

PRIORITY

HANDLING OF REQUESTS FOR PRIORITY TREATMENT OF CITIZENSHIP APPLICATIONS

1. Requests for priority made by Ministers

- 1.1 A key first consideration is whether the request for priority has come from a Minister and whether it is being dealt with:
- a. by the Minister as a constituency matter; or
 - b. in his or her Ministerial capacity.
- 1.2 Where a Minister wishes to raise a case as a constituency MP, he should write - normally from his constituency office - to the responsible Minister and his letter should be dealt with like any other MP's case. The Minister raising the case should not take the decision on the case. A second Minister should be designated to deal with the constituency cases of the Minister. If a constituency case goes to a Minister's Private Office they should keep a record of when it arrived and what action was taken.
- 1.3 It is perfectly proper for Ministers to look into cases which are drawn to their attention by MPs, representative groups or by individuals who write to them or approach them in their Ministerial capacity. Normally, the right course will be to send the case to the relevant Minister to respond. In all such cases, the Minister's private office should record when and where the case was raised and what action was taken.
- 1.4 Particular care needs to be taken over cases in which a Minister may have a **personal** interest or connection, for example because they concern family, friends or employees. If, exceptionally, a Minister wishes to raise questions about the handling of such a case, he or she should write to the Minister responsible, as with constituency cases, but should make clear their personal connection or interest. The responsible Minister should ensure that any inquiry is dealt with rigorously and without special treatment. A full record should be kept at all stages.

2. Applications for registration

- 2.1 In most cases, consideration of applications for registration is started soon after receipt, and it will not normally be necessary to give an application further priority. However, where a request is made, and the reasons given satisfy the criteria in paragraph 4 below, it should be dealt with accordingly.
- 2.2 Where the priority request relates to a minor registration application associated with a parent's application for naturalisation, the request should be considered as follows:
- Where the application is not dependent on the outcome of the parent's

application (e.g. applications under **s.1(3)**), the application may be given priority

- Where the application is dependent on the outcome of a parent's application (e.g. some applications under **s.3(1)**), the application should receive priority treatment **only** in exceptional circumstances

3. Applications for naturalisation

3.1 It may be possible to give a measure of priority to naturalisation applications in the circumstances set out in paragraph 3 below. The degree of priority will depend on the nature of the case and the stage it has reached. **For most, the only priority which should be given is that we agree to start enquiries on the application.** Where an application is nearing completion it may be possible to complete action fairly quickly. In other cases, particularly where an interview is necessary, it may not be possible to meet a given deadline and this should be explained to the applicant. The applicant should not normally be given a specific date when the application will be completed. Any estimate given should be worded in careful terms. In appropriate cases, Travel Document Section may be able to help applicants if they are unable to obtain documentation from their own authorities, **but no such undertaking should be given without first consulting TDS.**

3.2 The only applications which should be treated as "immediate" at each stage are ones where we have agreed to do our best to complete the application within a specific, usually short, time-scale.

4. Criteria for priority

4.1 In deciding whether to agree to a request for priority, caseworkers should consider whether:

- refusal of the priority request is likely to create more work (i.e. in justifying the refusal) than would make the refusal worthwhile; **and**
- there is evidence that the case has been mishandled or overlooked. (If the case is more than 12 months old but the delay is justifiable priority should not be given).

In either case, consideration should normally begin immediately.

4.2 We may, in addition, consider granting a measure of priority in circumstances where an applicant:

- is unable to make journeys necessary for compassionate or business reasons on existing documents
- is approaching his or her 18th birthday and may be unable, due to mental incapacity, to take an oath of allegiance if required to do so as an adult
- is stateless

- is a refugee as defined by the **1951 Convention** and **1967 Protocol Relating to the Status of Refugees**
- is elderly (i.e. 65 or over)
- can show that he or she needs British citizenship for a particular job
- wishes to compete in a sporting or other event in this country or to represent the United Kingdom internationally. (Confirmation should be sought that the applicant is of sufficient calibre. Such cases may well attract publicity and should be referred, in the first instance, to the Casework Manager or Chief Caseworker)
- is the spouse/civil partner of a diplomat posted, or soon to be posted, abroad (see **Chapter 18** Annex B)
- has already been significantly inconvenienced as a result of inefficiency on the part of the Home Office. (In such cases priority should be given when the fact comes to light, regardless of whether it is requested)
- has secured the agreement of a minister or senior official to priority consideration (but see paragraph 1 above)
- has been **invited** to make a fresh application (where the decision to refuse a previous application might have been made sooner but for an oversight in the Border and Immigration Agency), and the new application has been received within a reasonable time after our refusal letter
- has demonstrated that it would be **in the national interest** to consider an application out of turn despite the circumstances being otherwise undeserving

4.3 **Evidence** justifying priority consideration may be called for at the caseworker's discretion, subject to the proviso that, as far as possible, we avoid becoming involved in protracted correspondence about whether an application does, or does not, merit priority.

5. **Requests for priority in advance of an application**

5.1 In certain cases, it may be decided that an application, made at some time in the future, should be granted a degree of priority. In such cases, the applicant should be notified of that decision in writing and advised, when submitting his or her application, to enclose a copy of that letter.

6. RESTRICTED - NOT AVAILABLE FOR DISCLOSURE

7. **Priority flags**

7.1 A priority flag is marked "PRIORITY - ACTION REQUIRED BY (time) ON (date)". Priority is thus set by the sending officer, and the time and date

by which a response is expected will be clear. If, for any reason, the officer receiving the file cannot meet the deadline, he or she should notify the sender as soon as possible. The priority flag should be used only when it is genuinely necessary, and sending officers should exercise discretion in setting realistic deadlines. . We should be certain that a deadline can be met before giving it to an MP otherwise, no timescale should be given.

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