

Visa matches: handling asylum claims from visa applicants

Version 13.0

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About this guidance

This guidance explains how asylum officers and other relevant Home Office officials can identify whether asylum claimants have previously applied for a visa to come to the UK or Ireland. It also explains how officials can obtain information relating to the earlier visa application, and how it may be useful in making an asylum decision.

Contacts

If you have any questions about the guidance, and your line manager, technical specialist or senior caseworker cannot help you or you think that the guidance has factual errors, email the Asylum 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 13.0
- published for Home Office staff on 27 February 2025

Changes from last version of this guidance

- added child safeguarding section
- updated contact email addresses, and repaired and updated links
- added new processes for Atlas and HOPS
- expanded guidance on Irish visa matches
- link added for biometrics data sharing
- · expanded section on asylum support considerations
- added new references to Intelligence Referral Forms (replaces the former Visa Match Report process)
- added new guidance for asylum support considerations
- amendments made to EU-related references
- added UKVI (UK Visas and Immigration) team contacts

Related content

Contents

Introduction

Audience and purpose

This instruction is for all staff responsible for screening, deciding and managing asylum claims (including those making decisions on asylum support applications). It provides guidance on the handling and consideration of asylum claims from those who have applied for visas to travel to the United Kingdom or Ireland.

For the purposes of this guidance the term 'officers' applies to asylum decision makers, screening officers and border force staff.

Background

Robust and reliable identity management is an important part of securing the UK's border. The biographical and biometric visa system supports this.

In 2003, the UK began taking fingerprints as part of the visa application process. By 2008, all visa applicants aged 5 or over were fingerprinted (except for those persons officially exempted).

Since December 2015, certain Irish visa applications made abroad have also been identifiable in the UK through biometric records.

All asylum claimants in the UK (and their dependants) aged 5 or over have their fingerprints automatically checked against visa fingerprint records, which are usually retained for a period of 10 years. Detailed evidence about visa applications is available through Home Office systems, and may assist considerations on support eligibility, age assessment, the substantive asylum decision and redocumentation and removal. Visa evidence may also help to identify criminality.

Additional reading

Officers must apply all other relevant guidance, including (but not limited to):

- Assessing credibility and refugee status
- Asylum interviews
- Nationality: disputed, unknown and other cases
- Assessing age
- Inadmissibility: safe third country cases
- Biometric data-sharing process
- Biometric information: enrolment

Application for children and those with children

<u>Section 55 of the Borders, Citizenship and Immigration Act 2009</u> places a duty on the Secretary of State to make arrangements for ensuring that immigration, asylum, nationality and customs functions are discharged having regard to 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, Every child matters: change for children, which sets out the key principles to consider in all Home Office activities involving children.

Our 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

See in particular the Children's asylum claims and the Assessing age guidance.

Visa application information sources

UK visas

When a person applies for a UK visa, their biometrics are taken and key information about the application is recorded and retained. All visa applications made since 1998 are accessible to officers through the secure Central Reference System (CRS).

Some applicants are exempt from having to provide fingerprint biometrics for visa applications, for example children under the age of 5, and diplomats. Some applicants are incapable of giving fingerprint biometrics. Guidance is available at <u>Biometric information: enrolment</u>.

CRS will usually contain the detailed Visa Application Form (VAF). Other supporting documents, including those submitted as part of a visa application (for instance, bank statements, employment letters and national identity cards) may also exist on CRS.

If an asylum claimant is biometrically matched to an earlier visa application, this will be identifiable on Atlas to screening officers through fingerprint match results. They will then, as far as possible, use CRS to promptly obtain further information about the person and their visa application, to inform asylum screening and subsequent actions. Officers will then be able to identify that a visa match exists and will also be able to directly obtain or request further information from CRS, to inform their asylum interviews and decisions. Such information may also be valuable to asylum support caseworkers.

For non-biometrically matched cases where a visa application history is known or suspected, CRS must be searched using information such as biographic details and travel documents. If reliable information is not held, searches on aliases, variant spellings, dependents' details, date ranges and wildcards may help to identify a match.

The following information may be available in a CRS record:

- personal details and photograph of the visa applicant
- type of visa applied for
- scanned image of the biodata page of the visa applicant's passport or other travel document
- the visa applicant's passport number and issuing location
- sponsor details
- Q&A interview notes or refusal notices associated with the application
- For older cases only, information about an Electronic Visa Waiver (EVW) application
- VAFs (for some visa applications before 2008 and most since)
- Biometrics and biographic check results made at the time of the visa application

Access and use of CRS

CRS may be accessed by any officer with a business need. They should obtain 'Enhanced user' level access, which enables documents to be printed. Officers requiring access to CRS should consult their local CRS supervisor. If they are unclear who their supervisor is or one needs to be nominated, they should contact their senior caseworker.

The CRS user guide sets out security and handling requirements which must be applied by all users of the system, as well as guidance on how best to use CRS. This guide is stored within CRS itself and is accessed through the Main Menu via the CRS Documentation link.

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Biometric data-sharing process

If the UK visa evidence suggests that the person may have also applied for entry clearance to the United States, Australia or New Zealand, officers should consider if requesting checks with these countries to obtain further information is appropriate. See Biometric data-sharing process (Migration 5 biometric data-sharing process).

Asylum screening and routing

After a claimant has been fingerprinted, screening officers must undertake basic checks to identify visa matches, which will inform screening questions and help to prepare the case for routing and asylum decision-making.

The actions below are focused on visa match issues at screening – not all screening activities are listed. Officers must ensure that screening always complies with the full requirements set out in the instruction Screening and routing.

Visa match identification and documents

Actions:

- if a biometric visa match cannot be identified from Atlas results, conduct manual CRS searches to check for a non-biometric visa (use a reporting date of 01/01/1998 to search all records, if no reliable search information is held)
- if any UK visa match is identified, record the Visa Application Form (VAF) number as a reference number on Atlas by selecting 'Add reference number' and the option 'Visa Application Form Reference' once satisfied that the reference number is correct press 'complete'

Obtain the VAF, request other evidence, update the visa record

Actions:

- locate the VAF within CRS by searching the 'Documents', 'Web/Email', 'Linking' and other tabs
- access the CRS 'Notes' tab, select 'Visa Concern Asylum' from the menu, and add a note to inform the visa decision-making team there has been an asylum claim, and stating the Convention reason or reasons applicable to the basis of the claim (race, religion, nationality, political opinion, membership of a particular social group (PSG), or non-Convention reason)
- specify whether or not the person is claiming asylum support (if known at the time of the Visa Concern entry)
- press 'Add Note'
- extract VAF and other information from CRS and upload these to Atlas / HOPS

Related content

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Competing identities at asylum screening

If the key identity information provided by the claimant when registering their asylum claim differs from that submitted as part of an earlier visa application, officers must proceed according to 'Competing identities' in the instruction Nationality: disputed, unknown and other cases; see also Assessing age.

Inadmissibility

Visa match information may disclose evidence that an asylum claimant has spent time in or has a connection to another safe third country (for instance, if the visa application was made in a country other than the person's country of origin, or if employment documents submitted as part of the application relate to a third country).

If visa match information suggests that the person may have a connection to a safe third country, the officer must ensure this is clearly noted before routing, as the case may be suitable for inadmissibility action (which would mean that the UK would not substantively consider the asylum claim). See Inadmissibility: safe third country cases for further information about the detailed considerations applicable in such cases.

Routing

After all required actions above have been completed and the claimant has been fully screened, if asylum support accommodation is required the officer must arrange for the case to be routed by the National Asylum Allocation Unit (NAAU), according to the instruction Asylum screening and routing.

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Asylum support

Applications for visas are often supported by information about the applicant's personal finances, both in the visa application form and in supporting documents such as bank statements. The visa decision maker often records consideration of finances in visa issue notes and refusal letters.

If a visa applicant later claims asylum and applies for asylum support, the asylum support officer may consider any financial information given with the visa application (alongside other relevant factors in any support application) as this may be relevant when assessing support including destitution. More information is available at Asylum support. To ensure that a thorough, fair and sustainable support decision is made, asylum support officers must access CRS and may retrieve all relevant documents. They may also request other relevant information from UKVI by using one of the Port and Enforcement Visa Concern drop down options on CRS and specifying what is required.

Supporting visa documentation may not be available to the visa decision making team.

See <u>UKVI contact details</u> section on how to contact a visa decision team directly for information.

See <u>Obtain the VAF, request other evidence, notify the claim</u> for further detail on obtaining further evidence. See also <u>Asylum decisions and appeals – use of CRS</u> and full VAF evidence, which is also relevant to asylum support considerations and appeals.

Asylum casework

Case receipt and initial actions

Before interviewing a claimant and deciding a case, officers must carefully check Atlas for evidence that the actions and preparatory work in the section Asylum screening and routing have been completed.

If the claimant has not been fingerprinted or screened, or if there are actions outstanding from the section <u>Fingerprint results</u>, officers must contact the responsible screening unit to arrange for all remaining actions to be completed.

If it appears that there are actions outstanding from the sections <u>Visa match</u> <u>identification</u> or <u>Obtain the VAF</u>, <u>request other evidence</u>, <u>notify the claim</u>, caseworkers must complete them. Officers must also check Atlas and CRS, to establish whether any additional information has been requested and received since the screening interview (or to request it if this has not already been done).

Before substantively considering a case, officers must also review the facts presented, to establish whether inadmissibility action is appropriate. For further information see Inadmissibility: safe third country cases.

Asylum interviews

All asylum interviews, including those that may address issues involving visa matches, must be carried out in line with the instruction Asylum interviews.

Officers must prepare for and tailor the asylum interview according to what is known about the person and their claim. It is recommended that questions about the visa match be asked after the full facts of the case have been ascertained. However, what is appropriate will be determined by the particular facts in the case.

Officers must explore all apparent discrepancies and credibility issues suggested by visa evidence. In particular, any differences between the reasons stated by a person in their visa application for coming to the UK and the circumstances of their asylum claim must be considered. Attention must also be paid to the place and timing of the visa application and the wider evidence submitted, and the implications such evidence may have for the asylum claim.

Claimants must be given the opportunity to explain any inconsistencies that remain.

See <u>Visa match scenarios</u> for suggested areas of questioning and consideration.

Intelligence Referral Form and reporting asylum claims on CRS

Officers must complete both the Visa Concern Asylum drop-down option on CRS and an Intelligence referral form if they identify any new information relevant to the

visa application, which might help reduce future abuse of the immigration system. Officers may copy the information from the intelligence referral form to the CRS Visa Concern Asylum comments box but should note the CRS word limit and review before sending.

Such information might include (for example) where documents supporting a visa application are discovered to be forgeries or improperly issued, or if there is evidence that a sponsor has given false information or acted deceitfully.

Mandatory casework intelligence training courses are available to staff.

Asylum decisions

Visa application information must be considered as part of all asylum decisionmaking, in line with all other information. See the guidance Assessing credibility and refugee status.

The officer should exercise caution refusing on credibility grounds due to a lack of supporting visa application documents as there is no legal requirement for an applicant to provide supporting documents. Furthermore, there may be reasons for their absence outside of the claimant's control.

Where the age and nationality information in a visa application differ from those provided by the person in their asylum claim, particular attention must be paid to the instructions Assessing age, Nationality: disputed, unknown and other cases and Clearly unfounded claims: certification under section 94).

Where a visa match is relevant to a decision, it must be clearly and specifically referenced in the grant minute or refusal letter. Even if a visa match is not determinative or significant in a case, it **must** still be mentioned in any grant minute or refusal letter when addressing the immigration history or credibility issues, to clearly demonstrate that the visa match has been noted. **This is a mandatory requirement.** In all cases, the VAF must be attached to file (and where relevant, flagged for annexing to any appeal bundle).

Asylum decisions and appeals – use of CRS and full VAF evidence

CRS is regarded as reliable and acceptable evidence, but it will not necessarily be as complete as a VAF or copies of original documents submitted as part of the original visa application. In such cases, all reasonable steps should be taken to obtain the VAF so it is available at the next casework stage (for instance, for the appeal bundle).

The 'Main' page on CRS may be disclosed subject to the following restrictions:

- the data must be relevant and specific to the claimant
- information regarding third parties, for example, regarding sponsors or family members, should be disclosed only in exceptional circumstances where it has a

direct bearing on the outcome of the case and according to the relevant policy guidance and on the advice of a senior caseworker

Only if a VAF and related evidence is not available may reliance be placed on CRS evidence alone.

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Additional staff support: visa match scenarios

All claimants, including those with visa match evidence, must have their cases considered on a case-by-case basis, taking all evidence in the round, considering credibility in line with the published instruction Assessing credibility and refugee status taking care to properly evaluate the future fear of harm.

Attention must be paid to the nature of matches, and the claimant must be given the opportunity to explain them. Careful questioning during the asylum interview will therefore be necessary. The matches may be significant in some cases, but in others they may be of no relevance, have an explanation, or have discrepancies arising simply because of innocent mistakes.

Examples

Visa application identity matches asylum application identity, including nationality

In the absence of evidence to the contrary, this will confirm the claimant's identity, including nationality, and whereabouts at the time of the visa application (but of itself, nothing further).

Visa application identity matches asylum application identity, and claimant claims to be a refugee-sur-place

The claimant may claim to have applied for the visa and have left their country and arrived in the UK in line with the conditions on their visa, without intending to claim asylum, and to have claimed asylum only when personal or country circumstances have changed. The visa information will need to be scrutinised, overall credibility established, and future fear examined.

Visa application identity matches asylum application identity, except for showing a different nationality

The claimant may have dual nationality, and so the discrepancy may be partly accounted for. However, removal to the second country should be explored. There may also be credibility conclusions in respect of any failure to disclose such key information. See the instruction Assessing credibility and refugee status.

Visa application identity partly or wholly different from asylum application identity (including age)

As the passport and possibly the claimant will have been seen as part of the visa application process, the visa identity may be more reliable. However, all evidence and explanations presented must be taken into account, and a view taken on identity in line with the Assessing credibility and refugee status instruction.

Visa application post-dates asylum application

This will show that the claimant has likely left the UK since lodging their claim. If they have returned to the country of claimed persecution, this may demonstrate safety, and credibility conclusions may also arise. It will also be significant if the claimant is not forthcoming about returning to their country of origin and does not volunteer information regarding harm during that period of return. The visa may indicate that the claimant has departed the UK, which will have the effect of withdrawing the earlier asylum application. See the instructions for Withdrawing asylum claims and Further submissions.

Visa application transactions (submission date, interview date and similar information) clearly show claimant to have possessed a national passport and suggest they were freely moving in country of origin

If at a time the claimant claims to have feared the authorities; to have been in hiding; or to have been detained or imprisoned, credibility conclusions may arise. See Assessing credibility and refugee status.

The grant of a visa may show that an asylum applicant had the means to leave their country earlier than they did

Conclusions as to credibility may arise from the delay to departure. Conclusions may also arise as to the level of interest or threat by alleged persecutors. See Assessing credibility and refugee status.

Visa application may show claimant to have lived in a safe part of the country of origin

This may cast doubt on substantive aspects of the claimant's claim, for instance, to have become involved in problems affecting a particular area. It may also indicate that it is reasonable for the claimant to return to their address. See the Assessing credibility and refugee status.

Visa applications may contain considerable detail and statements as to the basis for the visa application (for example, study, tourism, and other visa types), but not addressing a fear of persecution

Conclusions may be drawn regarding a seemingly planned and well-ordered departure not demonstrating the urgency of fleeing, and a willingness to travel using a genuine passport in their own name. In doing so, consideration must be also given to whether the claim is 'sur place'. A sur place claim is for protection based on a change in circumstances or activities of the claimant after leaving their home country and arriving in the UK.

Conclusions may also be drawn about the claimant's previous willingness to deceive a UK government official, if the reasons for the visa appear false, and if persecution was not mentioned. See the Assessing credibility and refugee status instruction.

Other evidence may show the claimant to have entered the UK in the visa application identity, possibly in contradiction of statements given in the asylum application as to time, method and place of entry to the UK, and promptness of asylum application

Such contradictions may – depending upon the facts of the case and any explanations given – be material to the asylum application. See Assessing credibility and refugee status. There may also be conclusions to be drawn in respect of the claimant's status, and of possible verbal deception.

Visa application gives details of parents or family members

This may provide information not otherwise known about the support and reception arrangements in the country of origin which may be available claimants, particularly for unaccompanied asylum-seeking children (UASC) or vulnerable females, to be used in making a substantive decision on a case, and possibly in tracing the family members.

Visa application shows bank statements, assets, other financial details, employment records, or similar documents

This may affect the individual's credibility and/or their eligibility for support payments.

Visa application made, but claimant denies such evidence in interview, until confronted with the evidence

This may, of itself, give rise to conclusions that the claimant's evidence cannot be trusted. Such a conclusion would have to be made taking the wider evidence into account, in line with guidance on credibility in Assessing credibility and refugee status instruction.

Visa application made in another safe country (for instance Australia, Canada, New Zealand, US, Canada, EU, Norway, Iceland or Switzerland)

Depending upon the circumstances of the person's stay, the other country may be responsible for considering the case and should be referred to the Third Country Unit (see Inadmissibility: safe third country cases).

VAF information will include copies of passport numbers (and scanned copies of the passport for more recent records)

This may assist in redocumenting the claimant for removal.

Visa match may show that the claimant is known to us in a different identity than the one they have presented on their asylum claim

Atlas and the Police National Computer (PNC) should be checked to see if the claimant is known in the visa identity.

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