



Rt Hon. Yvette Cooper MP

Chair, Home Affairs Select Committee
House of Commons
London
SW1A 0AA

19 November 2021

Dear Chair,

I write to inform you I signed a Ministerial Authorisation (MA) on 20 October 2021 under Schedule 3, paragraph 17 of the Equality Act 2010 and 20C(3)(a) of the Race Relations (Northern Ireland) Order 1997, to authorise the Home Office to subject applications to rigorous examination which meet the conditions in the MA.

This is a new process which all UK Visas & Immigration (UKVI) Decision Making Centres (DMCs) must follow from 20 October 2021 when assessing applications from those customers who are applying from overseas under Appendix EU(Family Permit) or from within the UK under Appendix EU where that applicant had arrived in the United Kingdom using either an EU Settlement Scheme Family Permit (EUSS FP) or an EEA Family Permit.

The new process retains as its basis a consideration of the individual circumstances of the application. It introduces, in limited circumstances and in accordance with the Ministerial Authorisation, nationality as one factor likely to indicate rigorous examination is to be applied to an application. The new MA permits more rigorous examination of applications from certain nationalities.

The introduction of the MA is supported by specific datasets including issued applications resulting in an in-country application for asylum, refusal of leave to enter on arrival or applications which are refused due to the submission of false documents/information. These datasets indicate an application might require more rigorous examination due to the submission of false evidence, or applications might otherwise be more complex to determine due to increased rates of asylum claims. UKVI will determine whether, in limited circumstances and only where authorised by the MA, additional enrichment based on nationality is necessary. Enrichment would take the form of, for example, verification checks, requests for further evidence, interview of the applicant or of a sponsor etc.

It would not be the case every application lodged by an applicant whose nationality is included in the list created by the MA is subject to the more rigorous examination enrichment delivers. Only those applications which match a risk profile would necessarily be enriched (based on their nationality). Risk profiles will be evidence-based and will be equality impact assessed. The presence of a country on the list created by the MA enables UKVI to apply a risk profile which contains a nationality element.

Decisions will be based on evidence. Decision makers at all grades will continue to assess each application on its individual merits against the Immigration Rules. Each application

will continue to be decided on the information provided by the customer and any other relevant factors at the date of decision, including the outcome of any enrichment carried out as required.

The process will remain subject to on-going evaluation and assessment by Home Office officials.

I am placing a copy of this letter and the authorisation in the Libraries of both Houses.

With my very best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Foster', with a large, sweeping flourish extending from the top of the 'F' across the top of the signature.

Kevin Foster MP
Minister for Future Borders and Immigration