Home Office

Criminal casework

Biometric data sharing - fingerprint matching

This guidance is based on the immigration acts

Biometric data sharing - fingerprint matching

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This guidance tells criminal casework (CC) staff about the agreement reached through the Five Country Conference Protocol to share biometric data in the form of fingerprints.

The Five Country Conference Protocol is between:

- the UK
- Australia
- Canada
- United States of America, and
- New Zealand.

Checks for up to 3000 individuals for each country, each year can be carried out.

This information could be crucial in determining the nationality of a foreign national offender (FNO) and facilitating removal.

The use of biometric data sharing allows CC to establish if at any point an FNO has either been a national of, has been a resident of, or has used an identity in one or more of the countries listed above, other than the UK.

If an FNO is already a declared national of any of the countries above or a European Economic Area (EEA) country, no checks will need to be undertaken.

This instruction tells CC case owners how to identify potential cases and process these through the biometric case management team (BCMT).

Changes to this guidance – This page tells you what has changed since the previous version of this guidance.

Contact - This page tells who to contact if your senior caseworker or line manager can't answer your question

In this section

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	Information owners - This page tells you about this version of the guidance and who owns it. Safeguard and promote child welfare – This page explains your duty to safeguard and promote the welfare of children and tells you where to find more information.	

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This page lists the changes to the biometric data sharing - fingerprint matching guidance, with the most recent at the top.

Date of the change	Details of the change

22 October 2013	Six month review by the modernised guidance team:
	• Criteria for referral:
	  ○ first set of bullet points, new sentence added to the last bullet.
	  ○ new second set of bullets.
	• Requesting a biometric check:
	  ○ sub heading 'Completing the form' first paragraph and bullet points amended.
	• Receiving results of biometric checks:
	  ○ table added.
	• Possible results of information:
	  ○ sub-heading 'Adverse information' new related link added.
	• Minor housekeeping and plain English changes throughout.

11 April 2013	Six month review by the modernised guidance team: • Minor housekeeping and plain English checks.
15 October 2012	Six month review by the modernised guidance team:

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			• About this guidance / landing page:
			  ○ sixth paragraph after ‘ above’ ‘or a European Economic Area (EEA) country’ has been added
			• Requesting a biometric check:
			  ○ third bullet point ‘update CID as follows’ has been deleted
			• Receiving results of biometric checks:
			  ○ first bullet point, new beginning of the sentence until ‘conduct’
			• Minor house keeping changes.		

		23 April 2012	For the 23 April 2013 changes you will need to access v2.0 which is now in the archive. See related link: Biometric data sharing – archive		
		11 October 2011	Revised and modernised by criminal casework directorate process team and the modernised guidance team.		

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This page tells criminal casework (CC) caseworkers about the criteria for referral used when identifying CC cases that may benefit from biometric data sharing arrangements.

There are strict criteria you must follow to decide if a case may benefit from biometric data sharing and should be referred to the biometric case management team (BCMT).

The foreign national offender (FNO) must meet at least one of the following criteria:

- Fingerprints are available, as indicated on the case information database (CID).
- Intelligence suggests the FNO has family residing in:
  - Australia
  - Canada
  - United States of America or
  - New Zealand.
- The FNO has been arrested or prevented from travelling to one of these four countries.
- The FNO:
  - has changed, or there is a dispute over, their nationality
  - is possibly a national of, or has spent time in, one of the four countries above, and
  - a fingerprint check would establish a true identity.
- There is evidence they arrived from one of the four countries above.
- They refuse to cooperate with the documentation process (essentially obtaining an emergency travel document) and that is the only barrier to removal.
- They are an absconder and also meet one or more of the criteria above.
- If deportation action is not being pursued due to difficulties in obtaining a travel document. For example, the country to which the Home Office wishes to deport the FNO is not willing to cooperate with the documentation process.

If the FNO meets one or more of the criteria listed above and fingerprints are not available

	on CID you must arrange for them to be taken through the: • operations team in CC • immigration compliance and engagement (ICE) team, or • prison where the FNO is held. As a rule, CC case owners must ask themselves: • Is a match likely? • Would a match provide important benefits to either the decision or re-documentation?	

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This page tells criminal casework (CC) caseworkers how to request a biometric data check.

Levels of authority
You must refer the case to your team leader to authorise the decision to make a biometric check.

Completing the form
When completing the form you must:

- Make sure all the information on the form is correct, including the immigration fingerprint bureau (IFB) reference which must be taken from the IFB result sheet and not from CID, if possible.
- Specify which country you want the data to be shared with. This is known as the providing country.
- Complete the biometric data sharing request form, see related link: Biometrics data sharing request pro forma.
- Send the request by email to the biometric data sharing requests inbox and attach a hard copy to the file, see related link.

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Receiving results of biometric checks

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This page tells criminal casework (CC) caseworkers how the results of a biometric data check are communicated to them.

The biometric case management team (BCMT) will send results of checks to you electronically and copy-in your line manager or team leader, indicated on the request form.

Result	Estimated timeframe for the result from the initial request	CID updates
Match	Eight working days.	BCMT will update special conditions on CID and send a result form by email. For a copy of the biometrics data sharing results form, see related link.
No match	Four working days.	BCMT will update the person notes in CID.

The results form
Depending on the type of match the results form may contain several types of information.

Where there is a match to an alternative identity, the BCMT will carry out extra checks on the following systems as appropriate:

- CID, to establish an immigration application in this identity, and/or
- central reference system (CRS).

The CC case owner must make the following checks:

Related links
See also
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	• immigration history in this identity using CID and/or central reference system (CRS) for an immigration application in this identity or conduct • on the new identity using the Police National Computer (PNC) database • landing card records for a history of travel into the UK on this identity, and • E-Borders for a record of travel in or out of the UK in this identity.	

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This page tells criminal casework (CC) caseworkers about identity information following a biometrics data sharing check on a foreign national offender (FNO).

The FNO may have given the providing country a different identity which may be in the same nationality they claim to be in the UK. If this is the case, the providing country may have details of a travel document which should be used for re-documentation and removal. You must contact the biometric case management team (BCMT) for a copy of the travel document.

Some differences in the person's identity could be minor and due to data error, for example the date of birth.

Some differences may be more important and indicate that a false identity has been used. You must consider which identity, if any, is likely to be genuine.

The identity of the providing country is likely to be genuine where the providing country holds a travel document reference number and there is no documentation to support the identity held by the UK.

If no travel document reference number is available, this could be because the FNO was previously apprehended in the providing country without documentation. You cannot assume these identities are genuine.

The BCMT will not update CID with details of any identity or nationality discrepancy or harm ratings.

You must not contact the providing country, embassy or high commission direct but send enquiries you need to make through the BCMT.

Update CID with conflicting identity information

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This page tells criminal casework (CC) caseworkers how to update CID, when an incidence of a conflicting identity needs to be recorded.

You must:

- in person/case search, enter the Home Office (HO) reference in search criteria box
- click person details on the vertical menu
- click alias tab
- update alias name, alias type (from drop-down menu, click ‘International Biometric Match’) date of birth and nationality
- click save/exit.

Update CID with conflicting nationality information

About this guidance Criteria for referral Requesting a biometric check Receiving results of biometric check Identity information Update CID with conflicting identity information Update CID with conflicting nationality information Possible results of information Cases awaiting an asylum decision Cases granted leave to enter or remain in the UK	This page tells criminal casework (CC) caseworkers how to update CID if an incidence of a conflicting nationality needs to be recorded. You must: • in person/case search, enter the Home Office (HO) reference in search criteria box • click special conditions on vertical menu • click alias tab • update special condition type (from drop-down menu, click ‘nationality dispute’) • in lodged date, enter the date that the applicants nationality was disputed (today’s date, not the date that the fingerprint was taken in the providing country) • in the additional information field, enter ‘int. biometric match-applicant believed to be from (country)’ and details of any travel documents used in the providing country must be included here, if known • do not enter anything in the closed date field, this is for use when the special conditions apply, and • click save/exit.	

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This page tells criminal casework (CC) caseworkers how they will receive information on where a foreign national offender (FNO) was fingerprinted in the past.

The fingerprint results indicate that the FNO was fingerprinted, either whilst in the providing country or whilst making a visa application to visit that country. This could impact on applications for asylum or further leave to remain in the UK. If the FNO was fingerprinted whilst making a visa application, then, unless the application was fraudulent, it is likely there will be information available linking that person to an identity, a nationality and a travel document.

This information will be provided along with matched results within eight days.

Status information
This result will indicate that an FNO has settled or refugee status in the providing country. Such information is relevant when deciding or withdrawing any outstanding applications to remain in the UK, along with documentation and removal from the UK.

Adverse information
This may provide information about previous criminal activity and will be relevant in assessing any risk of harm when detaining or removing an individual. The biometric case management team (BCMT) should not receive any information that cannot be legally relied upon, but they will be checking all result forms before sending a response to the case owner.

You must apply extreme caution when looking at this information and it can only be taken into account if the criminal offence is known. Any risk factors arising from criminality information from the providing country must be flagged up on CID in the normal way. Information on to how to manipulate and update CID may be found in the link to the CID user guidance document.

In cases where adverse information is established it must be factored into the decision about

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	the individual's harm rating. The harm matrix allows you to assess the risk of harm to the UK and its citizens that may be brought about by an individual on a case by case basis. **Obtaining further information from the providing country** If further information is required from the providing country, the case owner must contact the BCMT, using related link: Email biometric case management team.	

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About this guidance Criteria for referral Requesting a biometric check Receiving results of biometric check Identity information Update CID with conflicting identity information Update CID with conflicting nationality information Possible results of information Cases awaiting an asylum decision Cases granted leave to enter or remain in the UK	This page tells criminal casework (CC) caseworkers how they receive information from the fingerprint information providing country on cases awaiting an asylum decision. In a case that has an asylum application outstanding any information received from the providing country must be considered with all other evidence and put to the applicant at interview. For more information on handling asylum cases see related link: Asylum - Handling foreign national prisoners who have made asylum claims or who have been recognised as refugees.	Links to staff intranet removed

Cases which have been granted leave to enter or remain in the UK

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This page tells criminal casework (CC) caseworkers how to approach cases which have been granted leave to enter or remain in the UK.

If a foreign national offender (FNO) has already been granted leave to remain in the UK before the results of the biometric data match is received, you must consider if the information supplied by the providing country indicates that this leave was gained by deception.

If this is the case then the leave must be cancelled or revoked.

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This page explains who to contact for more help with a specific biometric data sharing case.

If you have read this guidance and still need more help with this category, you must first ask your senior caseworker or line manager.

If they cannot answer your question, they or you may email the criminal casework (CC) process team (see related link: Email CC process team) for guidance on the policy.

Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you should contact the CC process team, who will ask the MGT to update the guidance, if appropriate.

The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.

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This page tells you about this version of the biometric data sharing guidance and who owns it.

Version	5.0
Valid from date	22 October 2013
Policy contact	Official – sensitive: information removed
Cleared by director	Official – sensitive: information removed
Director's role	Official – sensitive: information removed
Clearance date	9 September 2011
This version approved for publication by	Official – sensitive: information removed
Approver's role	Official – sensitive: information removed
Approval date	17 October 2013

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