

## Changes to CRB scheme may discriminate against refugees

July 2012

Criminal Records Bureau (CRB) checks comprise the primary scheme through which prospective employees and volunteers are vetted for the purposes of obtaining employment and placements in a growing number of sensitive areas. Teachers, clinical staff, security personnel and youth workers, to name just a few, fall under this heading, and as such require a non-transferable check to ensure they have not exhibited past behaviours that would put their respective client groups at risk.

The scheme has been associated with a number of criticisms, including incompleteness and unnecessary expense between affiliated agencies (i.e. non-transferability between different associations within the same sector), though at this point the process by which CRB's are requisitioned, the information they contain, and their transfer between organisations is not expected to be reformed within the foreseeable future.

### Changes to identification requirements

New guidelines brought in on 28<sup>th</sup> May 2012 are currently working alongside the original guidelines during a transitional period until 31<sup>st</sup> August.

For the purposes of guaranteeing the identity of individuals applying for a CRB, the Home Office in the past required the submission of 'primary documents', which include a passport, ID card for foreign nationals, (UK) Driving License and so on; if the applicant had no access to these documents, they were still able to apply by providing five documents from a longer list, including an NHS card, bank statement and so on.

From 31<sup>st</sup> August 2012, the documents that can be used for these purposes is set to change; first, prospective [non EEA] applicants **must** provide a passport, biometric residence permit (BRP), current driving licence or birth certificate (if from the UK/Channel Islands). Further, two supplementary forms of identification must be provided from a much shorter list, including an NHS card or bank statement. Full details of the proposed changes can be found via the Home Office website by visiting the following [link](#).

### Problems for refugees and asylum seekers

Often refugees and asylum seekers have difficulties in obtaining documentation that will be required under the new guidelines. Individuals seeking asylum find themselves either unable to procure a passport for their home country, or are unwilling due to, for instance, fears of continued persecution from the authorities of their country of origin. Asylum seekers must then have their identity verified

by Home Office authorities, and as such only have verifying documents supplied by UK government agencies subsequent to arrival.

Among the documents not allowed as supplementary under the new scheme are Application Registration Cards (ARCs), which are given to asylum seekers when awaiting decisions regarding their case. Further, convention travel documents, issued by Home Office to replace passport rights for successful asylum applicants, are also not allowed. This, in conjunction with the **necessity**, rather than the **expectation** of primary forms of identification creates a situation wherein asylum-seekers may find themselves unable to apply for employment or voluntary work in a field for which they are otherwise qualified.