

Biometric data-sharing process (Migration 5 biometric data-sharing process)

Version 11.0

This instruction was formerly titled 'Biometric data-sharing process (Five Country Conference (FCC) data-sharing process)'.

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About this guidance

This guidance sets out the background of the UK's biometric data-sharing arrangements with the authorities in Migration 5 (M5) countries, explains how checks may be requested and how results from checks can be used in decisions and in wider case management.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors, then email Asylum Policy.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version 11.0
- published for Home Office staff on 29 March 2023

Changes from last version of this guidance

The changes since the last version of this guidance are:

 line added in Receipt process section, to advise that M5 match countries must not be listed in Atlas alias fields

Related content

Introduction

This guidance is for all Home Office decision-makers, screening officers and other caseworkers and officials (all referred to as 'officers' herein) involved in immigration casework and related activities, including asylum decisions, appeals and removals, and foreign national offender cases.

It sets out the background of the international biometric data-sharing process and explains how officers can obtain and use information from the process.

Further reading

This guidance complements but does not replace lead guidance on wider asylum decision-making and related considerations. It **must** be read alongside other applicable policies and guidance documents, including (but not limited to):

Children's asylum claims

Assessing age

Family asylum claims

Dependants and former dependants

Inadmissibility: safe third country cases

Asylum interviews

Nationality: doubtful, disputed and other cases

Assessing credibility and refugee status

Exclusion – article 1F and 33(2) of the 1951 Refugee Convention

Drafting, implementing and serving asylum decisions

Withdrawing asylum claims

Withdrawing decisions

Further submissions

Revocation of refugee status

Transfer or refer a case

Disclosure and confidentiality of information in asylum claims

Operating mandate: UK Visas and Immigration

Casework Information Database (CID) and Atlas

The Home Office is transitioning its electronic immigration records from CID to the new Atlas system. References to CID actions in published instructions and guidance will over time be updated to refer to Atlas, and between updates, some references to CID may become redundant. During the transition, officers may need to record information in one system but not the other, or duplicate entries (or 'double-key') between systems. Where detailed Atlas-specific advice is not available in this instruction during this period, the Atlas learning materials available within the Metis system may provide the required information. Where officers are still unsure, they must seek advice from technical specialists or senior caseworkers.

Related content

Background

In 2009, members of the Migration 5 (M5, formerly the Five Country Conference (FCC)), comprising the UK, Australia, Canada, New Zealand and the United States of America (USA), agreed arrangements under the High Value Data-Sharing Protocol to check the fingerprints of up to 3,000 individuals between each participating country per year.

M5 members have agreed to replace the manual High Value Data Sharing Protocol process with an improved, automated capability through the Secure Real-Time Platform (SRTP) to enable high-volume data exchange.

The UK's automated capability is being introduced in stages, initially just with the USA for nearly 100% of new asylum claimants aged 5 or over, from 07 November 2022. It will in time be expanded to other M5 countries and other case cohorts, but in the interim, officers will still be able to request checks with other M5 countries and other cohorts under the manual process, ensuring that checks can be made wherever needed.

Where biometric checks between members lead to confirmed matches, previously unknown evidence of identity and immigration history may be obtained, which may assist with case closures, inadmissibility action, substantive asylum decisions, redocumentation and returns.

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The Biometric Case Management Team (BCMT)

The Home Office BCMT facilitates the manual referral process (under the High Value Data Sharing Protocol) with M5 countries.

The BCMT can also request additional information from M5 countries about matches under both the manual and automated processes. Where needed for appeal hearings, it can provide witness statements in respect of match information received under the manual process.

Related content

Application of this instruction in respect of children and those with children

<u>Section 55 of the Borders, Citizenship and Immigration Act 2009</u> requires the Home Office to carry out its existing functions in a way that takes into account the need to safeguard and promote the welfare of children in the UK. It does not impose any new functions or override existing functions.

Officers must not apply the actions set out in this instruction either to children or to those with children without having due regard to the statutory guidance on section 55, <u>Every child matters: change for children</u>, which sets out the key principles to take into account in all Home Office activities involving children.

The statutory duty to children includes the need to demonstrate:

- fair treatment which meets the same standard a British child would receive
- the child's interests being made a primary, although not the only, consideration
- no discrimination of any kind
- that asylum applications are dealt with in a timely fashion
- identification of those that might be at risk from harm

Subject to wider capacity and policy requirements, checks under manual or automated biometric data-sharing processes may be applied in respect of anyone aged 5 or older. The actions and considerations to take on any evidence obtained from the process will in all cases be determined by case-specific factors, taking account the nature of the evidence, the circumstances in which the evidence and biometrics were recorded, the claimant's age at the time of the biometric event and wider policies and processes.

See <u>Identity information</u>, and, for further information about considering evidence in children's cases, the guidance Children's asylum claims. See also the section <u>Age dispute cases</u> in this instruction, where relevant.

Related content

Data-sharing requests and responses

The international biometric data-sharing check process may be applied to anyone, provided they:

- are aged 5 or older
- have had their fingerprints recorded in the UK for immigration purposes
- are **not** a national of the Migration 5 country with which checking is sought

Checks are initiated in one of 2 ways:

- automated checks: from the point of biometric enrolment in the UK, fingerprints on some cases will be checked automatically with relevant Migration 5 (M5) countries
- manual checks: in appropriate cases, officers may ask the Biometric Case Management Team (BCMT) to request a biometric check with one or more M5 countries

The process can operate very quickly from the point biometrics are taken, and so all officers (including those in screening and other intake units) must be alert to receiving results in respect of automated or manual checks which have already been made, and take action accordingly. See Receive data-matching outcomes, below.

Automated data-sharing

From 07 November 2022, nearly 100% of asylum claimants and dependants whose biometrics are recorded will have their fingerprints checked automatically against immigration biometric systems in the USA. Officers are not required or expected to manually request checks where automated checks have been made.

The automated process will be expanded in stages to include other case cohorts and other M5 countries. However, in the interim, for cases not subject to automated checks (or for cases in scope of automated checks but where there is no evidence of a check having been undertaken), the manual request process remains available.

The automated process is not retroactive: an asylum claim made before 07 November 2022 will not be checked automatically against US systems, even if an asylum decision or another action is taken after that time. The manual request process will remain available for checks in such cases, where appropriate.

Manually requested data-sharing

Manual requests for biometric checks may usually be made in the following circumstances:

 the individual has no identity documentation, or has documentation which is unreliable or unsatisfactory the individual's identity is accepted, but there is reason to believe they may
have spent time in or have links to an M5 country (for instance, arrival from or
attempted departure to an M5 country, family links, or documents indicating a
connection)

Requests may be made at any time. However, to ensure proper opportunity to obtain, explore and consider match information, requests must be made as soon as possible – this can be as early as the asylum screening stage.

Requests cannot be made to an M5 country in respect of someone who is a national of that country.

Identify whether checks have already been done

Manual requests for biometric checks must not be made for anyone who has already been checked, whether or not there was a match, unless evidence suggests they have subsequently travelled to or interacted with an M5 country. Officers must therefore review CID and Atlas to identify whether checks have already been made.

In CID, review Person Notes and look for the Special Conditions 'International Biometric Match' flag.

In Atlas, in Person Summary View, open the asylum case, view the case details, and find the 'International Biometric Results' service delivery in the Case History section. This will show whether and when a check has been made, and whether there was a match.

This information will become available through a new Checks and Traces screen ('International Biometric Check: United States' entry, 'Match' or 'No Match' outcome, with a link in matched cases to a PDF containing detailed results).

Request checks

Where there has not already been a check, officers may request checks in individual cases by completing the following actions:

- 1. complete the <u>biometric data-sharing request pro forma</u>, using the main, accepted biographical details (not each alias), asking for checks to be made with the particular M5 country or countries most likely to generate a match
- 2. copy the request proforma into an email and send it to the Biometric datasharing requests inbox (avoid sending the details as an attachment if possible), and attach a hard copy of the request to the paper file, if held
- 3. update CID Person Notes to state 'M5 Biometric data-matching request made'

Bulk referrals may also be made to the BCMT, if agreed in advance.

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Receive data-matching outcomes

For automated checks, results will usually be available within 24 hours and in many cases, responses may be received in minutes. The result will be visible in Atlas on the Checks and Traces screen ('International Biometric Check' entry, 'Match' or 'No Match' outcome, with a link in matched cases to a PDF of the detailed results).

For manual checks, results should be received within 4 working days, but can take up to 2 to 3 weeks where there is a match. If the result is no match, the BCMT record this in CID Person Notes. If the result is a match, the BCMT will update CID Special Conditions with an 'International Biometric Match' flag and record a summary of the full results in the CID Person Notes.

After 07 November 2022, the results of manual checks with the US will be visible in Atlas. In Person Summary View, open the asylum case, view the case details, and find the 'International Biometric Results' service delivery in the Case History section.

In the near future, this information will be available through a new Checks and Traces screen ('International Biometric Check: United States' entry, 'Match' or 'No Match' outcome, with a link in matched cases to a PDF containing detailed results).

Receipt process

Officers must update records after requesting a manual check or receiving a case where an automated check may already have been made. The CID entries are fully detailed below; the corresponding Atlas entries must be updated where appropriate:

- review CID Special Conditions, Person Notes and Atlas Person Summary View (or the Checks and Traces screens when implemented) as appropriate, for evidence of checks requested and, where relevant, match results received
- update CID Special Conditions to record the fact of a match if it has not already been recorded
- record any aliases identified through the match on the CID Person screen, using 'International Biometric Match' as the alias type (although, if the alias is later accepted as the true identity, CID must then be updated, with all other identities then recorded as aliases - See also the guidance on Nationality: doubtful, disputed and other cases for CID actions)
- if match information indicates criminality, update CID Special Conditions and CID Notes according to the specific facts, review 'Referring cases to Criminal Casework' in the guidance Transfer or refer a case, and if appropriate, refer the case for Criminal Casework caseworkers to progress
- if relevant, consider whether entry clearance or leave in the UK was obtained without disclosure of a conviction, as this might amount to illegal entry or leave

- to remain by deception, and invalidate the individual's leave (see Liability to administrative removal (non EEA) consideration and notification)
- update CID Person Details with any travel document references from the match
- update CID Notes with any information from the match results that suggests the person may be an absconding risk

When recording the alias information in Atlas, whilst the free-text 'reasons' field should record the fact of an international biometric match as the reason for the alias being recorded, it must not name the M5 country with which the match was made.

This stipulation does not mean that the relevant M5 country should not be mentioned in other parts of Atlas.

Request further information

Further information may be requested about biometric data matches from the matching country where necessary and appropriate, according to the guidance below. All requests must be made through the BCMT: **officers must not directly contact the authorities in M5 countries.**

Automated process

In the automated process, responses will include the information that is available, such as reasons for any decisions and copies of travel documents. Where such information is not provided in the responses, it will be because it is not available – further requests for such information must not therefore be made.

Further specific information may only be requested in very limited circumstances, for instance, if requested by an immigration judge in the course of an appeal.

To request further information, officers must complete a <u>Further information request</u> <u>form</u> and send it to the BCMT Biometric data-sharing requests inbox.

Manual process

If the check results have been received through the manual process, further information can be requested if required on a case-by-case basis by emailing the Biometric data-sharing requests inbox.

Request witness statements from the BCMT

Witness statements are only available for results received through the manual request process. A witness statement must only be requested if the result information has been relied upon to refuse an asylum claim and the decision is being appealed, or if required as evidence in a prosecution.

To request a witness statement officers must complete a <u>witness statement request</u> form and send it to the BCMT Biometric data-sharing requests inbox.

Data-sharing requests from M5 countries to the UK

The data-sharing process also works on an inbound basis: M5 countries may request and obtain information from the UK (in line with the Disclosure and confidentiality of information in asylum claims guidance, the <u>Data Protection Act 2018</u> and international agreements; see also <u>the privacy impact assessment in relation to the High Value Data-Sharing Protocol</u>). The inbound process is served through automated rules and the BCMT, so casework officers do not need to take action to enable sharing of data with M5 countries.

Inbound request matches may indicate a previously unknown link to an M5 country, thus providing additional information on which to manage the UK case, for example, allowing the closure of a case if an asylum claimant is no longer in the UK. See Claimant left the UK during claim.

The BCMT will note relevant information from manual inbound checks in CID Person Notes.

Information received from automated inbound checks will be visible in Atlas. In Person Summary View, open the asylum case, view the case details, and find the 'International Biometric Results' service delivery in the Case History section.

In the near future, this information will be available through a new Checks and Traces screen ('International Biometric Check: [Country]' entry, 'Match' or 'No Match' outcome, with a link in matched cases to a PDF containing detailed results).

Related content Contents

Information in matched cases

A match is confirmation that a set of fingerprints captured by the Home Office has been found to match a set of fingerprints captured by a Migration 5 (M5) country, meaning that they belong to the same individual. Information provided by the M5 country will have been processed by them in relation to the individual connected to those fingerprints.

Automated match responses may contain terminology not familiar to Home Office caseworkers. The Glossary of terms sets out the main terms likely to be seen. If any other terms are unclear, officers should seek advice in the first instance from the Biometric case management team.

Matches may reveal previously undisclosed information that is material to identity, an asylum decision or other aspects of case management. If there appear to be material inconsistencies or contradictions between the match information and an individual's own evidence and statements, they must be given the opportunity to explain, and their explanation robustly considered. If the information arrives before an asylum decision (either before or after the asylum interview), see Asylum interviews. Where evidence arrives after an asylum decision, refer to Post-decision.

Broad categories of information that may be received in the event of an international biometric data-match are set out below.

Identity information

Identity information can establish details such as the name, date of birth and nationality used by an individual in their interactions with another M5 country.

If discrepancies are found between the information provided by the individual in the UK and that provided to the M5 country, they must be explored. Further checks in any alternative or variant details must be carried out on other information systems and sources according to biographic check requirements in the Operating Mandate, to establish whether there may have been deception and whether the individual is already known in the alternative identity.

Officers using Atlas will be able to access Person Search & Person Summary to aggregate searches and find results for Atlas, CID, CRS, IVACS and IABS (and the link with IABS will recognise identities with similar biographic details). Officers with access to Entity Search will be able to search CID Warehouse legacy databases and will in due course be able to search landing cards.

Officers without full access to Atlas or Entity Search must search individual systems to perform relevant checks (CID, CRS, Police National Computer (PNC), security checks, landing card records).

Some minor discrepancies may be due to data error, for example slight misspellings of names or dates of birth. However, where it is concluded that there are material

discrepancies, the identity details supported by a verifiable travel document are more likely to be genuine, but all evidence must be considered.

False identity details must be recorded as aliases on the CID Person screen, using 'International Biometric Match' as the alias type. Aliases identified in automated responses will be automatically recorded in Atlas. If an alias is later accepted as the true identity, all other identities must be recorded as aliases.

See the guidance on Nationality: doubtful, disputed and other cases and the section in this guidance on Assessing age (disputed age cases), which signposts decision and case management issues and links to the lead guidance.

Immigration history and inadmissibility

If match results contain information indicating an asylum claimant in the UK was previously present in or had some other connection to a safe country (including but not limited to the M5 match country), inadmissibility action may be possible.

Most inadmissibility action will be initiated on the basis of evidence identified during asylum screening. However, provided a substantive decision has not been made and served in the case, if evidence is identified that is new and not previously considered as part of inadmissibility considerations, the case must be referred to the Third Country Unit, to examine whether inadmissibility action is appropriate. See the section 'Casework referrals' in the guidance Inadmissibility: safe third country cases.

Transaction information

Transaction information records an individual's location at the specific time their biometrics were taken and the reason for the biometric capture. The biometric event may show that the individual was in another M5 country or in contact with that country elsewhere in the world (for example, in their own country or a third country, when applying for a visa to enter the M5 country).

Consider whether the verifiable transaction evidence contradicts or supports material aspects of the asylum claim. For instance, if fingerprint evidence definitively shows the claimant to have been in an M5 country or in another country, at a time when the core claim rests on the claimant having been imprisoned or persecuted in another way in their country of origin, that will weigh against the credibility of the claim, and it may lead to the claim being refused. Depending on the circumstances, it may also be appropriate to certify the decision as clearly unfounded, although caution must be exercised in such cases. See Clearly unfounded claims: certification under section 94).

Adverse information or criminality

Match results may disclose information about criminality in the M5 country which may be relevant to substantive decisions and wider case management.

If criminality is indicated and the case is not already being managed by a Criminal Casework team, officers must consider referring the case onward. See 'Referring cases to Criminal Casework' in the guidance Transfer or refer a case. Where further information about the criminality is required, requests must be made according to the guidance on Requesting information from ACRO.

Criminality information must be flagged on CID according to the particular details and where appropriate fed into the individual's harm rating as an overseas conviction (see Harm matrix), as it may be relevant in assessing any risk of harm to the UK and its citizens and where detention or removal of the individual is required.

The asylum decision in a case with evidence of criminality must take full account of the circumstances in individual cases and the relevant instructions including Exclusion - article 1F and 33(2) of the 1951 Refugee Convention.

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Travel document information

Match information may indicate a travel document is known to the M5 country, which, if relating to an individual's true identity, provides a verifiable means to seek to redocument and remove the individual (if there are no barriers to removal).

Where match information from the M5 country contains a travel document reference, the claimant must be asked to produce that travel document or give a reasonable explanation for not doing so.

The absence of travel document information from a match does not mean that the stated identity in the UK is necessarily genuine. An assessment as to true identity must be based on the particular facts available.

Related content

Onward disclosure of match information

In all cases, there is a general presumption that match information must be disclosed to the data subject. This arises from the data subject's rights to information and access under the UK GDPR and the Data Protection Act 2018.

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There are further specific provisions that have been agreed with each Migration 5 (M5) country for the wider and onward disclosure of information provided by them.

Even where onward disclosure of information is permitted by agreements with M5 countries, any communication and disclosure of that or any other information to the authorities in an asylum claimant's country of origin must also comply with the requirements of paragraphs 339IA in Part 11 of the Immigration Rules. See the guidance Disclosure and confidentiality of information in asylum claims, in particular the section 'Document verification'.

Australia and New Zealand

Match information may be disclosed where necessary to other UK authorities, including immigration tribunals, that are involved in the consideration, regulation and enforcement of whether, and on what basis, an individual may enter or remain in the UK.

Information may also be disclosed, where necessary, to UK authorities responsible for determining eligibility for receiving public benefits or services, and with UK law enforcement agencies in accordance with domestic law.

Travel document information, including scans of documents, may be shared with the relevant authorities in a third country for the purposes of verifying identity or documentation in connection with redocumentation and return.

United States

Match information obtained through the manual process may be disclosed in line with the rules for Australia and New Zealand, set out above.

Where match information is received through the automated process, it may be shared, where necessary, with other UK authorities involved in the administration

and enforcement of immigration laws, without permission or notification. **This does not include use in immigration tribunals**.

Information may be used in an immigration tribunal, or shared with the authorities in a third country for verifying identify or documentation in connection with an individual's return, but only with prior permission from the US Department of Homeland Security. Officers must request permission in advance to disclose whenever an appealable decision is made that is based on the match information, using the Onward disclosure notification form. The Biometric Case Management Team (BCMT) will respond if permission is given.

Information may be shared with UK law enforcement agencies in accordance domestic law, but the US Department of Homeland Security must be retrospectively notified, using the Onward disclosure notification form.

Related content

Interviews and decisions

Asylum interviews

All asylum interviews must be conducted in line with the instructions: Asylum interviews and Children's asylum claims.

If the facts of a biometric match are known before an asylum interview and are likely to be material to the decision, the claimant must be questioned about the match. If they accept the information from the Migration 5 (M5) country, including any information showing alternative identity details or other significant and material factors which may impact the decision, they must be given an opportunity to explain, and asked whether they wish to withdraw their asylum claim.

If match information becomes available only after the asylum interview, officers must refer to 'Action after the interview' in the instruction Asylum interviews.

Non-asylum cases

In non-asylum cases, the need to interview an individual about a biometric match will be determined by the particular facts of the case and the nature of the match, the case and the consequences of any decision relying on the match information.

Claimant left the UK during claim

Biometric match evidence may indicate that the claimant or a dependant has had biometric details taken outside the UK while the asylum claim was outstanding. Unless the individual was given permission to travel, such cases must be treated as withdrawn (see Withdrawing asylum claims), with any later attempts to reapply for asylum treated as Further submissions, where applicable.

Asylum decisions

All asylum decisions must be made according to the guidance on Assessing credibility and refugee status, as well as any other guidance that is relevant in the case (in particular, Children's asylum claims, Family asylum claims and Dependants and former dependants). The guidance Drafting, implementing, and serving asylum decisions must be applied in all cases.

The information from the M5 country may support or undermine aspects of the claim. It must always be considered alongside all other evidence, including country information and oral and documentary evidence from the claimant. Where material, the biometric match information and conclusions arising from it must be clearly set out in the grant minute or the Reason for Refusal Letter (RFRL).

The evidence must be copied to file and annexed to appeal bundles in the event of refusal decisions (unless marked as non-disclosable, as may rarely be the case). See Onward disclosure of match information.

If the claimant does not accept the fact of the fingerprint match information, further evidence must be requested promptly by emailing the Biometric Case Management Team (BCMT). In detained cases where appeal timescales may be prioritised, this information must be requested promptly, before decision service.

Related content

Age disputes

Age assessments

Biometric checks may provide information which supports or disputes an individual's claimed age. Where such information is identified, it must inform the age assessment process.

For detailed guidance on the considerations and actions due in disputed age cases, see the Assessing age instruction, in particular the section, 'Evidence of age from visa applications or biometric data'. See also the instruction Eurodac and Article 34 Information for age assessment purposes, in particular the section, 'Use of Eurodac and Dublin Regulation information post-transition', which although focused on information obtained from historic Eurodac checks, contains guidance relevant to wider age assessment considerations.

Asylum decisions

Unaccompanied Asylum-Seeking Children (UASC) leave must not be granted if the individual is assessed to be over 18 years of age. Where UASC leave has already been granted in such cases, steps must be taken to curtail that leave. See 'Refusal and curtailment of UASC Leave' in the instruction Children's asylum claims.

If the individual's age is reassessed following receipt of the information from the M5 country and the proper consideration of all the facts in the case and the individual's explanation of any discrepancy, and the individual is accepted as a child but with a different date of birth, it may be necessary to adjust the period of leave already granted.

Support considerations

If an individual who is being or has previously been treated as a child has their age reassessed according to the Assessing age instruction and is determined to be an adult, it may have implications for their eligibility for support under children's legislation and asylum support. For further information please see the guidance on Assessing age and Children's asylum claims.

Related content

Post-decision

If biometric match information comes to light only after a decision has been served, it must be carefully reviewed and appropriate action taken (usually to change or add to the decision, and in some cases, to withdraw).

Some general examples are provided in this section. They are neither detailed nor exhaustive, but they signpost action and resources for the most common scenarios.

Match information suggests the claimant may be entitled to a grant of leave or status

If match information brings a refusal decision into question, clarify the claimant's response regarding the match information if possible, and consider whether it is right to maintain or amend a refusal, or implement a grant.

If match information clearly shows an immediate grant to be appropriate, implement the appropriate grant, according to the guidance on Drafting, implementing and serving asylum decisions. If an appeal against the refusal decision is pending, inform the relevant Presenting Officers' Unit (POU), to enable them to notify the court.

Match information shows leave or status to have been granted on the basis of deception

If match information shows leave or status to have been granted on the basis of material deception in previous application (false identity, age, or circumstances), officers must consider revoking that leave and any status associated with it. See in particular the guidance Revocation of refugee status and Liability to administrative removal (non-EEA) - consideration and notification.

Any application made for further leave by the individual should be refused, unless (despite the deception involved in the previous grant) they now qualify for leave.

If information indicates criminality, update CID Special Conditions and CID notes according to the specific information received. Review 'Referring cases to Criminal Casework' in the guidance Transfer or refer a case, and if appropriate, refer the case for Criminal Casework to progress.

Match information confirms refusal decision was correct, but further action required

Information received within appeal deadlines or after an appeal is lodged but before an appeal hearing

If match information shows the claimant's identity or nationality details to be different to those recorded, clarify the claimant's response regarding the match information if possible. Where appropriate, issue an updated Reasons for Refusal Letter (RFRL),

according to 'New grounds or reasons in appeals cases' in the Withdrawing decisions guidance, requesting an adjournment if necessary.

If the match information shows the claim to be clearly unfounded (taking careful account of the section 'Credibility' in the guidance Clearly unfounded claims: certification under section 94), identify the listing date of any appeal, and taking that and all other relevant facts into account, consider whether it is appropriate to issue an updated and certified decision.

If previously unknown criminality is revealed, the case must be referred to Criminal Casework colleagues if appropriate (see the section <u>Adverse information or criminality</u>).

Information received after appeal rights are exhausted

If match information shows the claimant to have a different or an additional nationality to that previously recorded, ascertain whether the individual claims a fear of return to the new country.

If the individual has no fear of return to the new country, proceed to remove them to the country considered to be their true country of origin.

If the individual claims to fear return to the country of prospective removal, the allegation must be treated as Further submissions.

Redocumentation

Redocumentation and removal must be actively pursued in the identity and nationality believed to be correct, taking proper account of the information from the Migration 5 (M5) country.

Information from M5 countries may disclose travel document references not previously known to the Home Office. This (as with any travel documentation information already held) may assist with redocumentation and removal.

The relevant country's documentation requirements, as set out in the Returns Logistics resources, should be adhered to. However, where this is not possible, for example because the individual refuses to admit to the alternate identity, redocumentation using the fingerprint match evidence must still be attempted.

Related content

Pro forma: biometric data-sharing request

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Pro forma: biometric data-sharing witness statement request

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Glossary of terms (automated match response cases)

US Terminology

Term	Meaning
Asylee	An individual whose application for asylum has been approved.
	Note: US asylee status lapses if an individual spends more than 12 consecutive months outside of the US. It may not be possible to return the individual to the USA in these circumstances.
Final Order of Removal	The decision of an immigration judge, the Board of Immigration Appeals, an immigration officer, or other authority authorized under the US Immigration and Nationality Act, which orders the removal of a non-citizen who is deportable or inadmissible. The order becomes final when non-citizens have waived their right to appeal, allowed the time to appeal to expire, or have exhausted administrative and judicial appellate rights.
Lawful Permanent Resident	An individual who has been accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws.

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