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14/05/2025

## **FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER 2254/2025**

Thank you for your request for information regarding **US Access to UK Criminal Records**; which has now been considered.

### **Applicant Question:**

A previous FOI to the Home Office on the subject of US access to UK Criminal Records said:

"The US immigration authorities do not have routine access to the UK's police and criminal records. The Home Office through the Five Countries Conference (FCC) Protocol shares biometric information (which may include police records) with US immigration authorities. Biometric information is only shared where a match has been identified and where it is to be used for immigration and nationality purposes. " (Andrews 2013)

1. Does this still apply and does it in practice mean that whilst US does not have routine access, any **US Visa applicant** who matches a person with an arrest or conviction record, will have all or part of their 'criminal history' disclosed to the US?
2. What information do you hold about the process of the US authorities obtaining UK biometric information (incl arrests and convictions), are **all intending travellers to US** always checked against UK database?
3. Does it not mean **every UK applicant** for a **US Visa** of **any type** end up being the subject of a biometric information check of UK records?
4. What information do you hold about any limits, if any, on the information supplied to US? Are there time limits, are spent conviction details withheld, or is everything held passed?

### **NPCC Response:**

1. ACRO does not hold a record which provides an answer to your specific question. The NPCC cannot corroborate a Home Office Freedom of Information response. You are not seeking a record, you are asking a question on the details within a Home Office response.

In wishing to provide assistance, outside of the Act, I have consulted with colleagues who have provided the following information as a gesture of goodwill, outside of the Act in relation to those wishing to emigrate, travel, need a Visa to live and/or work abroad or are looking to obtain citizenship or residency in another country.

### [Police Certificates](#)

ACRO share information **directly** with **individuals** (or their nominated third party representative) to whom the information relates through the application process of **Police Certificates** which is hosted by the ACRO National Disclosure Unit.

The Police Certificate will show:

- applicant's personal details
- photograph
- applicable convictions, cautions, reprimands, and warnings in line with the [ACRO step-down model](#)
- details of the applicant's impending prosecutions and past convictions
- if overseas authorities have shared criminal records with the United Kingdom, these may appear on the certificate

Further information on the process is available on the ACRO website: [Police Certificates](#)

A copy of the ACRO Step Down Model is available for download via the website. This is the model which determines the disclosure of information on such a certificate.

In relation to personal travel and entry into the US for non-work related travel (e.g. holiday), research has suggested that an ESTA is completed. ACRO does not manage ESTAs, but further information can be found [here](#).

2. What information do you hold about **the process of the US authorities** obtaining UK biometric information (incl arrests and convictions), are all intending travellers **to US** always checked against UK database?

ACRO does not hold a record which provides and answer to your question specifically on the process of US authorities obtaining UK biometric information (incl arrests and convictions) **for all intending travellers to the US**.

In wishing to assist you, as a gesture of goodwill, outside of the Act the following information may be of interest:

The ACRO police certificate is required for some visa applications, **including US Visa applications**, and it's not directly related to the ESTA (Electronic System for Travel Authorization). The ESTA is a system used for pre-screening travellers before they arrive in the US, while the ACRO certificate is a document that details a person's criminal record in the UK.

Here's a more detailed explanation:

**ACRO Police Certificate:**

This document, issued by the ACRO, provides information about an individual's criminal history in the UK, including convictions, cautions, and warnings. It's often required by foreign embassies and consulates, including the US, to help determine visa eligibility.

**ESTA:**

The ESTA is an electronic system that allows citizens of certain countries to travel to the US for tourism, business, or transit for up to 90 days without a visa. It's a pre-screening process to help identify individuals who may not be eligible to enter the US.

**How they relate:**

While the ESTA and ACRO certificates are distinct, they can both play a role in a US visa application process. If you're applying for a US visa and need to provide an ACRO certificate, you may also need to complete the ESTA if you're eligible for it.

**Why you might need an ACRO certificate:**

You may need an ACRO certificate if you are applying for a visa to the US, particularly if you have any criminal history. You may also need it if you're applying for immigration visas or if you're required by another country to provide evidence of your criminal record.

In wishing to assist you further, I have provided a direct web-link to the Gov.UK entry requirements for USA travel [here](#).

**ESTA eligibility:**

If you have a criminal record, you may not be eligible for ESTA approval. You'll need to apply for a US visa if you're not eligible for ESTA.

3. Does it not mean **every UK applicant for a US visa** of any type end up being the subject of a biometric information check of UK records?

ACRO does not hold a record that provides an answer to your question specifically relating to every UK applicant for a US visa of any type being the subject of a biometric information check of UK records.

Please see above at parts one and two in relation to the Police Certificate process.

4. What information do you hold about any limits, if any, on the information supplied to US? Are there time limits, are spent conviction details withheld, or is everything held passed?

ACRO does not hold a specific record that provides an answer to your question specifically relating to any limits of information supplied to the US.

Please see above at parts one and two in relation to the Police Certificate process.

Yours sincerely

Sherry Traquair  
Freedom of Information Officer & Decision Maker

[www.npcc.police.uk](http://www.npcc.police.uk)

## **COMPLAINT RIGHTS**

### Internal Review

Any request for an internal review will be acknowledged and responded to, based on the specific wording of your initial request only.

We ask that any rationale to request an internal review, does not include any requests for new information and ask that these be submitted by separate email. We will acknowledge as a new request and aggregate to your initial request in compliance with the legislation.

If you are dissatisfied with the response you have been provided with in compliance with the Freedom of Information legislation, you can lodge a complaint with NPCC to have the decision reviewed within 40 working days of the date of this response.

The handling of your request will be looked at by someone independent of the original decision and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

## **Annex A**

Section 17 of the Freedom of Information Act 2000 requires the NPCC, when refusing to provide information by way of exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a refusal notice to those aspects of your request.

### **Legislation – Section 16**

- (1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.