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Immigration Law Practitioners' Association
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Dear Ms Francis,

Thank you for your letter of 11 March to the Home Secretary and me about the help we are giving to the people fleeing the invasion of Ukraine. I am sorry for the delay in replying to your letter.

Biometrics, in the form of a facial image and fingerprints, underpin the UK's immigration system to support identity assurance and suitability checks on foreign nationals who are subject to immigration control. We enrol the fingerprints of all applicants aged five years or older and who are physically capable. We check them against security and criminality databases which are available to the UK, to ensure multiple applications are not made using multiple identities, and to prevent leave being granted to those who pose a threat to national security, or are likely to breach our laws.

We want to do all we can to help the people of Ukraine seek refuge in the UK. All eligible Ukrainians with valid Ukrainian international passports can apply to the Ukraine Family Scheme or the Homes for Ukraine Scheme without having to go to a Visa Application Centre (VAC) to provide biometrics. Individuals will still need to provide their biometrics once safely in the UK within six months of their arrival. This decision was made exceptionally as a temporary arrangement to ensure VACs across Europe could focus their efforts on helping Ukrainians without valid passports. It will be kept under review if the security situation changes, and if it becomes necessary to make further changes to protect the people of the UK.

Ukrainians who hold biometric internal passport (identity) cards and do not have a valid Ukrainian international passport will still need to attend a VAC in person and provide their biometric information, as they will need a secure Entry Clearance document which will convert to permission to enter upon arrival at the UK border.

There are no plans to change the visa status of Ukrainian nationals.

It is a sad reality all Ukrainians who want to leave Ukraine, whether they have a passport or not, may face a dangerous journey. Ukraine's airspace is closed and those fleeing the conflict are therefore doing so across land borders. Once they are across the border, applicants without passports, including children will need to make an application at a VAC, which they should be able to do in relative safety, with appointments available quickly now the vast majority of applicants to our two Ukraine related schemes no longer require one.

In respect of the judgment in *R (SGW) v SSHD*, we have updated the 'Biometric information: introduction' guidance¹ to be clear where biometrics are required, they must be provided, in most circumstances, before an individual can come to the UK. This is to provide for the application of discretion in the provision of biometrics, where required, which we have done on an exceptional basis to respond to world events such as in Afghanistan and Ukraine.

The Family Reunion guidance² is currently under review following the Judgment of *SGW v SSHD JR/227/2021*. The proposed amendments will be finalised in an updated version shortly. In the interim, the guidance page on GOV.UK has been updated for caseworkers, noting the discretion in respect of the enrolment of biometrics is not restricted to those under five years old.

With my very best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Foster', with a large flourish at the end.

Kevin Foster MP
Minister for Safe and Legal Migration

¹ <https://www.gov.uk/government/publications/biometric-information>

² <https://www.gov.uk/government/publications/family-reunion-instruction>