



Home Office

Disclosure of personal information to victims of foreign national offenders

Disclosure of personal information to victims of foreign national offenders

About this guidance

<p>About this guidance</p> <p>Referral process</p> <p>Assess request against disclosure criteria</p> <p>Case owner actions</p> <p>Using National Probation Service to verify a correspondent's identity</p> <p>Issuing a response</p> <p>Contribution to replies from criminal casework correspondence team</p> <p>Statutory victim contact scheme</p> <p>Confidentiality of information</p> <p>Follow up action</p> <p>Case information database (CID) updates</p>	<p>This guidance tells you about the criminal casework process for the disclosure of personal information to victims of foreign national offenders, or persons writing on behalf of the victim.</p> <p>For more information on the policy of disclosing personal information to third parties, see related link: 04.0 - Disclosure of personal information to third parties.</p> <p>Changes to this guidance - This page tells you what has changed since the previous version of this guidance.</p> <p>Contact - This page tells you who to contact for help if your senior caseworker or line manager can't answer your question.</p> <p>Information owner - This page tells you about this version of the guidance and who owns it.</p> <p>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.</p>	<p>In this section</p> <p>Changes to this guidance</p> <p>Contact</p> <p>Information owner</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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Disclosure of personal information to victims of foreign national offenders

Changes to this guidance

<p>About this guidance</p> <p>Referral process</p> <p>Assess request against disclosure criteria</p> <p>Case owner actions</p> <p>Using National Probation Service to verify a correspondent's identity</p> <p>Issuing a response</p> <p>Contribution to replies from criminal casework correspondence team</p> <p>Statutory victim contact scheme</p> <p>Confidentiality of information</p> <p>Follow up action</p> <p>Case information database (CID) updates</p>	<p>This page lists the changes to the 'Disclosure of personal information to victims of foreign national offenders' guidance, with the most recent at the top.</p> <table border="1"> <thead> <tr> <th data-bbox="488 392 831 432">Date of change</th> <th data-bbox="837 392 1682 432">Details of change</th> </tr> </thead> <tbody> <tr> <td data-bbox="488 437 831 1409">18 December 2013</td> <td data-bbox="837 437 1682 1409"> <p>Six month review by the modernised guidance team:</p> <ul style="list-style-type: none"> • Referral process: <ul style="list-style-type: none"> ○ page rewritten • Assess request against disclosure criteria: <ul style="list-style-type: none"> ○ second, third and fourth paragraphs changed • Case owner actions: <ul style="list-style-type: none"> ○ second and third paragraphs changed ○ fourth paragraph new • Using National Probation Service to verify a correspondent's identity: <ul style="list-style-type: none"> ○ second, third and fourth paragraphs changed • Issuing a response: <ul style="list-style-type: none"> ○ second, fourth and sixth paragraphs changed ○ third paragraph bullet points rewritten • Contribution to replies from criminal casework correspondence team: <ul style="list-style-type: none"> ○ new page • Confidentiality of information: <ul style="list-style-type: none"> ○ second and third paragraphs changed • Follow-up action: <ul style="list-style-type: none"> ○ second paragraph rewritten ○ fourth and fifth paragraphs changed • Case information database (CID) updates: <ul style="list-style-type: none"> ○ second paragraph changed • Contact: </td> </tr> </tbody> </table>	Date of change	Details of change	18 December 2013	<p>Six month review by the modernised guidance team:</p> <ul style="list-style-type: none"> • Referral process: <ul style="list-style-type: none"> ○ page rewritten • Assess request against disclosure criteria: <ul style="list-style-type: none"> ○ second, third and fourth paragraphs changed • Case owner actions: <ul style="list-style-type: none"> ○ second and third paragraphs changed ○ fourth paragraph new • Using National Probation Service to verify a correspondent's identity: <ul style="list-style-type: none"> ○ second, third and fourth paragraphs changed • Issuing a response: <ul style="list-style-type: none"> ○ second, fourth and sixth paragraphs changed ○ third paragraph bullet points rewritten • Contribution to replies from criminal casework correspondence team: <ul style="list-style-type: none"> ○ new page • Confidentiality of information: <ul style="list-style-type: none"> ○ second and third paragraphs changed • Follow-up action: <ul style="list-style-type: none"> ○ second paragraph rewritten ○ fourth and fifth paragraphs changed • Case information database (CID) updates: <ul style="list-style-type: none"> ○ second paragraph changed • Contact:
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 Related links [Referral process](#) [Assess request against disclosure criteria](#) [Case owner actions](#) [Using National Probation Service to verify a correspondent's identity](#) [Issuing a response](#) [Contribution to replies from criminal casework correspondence team](#) [Confidentiality of information](#) [Follow-up action](#) [Case information database \(CID\) updates](#) **See also** [Contact](#) |

		<ul style="list-style-type: none"> ○ third and fourth paragraphs changed ● Information owner: <ul style="list-style-type: none"> ○ second paragraph changed ● Minor housekeeping changes. 	Information owner Links to staff intranet removed
	11 June 2013	Six month review by the modernised guidance team: <ul style="list-style-type: none"> ● Minor housekeeping changes. 	
		For previous changes to this guidance you will find all earlier versions in the archive. See related link: Disclosure of personal information to victims of foreign national offenders - Archive.	

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Referral process

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Assess request against disclosure criteria

<p>About this guidance</p> <p>Referral process</p> <p>Assess request against disclosure criteria</p> <p>Case owner actions</p> <p>Using National Probation Service to verify a correspondent's identity</p> <p>Issuing a response</p> <p>Contribution to replies from criminal casework correspondence team</p> <p>Statutory victim contact scheme</p> <p>Confidentiality of information</p> <p>Follow up action</p> <p>Case information database (CID) updates</p>	<p>This page tells you how a request for personal information about foreign national offenders from their victims is assessed against the disclosure criteria.</p> <p>When a request for information from a victim of a foreign national offender or their nominated representative is received, either the criminal casework (CC) correspondence team, London and South East responder hub or CC victims' information team assess the request against the recorded offence and sentence details. Information about an offender to a victim or their representative must only be disclosed if the:</p> <ul style="list-style-type: none">• offender received a prison sentence of 12 months or more• court recommended deportation, or• offence was a violent or sexual offence, and the offender was sentenced to imprisonment. <p>If the request meets the above requirements, CC correspondence team or CC victims' information team must follow the procedures outlined in the related link: Handling MP and treat as official correspondence for CC cases.</p> <p>If the enquiry does not meet these requirements, CC correspondence team or CC victims' information team must respond to the victim through the standard processes. No information must be disclosed and CC correspondence team or CC victims' information team must issue a standard 'third party' refusal to disclose information letter. For more information, see related link: Handling MP and treat as official correspondence for CC cases.</p>	<p>Related links</p> <p>Links to staff intranet removed</p>
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Case owner actions

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Using National Probation Service to verify a correspondent's identity

<p>About this guidance</p> <p>Referral process</p> <p>Assess request against disclosure criteria</p> <p>Case owner actions</p> <p>Using National Probation Service to verify a correspondent's identity</p> <p>Issuing a response</p> <p>Contribution to replies from criminal casework correspondence team</p> <p>Statutory victim contact scheme</p> <p>Confidentiality of information</p> <p>Follow up action</p> <p>Case information database (CID) updates</p>	<p>This page tells you how to check a correspondent's identity when dealing with a request for personal information about foreign national offenders from their victims.</p> <p>If you cannot confirm the identity of the victim from the information available to you, criminal casework (CC) victims' information team will provide a point of contact in the local probation trust to provide help with checks on the victim's identity.</p> <p>If an offender received a sentence of 12 months or more for any offence other than those specified as violent or sexual, the victim will not generally have been offered contact with the probation victim liaison scheme. Offenders will be monitored by the probation service on their release. CC victims' information team must contact the offender manager to obtain any information which will help with verifying the victim's identity.</p> <p>CC victims' information team will act as a single point of contact for Immigration Enforcement in completing checks with the probation service. Requests for this service can be made using the request to National Probation Service for identity checks form and sent to the CC victims' information team inbox, see related link. To access the form, see related link: Annex B: Request to the National Probation Service to complete identity checks for disclosure of information to a victim of a foreign national offender request.</p>	<p>Related links</p> <p>Links to staff intranet removed</p>
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Issuing a response

<p>About this guidance</p> <p>Referral process</p> <p>Assess request against disclosure criteria</p> <p>Case owner actions</p> <p>Using National Probation Service to verify a correspondent's identity</p> <p>Issuing a response</p> <p>Contribution to replies from criminal casework correspondence team</p> <p>Statutory victim contact scheme</p> <p>Confidentiality of information</p> <p>Follow up action</p> <p>Case information database (CID) updates</p>	<p>This page tells you about how responses are issued to requests for personal information about foreign national offenders from their victims.</p> <p>If the letter is from an MP, criminal casework (CC) correspondence team, London and South east responder hub will gather the required information, and issue a response using the appropriate template.</p> <p>The following information can be disclosed:</p> <ul style="list-style-type: none">• Whether CC intends to take deportation action against the offender.• The final outcome of any appeal against deportation.• When the offender is going to be released from immigration detention.• When the offender has been deported or, if the offender is not being deported the reasons why.• The response will provide an explanation why it is not possible to deport them, which may include if:<ul style="list-style-type: none">○ the individual does not meet the criteria for consideration at the time○ it is not possible to deport because of our international obligations, or○ there are practical barriers to removal, for example, travel documentation or identity issues.• If CC cannot decide whether the offender will be deported, they will write to the victim:<ul style="list-style-type: none">○ when the offender has been deported, or○ if they find out the offender will not be deported. <p>CC victims' information team will make the final decision on what information is disclosed in the response, particularly when there is ongoing deportation action, but significant barriers to removal which are unlikely to be resolved in the short term. These disclosures will be in line with immigration directorates' instructions (IDI) '04.0 - Disclosure of personal information to third parties', see related link.</p> <p>Any problematic or complex cases where disclosure of personal information is of a sensitive</p>	<p>Related links</p> <p>Links to staff intranet removed</p>
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	<p>nature must be discussed with information access policy team or with the relevant assistant director.</p> <p>CC correspondence team, London and South East responder hub or CC victims' information team staff must not:</p> <ul style="list-style-type: none">• mention in response specific problems with embassies or high commissions in documenting subjects, as this may affect the documentation process• disclose any personal opinions, or any information relating to any offence other than the one mentioned by the victim, or• disclose release address details of the offender, or any address at which they are required to report.	
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Contribution to replies from criminal casework correspondence team

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Statutory victim contact scheme

<p>About this guidance</p> <p>Referral process</p> <p>Assess request against disclosure criteria</p> <p>Case owner actions</p> <p>Using National Probation Service to verify a correspondent's identity</p> <p>Issuing a response</p> <p>Contribution to replies from criminal casework correspondence team</p> <p>Statutory victim contact scheme</p> <p>Confidentiality of information</p> <p>Follow up action</p> <p>Case information database (CID) updates</p>	<p>This page tells you about local probation trust's victim contact schemes.</p> <p>If victims fall within the scope of the statutory victim contact schemes operated by local probation trusts, the response letter must also direct the victim towards victim liaison officers. This is to make sure victims can use the service they are entitled to, if they wish to do so. For more information, see related link: Victim contact scheme.</p>	<p>External links</p> <p>Victim contact scheme</p>
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Confidentiality of information

<p>About this guidance</p> <p>Referral process</p> <p>Assess request against disclosure criteria</p> <p>Case owner actions</p> <p>Using National Probation Service to verify a correspondent's identity</p> <p>Issuing a response</p> <p>Contribution to replies from criminal casework correspondence team</p> <p>Statutory victim contact scheme</p> <p>Confidentiality of information</p> <p>Follow up action</p> <p>Case information database (CID) updates</p>	<p>This page tells you about confidential information which can be disclosed when dealing with requests for personal information about foreign national offenders (FNOs) from their victims.</p> <p>If disclosure of this information to anyone other than the victim would potentially jeopardise any subsequent deportation action, criminal casework (CC) correspondence team, London and South East responder hub or CC victims' information team must make this clear in their response. The response must also make it clear the information is confidential and has been disclosed to the victim because they have a particular interest in it, which other members of the public may not have.</p> <p>Any response from CC correspondence team or CC victims' information team to a request for disclosure of personal information to a victim of a FNO must be approved by a CC correspondence team or CC victims' information team operational manager.</p>	
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Disclosure of personal information to victims of foreign national offenders

Follow-up action

<p>About this guidance</p> <p>Referral process</p> <p>Assess request against disclosure criteria</p> <p>Case owner actions</p> <p>Using National Probation Service to verify a correspondent's identity</p> <p>Issuing a response</p> <p>Contribution to replies from criminal casework correspondence team</p> <p>Statutory victim contact scheme</p> <p>Confidentiality of information</p> <p>Follow up action</p> <p>Case information database (CID) updates</p>	<p>This page tells you about the follow-up actions when disclosing an information request for personal information about foreign national offenders (FNOs) from their victims.</p> <p>When a victim, or an MP, makes an initial enquiry about a FNO the criminal casework (CC) victims' information team must complete a disclosure of information request action outstanding form. To access the form, see related link: Annex C: Disclosure of information request action outstanding.</p> <p>It is important all criminal casework staff are aware of the significance of this form, and the creation of a calendar event on CID as a reminder to review the case.</p> <p>If a Home Office file has this form attached, you must tell the CC victims' information team, see related link, if any of the following events occur:</p> <ul style="list-style-type: none">• the referral of an offender to have removal directions set• arrangements are being made to release the offender• the offender has absconded from detention• a decision has been made not to pursue deportation action or administrative removal action• any other circumstances where the offender leaves the UK such as:<ul style="list-style-type: none">○ repatriation○ as a 'third country' asylum case○ assisted voluntary return, or○ other voluntary departure. <p>You must not send a Home Office file with this form attached to Home Office's lay-by or another unit without telling CC victims' information team.</p>	<p>Related links</p> <p>Links to staff intranet removed</p>
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Case information database (CID) updates

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Contact

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Information owner

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This page tells you about the 'Disclosure of personal information to victims of foreign national offenders' guidance and who owns it.

Version	6.0
Valid from date	18 December 2013
Policy owner	Official – sensitive: information removed
Cleared by director	Official – sensitive: information removed
Director's role	Official – sensitive: information removed
Clearance date	16 December 2013
This version approved for publication by	Official – sensitive: information removed
Approver's role	Official – sensitive: information removed
Approval date	16 December 2013

Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the criminal casework victims' information team, see related link, 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.

Related links

[Changes to this guidance](#)

[Contact](#)

Links to staff intranet removed