



UK Visas
& Immigration

Customer Services Improvement Directorate.

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Brit Cits
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29 October 2013
Our Reference: 29029

Dear Brit Cits

Thank you for your e-mails of 22 July and 19 September in which you ask for statistics relating to adult dependent relatives since 9 July 2012 under the new family migration rules. These requests have been handled as a request for information under the Freedom of Information Act 2000.

I am aware that you made a materially similar request on 9 November 2012 and received a response from Helen Sayeed on 6 December 2012. In that request you asked for statistics on how many non-EU parents of British citizens/those with indefinite leave to remain, have applied for a UK settlement visa since 9th July 2012 under the new rules (not 8th July, 9th July) and of these, how many have been approved, refused and are pending, up until what date. Your request of 9 November 2012 was subject to section 12 of the Act because it exceeded a cost limit. An internal review requested by you concluded that Section 12 (cost) was correctly applied to this request.

In your latest request you asked:

a) how many adult dependant relative settlement applications were received under the rules in effect for applications submitted after 9 July 2012?
b) Of the figure in a), how many of these have been i) granted ii) refused iii) are still in process: to the most recent date available and to 31 October 2012? i.e. Given Lord Taylor's statement that the info relating to the issue of 'one settlement visa' is provisional and subject to change, what is the status of this now?

In relation to the requests of 22 July and 19 September (which in our view requests the same information as before) the same exemption applies. You have not refined your request in any material way. 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 have estimated that the cost of meeting your latest request would still 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. The information you

are seeking is not captured in our standard reports and requires the scrutiny of individual case records to find cases which fall into the very specific data set you requested.

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 and preparing the response 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 refining the request might still result in exceeding the cost limit because your refined request might still for example require information not captured by standard reports and/or the scrutiny of individual records. 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.

You may however wish to note that the Home Office publishes quarterly statistics on entry clearance visas issued by category in tables be_01_q and be_06_q_f (broken down by nationality) within the 'Immigration Statistics' release. A copy of the latest release, 'Immigration Statistics April – June 2013' is available from <https://www.gov.uk/government/organisations/home-office/series/immigration-statistics-quarterly-release>. Within the tables, adult dependent relatives of a British citizen in the UK or a present and settled person in the UK are included in the category 'Family: Other (for immediate settlement)'. This category also includes Ghurkhas and their dependants.

From July 2012, the category 'Family: Other' includes adult dependent relatives of those with refugee leave or humanitarian protection. 'Family: Other' also includes entry clearance visas issued to pre-existing family members of those with refugee leave or humanitarian protection. Published entry clearance statistics do not separately identify dependent relatives of British citizens and persons settled in the UK, including under Appendix FM of the Immigration Rules or applications submitted on or after 9 July 2012.

In relation to the status of information Lord Taylor provided in correspondence with Lord Avebury about settlement visas issued to adult dependent relatives under the new family rules; we note that in a debate in the House of Lords on 4 July 2013 Lord Avebury said that from July 2012 to the end of the October only one visa was issued to a dependent relative. In response Lord Taylor gave the following information to House of Lords in the same debate:

“My noble friend Lord Avebury asked whether any adult dependent relative visas have been issued since October 2012. I can give him an answer to that. In the year ending March 2013, 5,066 visas were issued to other family members according to published Home Office statistics. These figures do not separately identify adult dependent relatives of British citizens and settled persons in the UK”.

Details of this debate are available at the link below.

<http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/130704-0002.htm#13070446000145>

There is no other information or update held relating to adult dependent relative visas since the debate in the House of Lords or in any correspondence with Lord Avebury. We do not consider that the reference to the status of the data supplied by Lord Taylor in this FOI request makes it materially different to the earlier FOI request because it relates to the same data.

You consider that our request for clarification sent to you on 19 September asking whether you meant applications abroad means that statistics for applications made as an adult dependent relative in the UK under the new family rules must be available. This clarification was sought by a central team in the Home Office responsible for allocating FOI work, in order to determine which team would be responsible for answering the question. This request is not an indication that statistics are available. In fact, the new family rules in Appendix FM do not provide an in-country route for adult dependent relatives and therefore no statistics are held on applications made in the UK.

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 the address below, quoting reference 29029. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF
e-mail: info.access@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were 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

Emma Byrne
North West Correspondence Team