



Home Office

Part Suitability: Deception, false representations, false documents and non-disclosure of relevant facts

Version 1.0

Contents

Contents.....	2
About this guidance.....	4
Appendix Electronic Travel Authorisation cases.....	4
Contacts	4
Publication	5
Changes from the last version of this guidance	5
Meaning of terms used in this guidance	6
The meaning of ‘false’.....	6
The meaning of ‘deception’.....	6
Representation	6
Information.....	6
False documents	7
Relevance and knowledge of false representations, false information and false documents	7
Non-disclosure of relevant fact	7
Declarations signed by Applicants and Third Parties.....	8
Deception	9
Cases where you can prove deception.....	9
Cases where you cannot prove deception.....	9
Cases involving Children	10
When to rely on non-conducive to the public good grounds	10
Burden and standard of proof in deception cases	10
Considering deception and false representations	12
Mistakes	12
Examples.....	13
Case study 1	13
Case study 2	13
Third party cases, deception and false representations.....	13
Deception and false representations by a third party to the Secretary of State.....	13
Deception and false representations to a third party by the applicant.....	14
Examples	15
Case study 1.....	15
Case study 2.....	15
Allegations received from third parties	15
Procedural fairness	15

Minded to refuse process	15
Examples	16
Entry Clearance cases	17
How the Minded to refuse process operates	17
Minded to refuse or Cancel interviews	18
If an applicant (or their legal representative) argues that the refusal of entry clearance is a breach of human rights	18
How to consider the responses to the Minded to refuse / Cancel notification	19
Mandatory refusal: SU 9.1	19
Discretionary cancellation: SUI 9.2	19
Discretionary refusal: SUI 10.1	20
Cancellation decisions: rights of appeal and administrative review	20
Examples of mandatory refusal: deception	21
Case example 1 In Country refusal	21
Case example 2 ECO refusal	21

About this guidance

This guidance is for decision makers including entry clearance and Border Force Officers, where there is deception by the applicant and the mandatory ground of refusal in paragraph SU 9.1. of Part Suitability of the Immigration Rules applies. This requires you to be satisfied there has been a deliberate intention to deceive by the applicant.

This guidance is for decision makers considering a discretionary refusal under paragraph SUI 10.1. under Part Suitability of the Immigration Rules due to false representations, use of false documents, provision of incorrect information, or omission of a relevant fact.

If the applicant is found to have used deception in a previous application, this is a previous breach of UK immigration laws. The guidance for previous breaches of UK Immigration laws can be found on: Suitability: previous breach of immigration laws

This guidance is also for decision makers considering discretionary cancellation of entry clearance or permission held by a person on grounds of false representations, false documents, false information, or failure to disclose a relevant fact. The cancellation ground is SUI 10.2.

In the case of permission extended by section 3C of the Immigration Act 1971, where the applicant has used deception in the application for permission to stay, the relevant cancellation ground is paragraph SUI 9.2. of Part Suitability.

This guidance **does not** apply to applications made under: Part Suitability of the Immigration Rules and does not apply to applications made under:

- Appendix EU
- Appendix EU (Family Permit)
- Part 11 (Asylum), except paragraphs 352ZH to 352ZS and 352I to 352X
- Appendix S2 Healthcare Visitor
- Appendix Service Providers from Switzerland

For these applications you will need to consult guidance specific for those routes.

Appendix Electronic Travel Authorisation cases

For suitability considerations under Appendix Electronic Travel Authorisation, use the Electronic Travel Authorisation guidance. This guidance does not apply to Appendix Electronic Travel Authorisation applications unless specified in the Electronic Travel Authorisation guidance.

Contacts

If you have any questions about the guidance, please discuss this further with your line manager or senior case - worker in the first instance. If you believe this guidance

has factual errors or require additional support, then please email the Administrative Policy team.

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 **1.0**
- published for Home Office staff on **11 November 2025**

Changes from the last version of this guidance

Changes to reflect Part Suitability replacing Part 9: grounds for refusal of the Immigration Rules.

Related content

[Contents](#)

Meaning of terms used in this guidance

This section explains what is meant by the terms used in this guidance.

There is no definition of deception, false representations or false information in the Immigration Rules. However, the Supreme Court in *Mahad (Ethiopia) v Entry Clearance Officer* [2009] UKSC 16 Lord Brown provided the following guidance as to general interpretation of the rules:

"The Rules are not to be construed with all the strictness applicable to the construction of a statute or a statutory instrument but, instead, sensibly according to the natural and ordinary meaning of the words used, recognising that they are statements of the Secretary of State's administrative policy."

Unless a particular meaning has been applied by the courts as described below, you should use the natural and ordinary meaning of the words when making your decision.

The meaning of 'false'

"False" means not true or misleading.

The meaning of 'deception'

"Deception" means an act which deliberately causes someone to believe something that is not true.

Representation

"Representations" means statements or assertions which can be made orally or in writing, by the applicant or a third party such as an immigration adviser, partner, parent, or friend and can include the following (this is not an exhaustive list):

- oral answers in an interview
- answers in an application form
- further submissions or representations

Information

"Information" can be provided orally or in writing, by the applicant or a third party such as an Immigration adviser, partner, parent, or friend and can for example include:

- information provided orally in an interview
- answers on an application form, for example an incorrect nationality or date of birth

- information about earnings provided to HMRC in order to obtain an incorrect P60 to use in an immigration application

False documents

“False Document” is defined in paragraph 6 of the Immigration Rules as including any of the following:

- a document which has been altered or tampered with
- a counterfeit document
- a document which is being used by an imposter
- a document which has been fraudulently obtained or issued
- a document which contains a falsified or counterfeit entry clearance, visa or endorsement

If you suspect a false document has been submitted, you should take steps to verify it. For example: you may be able to check with the issuer of the document at source or verify it with specialist teams within BICS.

Official - sensitive: start of section

The information on this page has been removed as it is restricted for internal Home Office use

The information on this page has been removed as it is restricted for internal Home Office use

Official – sensitive: end of section

For further guidance on document verification see the guidance on document verification.

Relevance and knowledge of false representations, false information and false documents

Even if the applicant did not know that false representations were made, or false information or false documents were submitted and whether or not they were relevant to the application, the application may still be refused on suitability grounds and entry clearance, or permission may be cancelled, see considering the decision.

Non-disclosure of relevant fact

Whether there has been non-disclosure and whether facts are relevant, will depend on the context. Failure to provide information or the submission of incomplete information can amount to non-disclosure.

A person is not required to volunteer information unless it is clear from the context that it is required.

Examples of non-disclosure of relevant facts include:

- failure to disclose a criminal conviction / pending prosecution.
- failure to disclose previous refusals of entry clearance or permission
- failure to disclose previous travel to the UK
- failure to disclose the existence of a family member outside the UK (if relevant to the application)
- failure to disclose presence of family members in the UK

Declarations signed by Applicants and Third Parties

An applicant may claim they forgot to disclose certain facts to the Home Office. These explanations should be considered under [mistakes](#). However, in assessing this claim, you must remember that the online application form contains a declaration that the information provided by applicant, helper, proxy or other person must be correct and the applicant may be refused, prosecuted or banned from the UK if false information is provided.

Related content

[Contents](#)

Deception

Cases where you can prove deception

There is a distinction between information that is false but where you are not satisfied there was an intention to deceive by the applicant and cases where you are satisfied and can prove there was deception by the applicant.

If you are satisfied that the applicant has used deception, refusal of the application is mandatory (subject to the exceptions below) under Mandatory Refusal SU 9.1. of Part Suitability. The legal standard of proof is 'balance of probabilities', which means it is more likely than not that the applicant has deliberately and dishonestly made false representations, submitted false documents or information or failed to disclose material facts.

Permission extended under paragraph 3C of the Immigration Act 1971 may be cancelled under paragraph SUI 9.2. if you are satisfied the applicant has used deception in an application for permission to remain only, but cancellation is discretionary.

An allegation of deception must not be made unless there is evidence to support the allegation.

If the information provided is incorrect but there is insufficient evidence of deception the application must be considered for refusal on eligibility grounds, as incorrect information may mean they do not meet the requirements of the rules.

If you are considering cancellation of permission, you must also consider whether the person still meets the requirements of the rules.

For further information on cases where you cannot prove deception, see: [mistakes](#).

When an application is refused because of deception, future applications must be refused for a 10-year period. (the 10-year ban)

For further information on when an application is refused because of deception, see:

- suitability: previous breach of immigration laws
- mandatory refusal period

Cases where you cannot prove deception

In all other cases where you cannot prove deception by the applicant refusal / cancellation is discretionary and if the applicant (or a third party) makes false representations or submits false information or false documents or fails to disclose relevant facts you may refuse the application, or existing permission may be cancelled under paragraphs SUI 10.1. or SUI 10.2.

These refusals or cancellations do not lead to a ban.

Cases involving Children

In accordance with paragraph SUI 11.4. any previous breach of the Immigration Rules based on deception can only occur where the applicant was aged 18 years or older at the time of the deception.

In Family and other cases where there are children involved, adults can be refused on the basis of deception.

A child can be refused on the basis that false representations have been made in their application.

These cases should be refused or cancelled under paragraphs SUI 10.1. or SUI 10.2. See also guidance on Third Party cases, if a third party was involved.

Where a HR claim has been made guidance on considering suitability against the UK's obligations under the ECHR can be found in the route specific guidance.

When to rely on non-conductive to the public good grounds

In cases where there is clear evidence of dishonesty or deception (for example: the applicant sought to deceive a government department other than the Home Office) and a refusal on eligibility grounds alone is not adequate to reflect the seriousness of the behaviour, it may be appropriate to refuse the application, or cancel entry clearance or permission, additionally on non-conductive grounds.

When considering using the non-conductive grounds you should refer to the guidance on: non conductive

Burden and standard of proof in deception cases

The burden of proof is on the applicant to show that they meet the requirements of the Rules. However, if you allege deception the burden of proof is on the Home Office to show both:

- that the representations are not true
- there is dishonesty or deception by the applicant

Relevant evidence may include for example:

- discrepancies in the information provided by the applicant in current and previous applications
- discrepancies between that information and information available from other sources, such as other government departments or intelligence reports related to the documents submitted

Allegations of dishonesty or deception are serious, with significant consequences for applicants and their families. The legal standard of proof is 'balance of probabilities',

which means it is more likely than not that the applicant has deliberately and dishonestly made false representations, submitted false documents or information or failed to disclose material facts.

In [Balajigari v Home Secretary \[2019\] EWCA Civ 673](#) the Court of Appeal commented:

“The Secretary of State must be satisfied that dishonesty has occurred, the standard of proof being the balance of probabilities but bearing in mind the serious nature of the allegation and the profound consequences which follow from such a finding of dishonesty.”

It is not appropriate to refuse based on false representations simply because you are not satisfied that the applicant has given correct information. Even if the omission or incorrect information can lead a case - worker to make the wrong decision, if you allege deception, you must be able to show, on the balance of probabilities, that there was a deliberate intention to deceive by the applicant.

In some circumstances the applicant must be informed of the allegation of false representations, etc and given the chance to respond before a decision is made on the application.

For further information, see: the section on [procedural fairness](#).

Related content

[Contents](#)

Considering deception and false representations

This section explains how to consider which grounds of refusal should be used.

If false information is provided as part of an application, either orally or in writing, including deliberately withholding relevant information or submitting false documents, you must consider refusing the application on grounds of deception or false representations.

It is important to be clear in the decision whether deception or false representations were made in relation to the current or a previous application and by whom it was made. That will determine what action should be taken.

Mistakes

You must consider whether an innocent mistake could have been made. You must not refuse on grounds of deception or false representations grounds if there may have been an innocent mistake, or because there are minor but immaterial inaccuracies, such as typographical errors in the application. For example: if an applicant has given an incorrect postcode or misspelt a name on their application form.

It may still be right to refuse the application if the mistake means you are not satisfied that the requirements of the rules are met. For example: if the applicant has said they have an income of £40,000, but has provided evidence only for £4,000, you may take the view that the higher figure was an innocent mistake but may still refuse the application on eligibility grounds if on the evidence provided the required income under the rules is not met.

In entry clearance cases, if the inaccuracy is potentially material to the decision you must refer the inaccuracy to the entry clearance manager (ECM) if you intend to issue. You must update PROVISOR to indicate why you considered it an innocent mistake rather than dishonesty or deception.

In considering whether an innocent mistake has been made, you should ask yourself:

- how easy would it have been to make an innocent mistake?
- how likely is it that the applicant was unaware the information has been provided?
- how likely is it the applicant, or the person providing the information, is aware that the information is incorrect?
- does the false information benefit the applicant?
- is it contradicted by other answers on the application form, or by any information in any documents provided with the current or a previous application?

- does any endorsement or stamp in the passport or ID document contradict any answer given?
- has a new passport been presented and if so why?
- has this 'innocent mistake' also been made on a previous application?

Unless you are satisfied that the inaccuracy is the result of deception you should not refuse the application on the grounds of deception.

Examples

Case study 1

An applicant has been refused entry clearance twice before the current application. These previous refusals are not declared in the current application. The case is refused again. The applicant challenges the refusal on the basis it was an "innocent mistake" and they forgot about the previous refusals. You will need to consider if it is credible that they would have forgotten the process of applying for a visa and receiving a negative decision.

In this scenario it is not credible they would have gone through the visa process twice and forgotten paying the fees and receiving the negative outcomes. You should reject the explanation, giving clear reasons in your decision why we don't accept the explanation put forward by the applicant and uphold the further refusal.

Case study 2

An applicant failed to declare a brother-in-law in the UK on the application form and the application is refused. The applicant challenges this as they state they do not consider the brother-in-law to be a close relative as they are not blood related.

You will need to consider if it is credible they would not identify the individual as their family member. In this scenario the explanation is not credible as the application form does not limit the family members to close relatives or blood relatives. They would, therefore, be expected to have declared all family members in the UK. However, the decision maker should consider whether the form itself allows to declare some family members. (For example: on the Skilled Worker route the applicant will not have an option for an uncle from the drop-down box.)

Third party cases, deception and false representations

Deception and false representations by a third party to the Secretary of State

If the applicant claims the alleged deception was carried out by a third party (applicant, helper, proxy or other person), you should still consider refusing the case on SUI 9.1. grounds, if you can prove the applicant knew about it and was involved in the deception.

If you cannot prove the applicant knew about the deception, you should still consider refusing / cancelling the case on SUI 10.1 or SUI 10.2. grounds.

For further information on deception and false representations by a third-party, see declarations signed by Applicants and Third Parties

Deception and false representations to a third party by the applicant

You may have a scenario where an applicant will have committed deception to a third party to make a successful application under the Immigration Rules.

For example: providing a false English language certificate to a sponsor to be accepted onto a course. The sponsor may notify us later they have revoked the sponsorship because of this. These cases should be refused, or existing permission cancelled on the basis of false representations to obtain documents from the Home Office, or a third party provided in support of the application.

Relevant factors to consider include:

- what was the false document submitted by the third party
- whether the applicant ought to have known the information was false?
- did the applicant supply the false document to the third party?
- did they declare that the information in their application was true to the best of their knowledge and belief?
- was it reasonable of them to have done so without checking the accuracy of the information?
- what would be the effect of refusal on the applicant and would that outcome be reasonable in all the circumstances of the case?
- if the applicant is a minor and the alleged deception is by their parent who has cosigned the application as guardian - for example:
 - by submitting a false bank statement, then you must also consider whether the parent should be refused existing permission cancelled on suitability grounds
- if an applicant was not aware that the information submitted was false because there was deception by their partner or immigration adviser and the false information was not relevant to the application - you may decide not to refuse on suitability grounds

However, if an applicant claims there was an innocent mistake by a third party, then they should provide evidence to substantiate this. In such a case, they should generally provide:

- evidence that they made a complaint to the representative / agent and:
 - any correspondence relating to that complaint (in particular, correspondence which addresses the outcome of it)
 - a witness statement from the representative / agent explaining the error

Examples

Case study 1

An applicant provided a false Certificate of Sponsorship. This is a mandatory requirement for the Skilled Worker route. The application was refused. The applicant challenges this by stating this was provided to them by the purported sponsor. However, the evidence provided by the applicant does not appear to be linked to the sponsor, but an unknown third party. The evidence / explanation provided by the applicant is not credible as they would have been expected to have done due diligence to ensure that they are dealing with the legitimate sponsor.

Case study 2

An applicant provided a false employer letter to demonstrate their experience and to show that they are capable of doing a similar job in the UK. The document was found to be false as the enrichment officer interviewed a number of employees of the company and all of them confirmed they do not know the applicant or that the applicant worked there in a different capacity / for a different period than that stated in the letter. The application was refused. The applicant challenges this and states the document is genuine and provides another letter from the person who issued the original letter. We do not find the evidence to be credible given the number of individuals contradicting those statements.

Allegations received from third parties

If the Home Office receives an allegation from a third party that an applicant has made false representations or used deception, you can still use that material to support a refusal or cancellation. However, in such cases you may need to consider giving the applicant an opportunity to respond. See the [procedural fairness](#) section.

You should consult a senior case worker for further advice before making a decision.

Procedural fairness

The Court of Appeal in the case of [Balajigari v Home Secretary \[2019\] EWCA Civ 673](#) found that in certain cases where the Secretary of State is considering refusing an application, or cancelling permission, on the basis of deception, the applicant must be given an opportunity to address the allegation of deception before a decision is made.

A finding that the applicant has themselves used deception also means subsequent applications will be refused for a 10-year period. (the 10-year ban).

Minded to refuse process

If you are considering refusing or cancelling based on deception when you must provide a 'Minded to refuse' or Cancel notification' if either of the following apply:

- the implications for an applicant of a finding of deception are significant (see [examples below](#))
- the applicant may not necessarily know about the information you have considered, or its significance, for example information obtained directly from another government department

Examples

The implications for an applicant of a finding of dishonesty are significant - in the UK or at the UK Border:

The seriousness of the consequences for the applicant must be explained clearly. For instance, if the applicant is lawfully in the UK and is seeking settlement or further leave to remain and a finding of dishonesty is made, they will have to leave the UK if their application is refused. That is a serious consequence.

If an applicant would normally qualify for settlement and an allegation of deception is evident, a decision to refuse or cancel will result in the applicant having no leave in the UK. That is a serious consequence.

These decisions may expose the applicant to the compliant environment measures and that means that they can no longer open, for example: a bank account or rent accommodation. That is a serious consequence and the more the applicant and family are embedded in UK culture, the deeper and harder will be the consequences.

Related content

[Contents](#)

Entry Clearance cases

By contrast, it will rarely be the case that an application for entry clearance or permission to enter reaches the required level of seriousness, because in most cases a refusal will not change the applicant's circumstances. In these cases, the 'Minded to refuse / Cancel' process does not apply.

For further information, suitability: previous breach of immigration laws
Re-entry bans.

How the Minded to refuse process operates

You must tell the applicant you are thinking of refusing the application or cancelling entry clearance / permission, based on deception.

You must set out exactly what the allegation is and make it clear you are alleging dishonesty / deception, including whether you allege the deception was that of the applicant or another. You must also give the applicant the chance to respond to the allegation before you make your final decision.

You must give the 'Minded to refuse or Cancel notification' and ask for any response either in person (usually an interview at the border when they arrive in the UK or by appointment) or by writing if the person is in the UK, If they meet the circumstances set out in the section: [If an applicant \(or their legal representative\) argues that the refusal of entry clearance is a breach of human rights.](#)

You must then consider, in the light of the response (if any is given), whether there is sufficient evidence that the applicant (or, if relevant, a third party) has been dishonest.

You must give the applicant a reasonable period in which to respond to the 'Minded to refuse' or 'Cancel notification' or, if the applicant states they want to provide documentary evidence to support an explanation given in an interview.

What is reasonable will depend on the circumstances, but at the border an explanation ought to be forthcoming in the interview, in other cases 14 calendar days will normally be sufficient for the applicant to reply.

If the applicant fails to respond to the 'Minded to refuse' notification, then you can refuse the application. You must reference in the decision that the applicant was sent the minded to refuse notification and failed to provide a response.

The notification template can be found at: suitability: false representations, deception, false documents, non-disclosure of relevant facts.

Minded to refuse or Cancel interviews

You can carry out a 'Minded to refuse / cancel' interview straight away if the operational circumstances allow, such as at the border or as part of Enforcement action.

If you are considering refusing or cancelling a person's permission with immediate effect, you must:

put the allegation of deception to the person, that is, explain why you think refusal or cancellation may be appropriate and give the person the opportunity to respond to the allegation

See the cancellation and Curtailment of permission.

If an applicant (or their legal representative) argues that the refusal of entry clearance is a breach of human rights

Outside the UK, applications based on a human rights claim must form part of a valid application for entry clearance. The list in the rights of Appeal guidance under section overseas: application under the Immigration Rules gives the forms available for human rights applications under the rules.

Where applicants cannot find an appropriate form or believe that they cannot meet the requirements of the Immigration Rules, they must complete the form for the route which most closely matches their circumstances and pay the relevant fee and charges.

Any compelling compassionate factors they wish to be considered, including any documentary evidence, must be provided as part of the application for entry clearance on that route. Any dependants of the main applicant seeking entry clearance at the same time, must follow the same process and pay the relevant fees and charges.

For example: Part 9 of a visit visa application form allows the applicant to set out any other information that should be considered as part of the application. This can include a human rights claim that leave as a visitor should be granted outside the rules.

Where a Human Rights (HR) claim has been made guidance on considering suitability against the UK's obligations under the European Court of Human Rights (ECHR) can be found in the route specific guidance.

Where an application which engages human rights has been made and is refused there will be a right of appeal (subject to certification). For further information see the Rights of Appeal guidance.

Where the application does not engage human rights there may be a right of administrative review, for further details see the guidance on administrative review.

How to consider the responses to the Minded to refuse / Cancel notification

To consider the responses to the 'Minded to refuse cancel notification', you must:

- consider any responses received to the allegation of deception and decide whether you are satisfied on the balance of probabilities that the allegation can be evidenced
- even if the applicant fails to provide an explanation, you must still consider whether on the available evidence you are satisfied, on the balance of probabilities that deception was employed
- consider any mitigating factors raised as to why, even if there was deception,
- consider if there are mitigating factors or positive factors (that outweigh the deception)

Mandatory refusal: SU 9.1

Where paragraph SUI 9.1. of Part Suitability applies, you must refuse an application for entry clearance, permission to enter or permission to stay made on or after 1 December 2020 where you can prove that it is more likely than not the applicant used deception in the application.

Where you make a finding of deception you must make it clear to the applicant that this is your decision. Stating that you have “doubts” or “concerns” is not sufficient. You must say that you believe there has been dishonesty or deception and explain why you have reached that view.

Where you have found that there has been deception you must refuse the application on suitability grounds. It may be necessary to apply a minded to refuse process to gather the relevant information. See the section on [procedural fairness](#).

If it is claimed that refusal / cancellation is not appropriate because it would be a breach of human rights and the claim is sufficiently particularised you should treat that as a human rights claim. Guidance on what amounts to a human rights claim is available in rights of appeal. Guidance on how to consider a human rights claim and how to grant leave in the event that the claim succeeds is available for family and private life cases and for medical and other cases.

Discretionary cancellation: SUI 9.2

Under paragraph SUI 9.2. of Part Suitability you may cancel existing permission extended under section 3C of the Immigration Act 1971 where you can prove that it is more likely than not the applicant used deception in the application for permission to stay.

You should consider the factors set out in the guidance: cancellation and curtailment of permission.

Discretionary refusal: SUI 10.1

Where paragraph SUI 10.1. of Part Suitability applies, you may refuse an application for entry clearance, or permission on the grounds that the applicant has made false representations, submitted false information or false documents, or failed to disclose relevant facts.

For further information on Discretionary refusals: SUI 10.1, see the section on [Considering false representations](#).

Discretionary cancellation: SUI 10.2

Under paragraph SUI 10.2. of Part Suitability you may cancel existing entry clearance or permission held by the person on the grounds that the applicant has made false representations, submitted false information or false documents, or failed to disclose relevant facts. See the [Considering false representations](#) section.

Cancellation in country will normally take place when there is no other decision to be made and the deception or false representations has been identified at a later stage. Such applications are normally referred to the Status Review Unit or the Work and Study cancellation teams.

Official – sensitive: start of section

The information on this page has been removed as it is restricted for internal Home Office use

Official – sensitive: end of section

In such cases you will already have explained why you believe there to have been dishonesty or deception in relation to the application. You should then consider whether that indicates that the extant entry clearance or permission should also be cancelled. See guidance on [procedural fairness](#)

You should consider the factors set out in the guidance on cancellation. Cancellation and Curtailment of permission

Cancellation decisions: rights of appeal and administrative review

Generally speaking, a person does not have a right of appeal or administrative review in respect of a cancellation decision, unless a human rights claim is refused. This means that where:

- their permission expires with immediate effect
- they are left with a period of permission following cancellation
- they will generally not have a right of appeal

However, there is a right to apply for an administrative review if permission was obtained on one of the routes listed in paragraph AR 1.1 of Appendix Administrative Review and is cancelled at the border for either of the following reasons:

- there has been a change of circumstances since permission was granted which means that permission should be cancelled
- permission was obtained as a result of false representations by the person or by their failure to disclose material facts

Examples of mandatory refusal: deception

Case example 1 In Country refusal

In support of your application, you provided a bank statement from x bank [dated] as proof of your income. We contacted x bank on [date] and they stated that you do not have an account with them and that the bank statement you provided is a forgery. I asked you at interview on x date whether the bank statement was genuine and you said it was. I told you that I believed the bank statement was a forgery and that the bank had confirmed this. I said I believed you had used deception. You then admitted that you knew the bank statement was a forgery and that you had bought it from an acquaintance.

I asked you whether there was any reason why, in view of your deception, I should not refuse your application. You said [explain] however [your response]. that you had sufficient funds in another account.

I have considered all the circumstances of your case and I have decided it is appropriate to refuse your application because, I am refusing your application under paragraph SU 9.1. of Part Suitability of the Immigration Rules.

Case example 2 ECO refusal

In support of your application, you submitted passport number xxx from country xxx which contained a false entry clearance vignette. I have confirmed with the Entry Clearance post that you were not issued with entry clearance on this date. I am therefore satisfied that you have submitted a false document and you did so with an intention to deceive as the passport was in your name. I have therefore found that you used deception in your application and I am refusing your application under paragraph SU 9.1. of Part Suitability of the Immigration Rules.

Example: discretionary refusal or cancellation

In support of your application a false educational certificate was submitted. I asked you in a Minded to refuse letter x date why the false educational certificate was submitted. In your reply you stated this was submitted by a family friend without your knowledge. As you are under 18, I accept you did not know about the deception, but a false document was still submitted with your application.

[Insert something on - consideration of circumstances and whether appropriate to exercise discretion to refuse].

I am refusing your application under paragraph SU 9.2. of Part Suitability of the Immigration Rules.

Related content

[Contents](#)