



UK Visas & Immigration

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Dear Mr Brawley

Thank you for your enquiry of 8 February in which you requested information on asylum claims. Your request is being handled as a request for information under the Freedom of Information Act 2000.

Information Requested

Please provide statistics indicating, for each of the last 5 years, the number of claims made on the basis of the claimant being Atheist, non-religious, agnostic or Humanist, and the outcomes of those claims where there has been a final outcome. Also breakdown those claims by the claimants home state, and provide the number of the claims which have resulted in a successful appeal.

Please provide the guidance provided and used by the Home Office to judge the religious merit of these claims, and a list of external organisations or advisers used to create this guidance.

Please provide the guidance used by the Home Office regarding apostasy in Islamic states, and a list of external organisations or advisers used to create this guidance.

Please indicate if the issue of publicly declared apostasy for Islamic claimants from states where religious persecution is considered to take by the Home Office is reviewed without reference to the merit of the individuals claim to a new religious status. Please confirm if this is automatically considered.

Response

Under section 12 of the Act, the Home Office is not obliged to comply with an information request where to do so would exceed the cost limit.

We hold the information which you have requested but we have estimated that the cost of meeting your request would exceed the cost limit of £600 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. We are therefore unable to comply with it. In order to identify the reasons for an asylum claim we would have to manually search through the claims that have been made in the last 5 years as we are unable to produce reports on this information.

The £600 limit is based on work being carried out at a rate of £25 per hour, which equates to 24 hours of work per request. The cost of locating, retrieving and extracting information can be included in the costs for these purposes. The costs do not include considering whether any information is exempt from disclosure, overheads such as heating or lighting, or items such as photocopying or postage.

If you refine your request, so that it is more likely to fall under the cost limit, we will consider it again however, due to the reasons outlined above we will be unable to report on the reasons for an asylum claim being made.

Please note that if you simply break your request down into a series of similar smaller requests, we might still decline to answer it if the total cost exceeds £600.

Even if a revised request were to fall within the cost limit, it is possible that other exemptions in the Act might apply.

You can find guidance on how we consider asylum claims in the Assessing Credibility and Refugee Status Asylum Instruction – Section 7 refers to Assessing Convention Reasons.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/397778/ASSESSING_CREDIBILITY_AND_REFUGEE_STATUS_V9_0.pdf

We continue to work closely with the All Party Parliamentary Group on International Freedom of Religion and engage a range of faith groups to improve our policy guidance and training provided to asylum decision-makers so that we approach claims involving religious persecution and conversion in the appropriate way.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to foirequests@homeoffice.gsi.gov.uk, quoting reference 47270. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request will be reassessed by staff not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to

the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

J Slater
Customer Performance & Improvement

We value your feedback, please use the link below to access a brief anonymous survey to help us improve our service to you:

<http://www.homeofficesurveys.homeoffice.gov.uk/s/108105TAZNG>