimes?

Con artists will con people from all walks of life using well known psychological processes of grooming, love bombing, gas lighting, manipulation the only difference is how they target your vulnerabilities and what the game plan is. In the case of 'Immigration Marriage Fraud' it is Citizenship and Financial Gain.

Because 'Immigration Marriage Fraud' has not been addressed in the past and it is not a distinct crime there are few clearly defined processes within the Police, within the Home Office and in their collaboration. Even Crimestoppers and Intel Teams have no advice or information to give the victim.

The more sophisticated the con the more sophisticated the target is as those with financial assets will be more desirable to the con artist. It is impossible to spot a clever con artist. If they were not clever they would already be in prison and one would not have met them! The victim may well have seen some red flags but were unable to read them. It is often reported that in hindsight the victim can see exactly how the scam was operated on them and how the immigration processes failed to detect the fraudster. The victims have much to share with the authorities about how these scams work and what can be done to identify the scams or weed them out in the immigration process. Clearly more needs to be done to educate the public which would be easy to achieve on the Home Office website.

In fact despite extensive research I could not find one successful case. Were there any? Well according to the statistics there were only three deprivations of Citizenship orders in 2013. What were they for *'For reasons of confidentiality, the Home Office does not routinely comment on individual cases and so it is not appropriate to indicate why individuals have been deprived for specific reasons set out in the question.* (See – Immigration Bill: Deprivation of British Citizenship Standard Note SN/HA/6820).

(This also raises the issue of Freedom of Information as it is very unlikely that to have reached the stage of having citizenship revoked there will not have been court cases and therefore the information already in the public domain so the Home Office is depriving the Government of the right to know this information to be able to ascertain whether Immigration Marriage Frauds are being addressed by the Home Office).

For more information on these scams see: [www.stopukmarriagefraud.com](http://www.stopukmarriagefraud.com) which has posted videos from across the world regarding this crime

Kim Jones Sow

**A victim of an Immigration Marriage Fraud. A long con to obtain Citizenship and Financial Assets. My spouse, who I met in the UK, purported to be a widower with three children and provided documents including the Death Certificate and three children's Birth Certificates. It took 6.5 years before the scam emerged during this time I was financially supporting 3 children who I believed were mine as the whole family were conspiring to defraud. In fact he had a very much alive wife and two of the children were hers and they had another child after my marriage probably conceived at the time of my marriage. Plus another family unit and child and two other European wives who had been financially scammed. On obtaining his citizenship he seriously financially**

defrauded me and sued for divorce and ancillary relief putting charges on my property and tried to evict a family of 7 from one of my properties. In the course of investigation it transpired he had people trafficked and was providing fake documentation, visa fraud and harbouring illegal immigrants. 5 people have been arrested by the Home Office though my husband has not been charged with Bigamy as this falls under the remit of the Police to investigate. 9 months after first reporting he is still at large working in the Care Industry. This is not an unusual case in fact it is given a name – it is called 'The Game'. My fight to even get the case investigated by the Home Office took 5 months and numerous official complaints and MP intervention in the course of which it was ruled that the Home Office was misapplying the Data Protection Act and serious flaws found in their administrative system and a lack of collaboration with the Police resulting in maladministration - most victims in the UK if any are not so successful getting their cases investigated.