

# REVOCATION OF INDEFINITE LEAVE, SECTION 76 of the NATIONALITY, IMMIGRATION AND ASYLUM ACT 2002

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## Introduction

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This instruction gives guidance on the revocation of indefinite leave in the United Kingdom. It combines the previously published guidance contained in the *API and APU notice on Revocation of Indefinite Leave – s76 of the NIA Act 2002*.

Section 76 of the Nationality, Immigration and Asylum Act 2002 gives the Secretary of State the power to revoke indefinite leave to enter or remain in the United Kingdom (IL) where:

- 1) The person is liable to deportation, but cannot be deported for legal reasons.
- 2) Leave was obtained by deception and the person would be liable to removal because of the deception, but cannot be removed for legal or practical reasons or
- 3) The person, or someone of whom he is a dependant, ceases to be a refugee as a result of:
  - a) voluntarily availing himself of the protection of his country of nationality,
  - b) voluntarily re-acquiring a lost nationality,
  - c) acquiring the nationality of a country other than the United Kingdom and availing himself of its protection, or
  - d) voluntarily establishing himself in a country in respect of which he was a refugee.

Cases where consideration is being given to revoking IL on the grounds of deportation should, where relating to a criminal conviction, be referred to the Criminal Casework Team. Examples of legal reasons which may prevent deportation are where removal would be a breach of the Refugee Convention or the European Convention on Human Rights (ECHR). Cases where consideration is being given to revoking IL on the grounds of deception should be referred to the Immigration Service to investigate. Examples of practical reasons which may prevent removal include circumstances where we cannot set removal directions because we do not know, or cannot satisfactorily establish, the subject's nationality or where there is no physical means to return i.e. travel routes are closed. Another example would include problems/delays in re-documenting the passenger.

Sections 76(1) and (2) apply to anyone who has IL, irrespective of the reason the indefinite leave was originally given.

S76(3) applies only to people who were refugees (or dependants of refugees). Cases where consideration is being given to revoking IL on the grounds that a person has ceased to be a refugee should be referred to the Asylum Casework Directorate. Consideration of whether IL is to be revoked must be made at Senior Caseworker level and any decision to revoke IL must be countersigned by the Chief Caseworker or appointed deputy.

**NB: Revocation under 76(1) and 76(2) should only be undertaken in cases where the person is liable to deportation/removal but that is not possible at the present time. Where 76(3) is applied an individual does not necessarily have to be removable. Where removal is not immediately possible indefinite leave can still be revoked and consideration given to granting a short period of DL, having regard to comments below and the [Discretionary Leave AI](#).**

Process Instructions are to be issued by the Asylum Process and Procedures Unit.

### **Application of this instruction in respect of children and those with children**

Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the UK Border Agency to carry out its existing functions in a way that takes into account the need to safeguard and promote the welfare of children in the UK. It does not impose any new functions, or override existing functions.

Officers must not apply the actions set out in this instruction either to children or to those with children without having due regard to Section 55. The UK Border Agency instruction 'Arrangements to Safeguard and Promote Children's Welfare in the United Kingdom Border Agency' sets out the key principles to take into account in all Agency activities.

Our statutory duty to children includes the need to demonstrate:

- Fair treatment which meets the same standard a British child would receive;
- The child's interests being made a primary, although not the only consideration;
- No discrimination of any kind;
- Asylum applications are dealt with in a timely fashion;
- Identification of those that might be at risk from harm.

This guidance includes consideration of dependants of principle applicants who are subject to revocation of indefinite leave. Dependants, including children, will not necessarily have their leave revoked in line with that of the principle applicant.

## When S.76 might be used

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### Potential Deportation Cases and Leave obtained by Deception

Circumstances when s.76(1) or 76(2) might be used:

A person who has committed a criminal offence may be liable to deportation (section 3(5) and 3(6) of the 1971 Act). The usual trigger for considering deportation action is where the subject has been convicted of an immigration offence, an offence of violence against the person, a drugs offence, or any other offence for which a custodial sentence of 12 months or more is given, or which is listed in the Specification of Particularly Serious Crimes Order 2004 (copies available from APU on request or found at Annex A of the [Articles 1F and 33\(2\) of the Refugee Convention Asylum Instruction](#)). In addition, the courts have the power to recommend to the Secretary of State that someone should be deported (section 3(6) of the 1971 Act).

A person whose leave was obtained by deception and who would be liable to removal because of the deception but who can't be removed for practical or legal reasons may be liable to have their IL revoked. The deception must have been material to the grant of leave i.e. but for the deception the IL would not have been granted. Examples might include where leave has been granted as a refugee, and it is subsequently established that the person is not the nationality he claimed to be, or that the documentary evidence submitted, and which led to the decision that the subject was a refugee, was not genuine. Other examples would include where IL has been granted on the basis of marriage, and it is subsequently established that the marriage was not genuine, or that the letter of support was forged, or the spouse is not a British citizen / settled in the UK

### Revocation of IL for Refugees

Circumstances when s76(3) might be used:

The power to revoke IL under s76(3) is exercisable in the case of those who, due to their own actions, cease to be refugees under the provisions of the Refugee Convention (Article 1C (1)-(4)).

There will be circumstances where section 76(3) can be applied as a matter of law but where, as a matter of policy, it should not be used. Please see [Compelling Reasons for not Revoking IL](#).

## An Explanation of S.76(3) (a)-(d)

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**Sections 76(3) (a)-(d) of the 2002 Act mirror Article 1C (1) to (4) of the Refugee Convention and should be applied consistently with those provisions (see AI on [Cessation and Cancellation of Refugee Status](#))**

a) Voluntary re-availment of national protection

This situation occurs where the refugee voluntarily opts to be protected by that country. For example the refugee seeks to obtain or renew a national passport and uses it in preference to a refugee travel document.

N.B. Where refugee status was granted on the grounds of non-state agent persecution a person who seeks to obtain or renew a national passport would not necessarily be re-availing themselves of the protection of their country. It would depend on the circumstances of the case.

b) Voluntary re-acquisition of a lost nationality

This situation occurs where, a refugee, having lost (or been stripped of) his nationality of the country in respect of which he was recognised as having a well-founded fear of persecution, voluntarily re-acquires such nationality.

Having obtained it, he now comes under the protection of his former national authorities. The re-acquisition of nationality must be voluntary. The granting of nationality by operation of law or by decree does not imply voluntary re-acquisition, unless the nationality has been expressly or impliedly accepted.

c) Acquisition of a new nationality and protection

This situation occurs where the refugee acquires a new nationality and has the protection of the country of his new nationality (a country where he has no fear of persecution).

d) Voluntary re-establishment in the country where persecution was feared

“Voluntary re-establishment” means a return to the country from which protection was sought, with a view to taking up permanent residence. A lengthy stay would be the most obvious indicator of re-establishment. A short visit to the former country of persecution would not necessarily constitute “re-establishment” but a series of visits might. A longer visit will not amount to re-establishment if the refugee is conducting an exploratory visit. Such visits, whether via an official Explore and Prepare Programme where available or otherwise, are encouraged as an aid to resettlement. The application of this clause will not be appropriate in certain cases e.g. in Kosovan cases re-establishment is currently permitted, though advice should be sought on a case by case basis.

Furthermore a refugee may be considered not to have re-established himself where he returned to his country of origin for exceptional reasons such as to attend a family funeral or visit a sick relative. Each case is to be considered on its merits.

Where such a visit, undertaken either for the reason of considering return or for exceptional reasons, has been approved IL will not be revoked. Where such a visit was not brought to our attention prior to it taking place, the caseworker will have to consider whether the visit and the reasons for it falls under s.76(3).

The key question is whether the person has “re-established” themselves in that country and the purpose of the return to the country from which protection was sought will be relevant. Each case must be considered on its own facts.

There is no power to revoke IL under section 76(3) where the circumstances in connection with which a person has been recognised as a refugee cease to exist, i.e. where the circumstances for the refugee change as a result of a significant and non-temporary change in the country from which the individual sought protection which may remove the basis of the fear of persecution.

## How to deal with a case where S76 applies

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**Where the reason for seeking to deport is that the person concerned has been convicted of a criminal offence, the Criminal Casework Team will need to be involved. For operational reason such cases should be dealt with only by Senior Caseworkers in ACG(S).**

### How to deal with a case where 76(1) and 76(2) applies

The potential use of sections 76(1) and (2) will most often arise in cases which are being dealt with by the Immigration Service or the Criminal Casework Team. These cases will include deportation cases where there are legal barriers to removal, such as the Refugee Convention or ECHR, and deception cases where there are legal/practical barriers to removal. Examples of practical reasons would be where there is no physical means of return or where there are problems with documenting the individual.

Section 76(1) may be invoked where it is considered an individual's deportation is conducive to the public good, but the removal of that individual would breach our obligations under the ECHR. In such a circumstance removing the ILR using section 76(1) and replacing it with Temporary Admission/Release or Discretionary Leave would be an alternative option (see Asylum Instruction on Discretionary Leave for further guidance). In the case of section 76(2) it may be that action to cancel leave has already been pursued and failed, which has led to the alternate action of invoking section 76(2).

Where information comes to light to suggest that 76(1) or (2) may apply the case should be sent to IS (deception cases) or Criminal Casework Team (deportation cases) to investigate further. The individual should be given an opportunity to explain their actions before any decision to invoke section 76 is taken (a stock letter is provided at Annex B). Where, as above, action to cancel leave under section 76(2) has already been taken and failed, further consultation with the individual will not be required unless circumstances have changed since that time. Caseworkers should then consider whether action to invoke section 76(1) or (2) should be pursued, taking any explanation and the individual circumstances of each case into account.

If action to invoke section 76(1) or (2) is considered appropriate then the relevant stock letter should be prepared to inform the individual that their indefinite leave is being revoked. See the *Asylum Instruction on Cessation and Cancellation of Refugee Status* (to be published shortly).

Where indefinite leave is revoked under section 76(1) or (2) and the individual cannot be removed/deported for legal reasons, indefinite leave should generally be replaced with Temporary Admission or Release or short periods of Discretionary Leave. See the Asylum Instruction on [Discretionary Leave](#).

An example of when such action might be appropriate would be where we have pursued action under section 72 of the NIA Act 2002 because a refugee has committed a particularly serious crime, and is considered a danger to the community, but deportation has been prevented by the ECHR. In such a circumstance it would normally be appropriate to revoke the Indefinite Leave under section 76(1) and replace it with Temporary Admission/Release or with short periods of Discretionary Leave, until removal becomes possible.

In some circumstances the person should not be granted further leave, for example where there is a realistic prospect of removal in the very near future, or where the applicant will not leave as opposed to cannot leave e.g. inability to document because the subject is not prepared to co-operate. For those whose indefinite leave is not replaced with leave there will be no entitlement to public funds, unless failure to provide support would constitute a breach of the ECHR.

### **How to deal with a case where 76(3) applies**

The potential use of section 76(3) will most often arise in cases that come to light at ports, where an individual has returned to the country in which he has previously claimed to be at risk of persecution. Where this occurs the port should refer the case to SCWU or to the relevant country SCW in ACG (N). However, ACD may also come across cases where, for example, a national passport has been sent in with a request that leave be stamped into it. Where information does come to light to suggest that section 76(3) may apply the individual concerned should be given an opportunity to explain their actions, whether in writing or in person before any decision to withdraw refugee status and invoke section 76 is taken. (a stock letter is provided at [Letters](#)).

The caseworker should then consider whether action to withdraw refugee status, and subsequent action under section 76(3), should be pursued, taking any explanation into account and the individual circumstances of each case. Where return to their own country has occurred the individual should be asked for evidence of any compelling/compassionate circumstances. Evidence provided may be that such as a death certificate to prove the death of a close relative, or evidence of a serious illness. As many details as possible should be obtained and advice should be sought from APU where necessary. Where it is considered that further action is not appropriate because of the clear compassionate nature of the visit the caseworker should write to the refugee to inform him (see stock letter at [Letters](#)).

If the caseworker (or IO where cases come to light at port) considers that section 76 action should be pursued then any interview records or written correspondence, and a copy of the passport or travel document, should be faxed to ACU1 (ACG (S)) or ACU 11 (ACG (N)). The relevant papers will then be sent to the relevant SCW to consider cessation of refugee status under Article 1C(1-4) of the Refugee Convention and revocation of indefinite leave under section 76 simultaneously.

If action is considered appropriate then the Senior Caseworker should first deal with the cessation of refugee status. The Senior Caseworker should write to the individual concerned, setting out the reasons why the UK Border Agency proposes to withdraw their refugee status and at the same time also write to the UNHCR, enclosing the letter the UK Border Agency has sent to the individual for reference. In both cases a period of 14 days should be provided for any response. See Annex B for stock letters to use when consulting both the refugee and the UNHCR.

The Senior Caseworker will then consider any issues raised by UNHCR and respond to them if necessary, whilst also considering any representations submitted by the individual in response to the proposal to withdraw his refugee status. The Senior Caseworker must also take into account whether there is any evidence that revocation of ILR will not be appropriate.

*NB: where there are compelling reasons why ILR should not be revoked no action should be taken to withdraw refugee unless exceptional circumstances exist e.g. where the refugee has been resident in the UK for a significant period of time and has stated that they no longer wish to be recognised as a refugee. Where a Senior Caseworker considers that this may be the case then APU should be consulted.*

If cessation of refugee status and revocation of indefinite leave is considered appropriate then the relevant stock letter should be prepared to inform the individual that their refugee status is being withdrawn. The letter should also set out reasons as to why Indefinite Leave is being revoked and should be served with a 76(3) refusal notice (*See Asylum Instruction on Cessation and Cancellation of Refugee Status for further information*).

The cessation of refugee status does not itself trigger any right of appeal, but the accompanying action to revoke indefinite leave will trigger an appeal under s82(2)(f) of the NIA Act 2002.

The SCW should then update CID and the file should be stored in a hold.

## Timing

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The power under section 76(3) to revoke leave relating to people who, as a result of their own actions, cease to be refugees applies in respect of leave granted before s.76 came into force on 10 February 2003 but only based upon actions taken on or after that date. Actions involve behaviour which would bring the person concerned under section 76(3), such as travelling to the country from which they sought protection on or after 10 February 2003. Travelling to the country before 10 February would not bring a person under s.76(3).

The power to revoke leave under sections 76(1) and 76(2) applies irrespective of when the action which is the basis for the decision was committed.

## Dependants

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A dependant is defined for the purposes of this section as a spouse or a minor child related to the person concerned at the time when it is considered whether IL should be revoked. Where dependants are refugees in their own right, regardless of how they came to be granted refugee status, it will not be appropriate to revoke their IL unless they too cease to be a refugee for a reason laid down in s.76(3).

Where dependants are not refugees in their own right and have no other basis to remain in the UK and where there are no compelling reasons why they should remain in the UK, it will usually be appropriate to revoke their IL and seek to remove the family group. Compelling reasons for not revoking IL may apply in the case of dependants. When considering whether revocation is appropriate for dependants, account must be taken of length of time spent in the UK, established ties in the UK, length of residence and status of the spouse and/or child at the time of revocation e.g. if the dependant is living apart from the person whose IL is being revoked, it will not normally be appropriate to revoke their IL in line with that person.

Dependants are not included under s.76(1) and (2). We would not seek to revoke the IL of a dependant solely on the basis that they are a dependant where those provisions apply. The dependant may have behaved in a way bringing them under s.76(1) or (2) so that action can be taken against them in their own right.

## Compelling Reasons for not Revoking IL

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Compelling circumstances may exist where as a matter of policy a person's indefinite leave should not be revoked. These are:

- Length of time spent in the UK

Length of time spent in the UK will be relevant only to cases under s.76(2) and s.76(3). For cases under s.76(1) length of time spent in the UK will not constitute a bar to revocation of IL because length of time spent in the UK will have been taken into account in deciding whether the person should be deported.

For cases under s.76(2) 14 or more years spent in the UK (in line with the Rules on Long Residence) may constitute a compelling reason for not revoking IL. Examples where 14 years spent in the UK might not constitute a bar to revocation include where a person has an extant criminal record (excluding minor offences), deliberately attempts to evade immigration control or contracts a sham marriage to evade immigration control.

For cases under s.76(3) 5 years or more spent in the UK since the indefinite leave was granted will normally constitute a compelling reason for not revoking IL. However, 5 or more years spent in the UK may not constitute a bar to revoking IL where other factors, such as an adverse criminal record or immigration history, are present.

- Other reasons which are so compelling to prevent revocation of IL.

Each case should be considered on its individual merits. There may be other circumstances that apply to a particular claim that could prevent revocation (e.g. potential Article 8 issues). In such circumstances any decision not to revoke should be cleared with a Senior Caseworker before implementation.

## Removal of Refugee Status

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When consideration is given to applying s.76(3), it will always be because the person concerned has ceased to be a refugee for one or more of the reasons stated in paragraphs (a) to (d), which correspond to Article 1C (1-4) of the Convention. Therefore, if it is decided that s.76(3) applies, refugee status should also be revoked. See section 4 for further details.

## Terms and Conditions of Stay

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**How long would a person be expected to remain with limited leave before becoming eligible to apply for IL again?**

Eligibility for IL is based on the policy applicable to the limited leave granted.  
For further guidance, see the Asylum Instruction on [Discretionary Leave](#).

## Appeal Rights

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Revocation of IL under s.76 is one of the appealable decisions specified in s.82 (2)(f) of the Nationality, Immigration and Asylum Act 2002.

**N.B.** Revocation does not take effect until the period for appealing has passed or the appeal has been finally determined.

**Enquiries:** Further enquiries should normally be made in writing via a Senior Caseworker to Policy Group C, Asylum Policy Unit.

## Letters

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### Letter to a refugee after he has visited his own country for compelling/compassionate reasons (Notification no Intended Withdrawal of Status)

Dear \_\_\_\_\_

I write concerning your refugee status in the United Kingdom.

It has been noted that you recently returned to {country}, which is the country from which you sought asylum. As you know you are a refugee in the United Kingdom under the terms of the 1951 United Nations Convention Relating to the Status of Refugees. Under the United Nations Convention a refugee who returns to the country from which he sought asylum/country of origin or uses a passport issued by the authorities of that country is considered to have re-availed himself of the protection of his national authorities and is liable to lose his refugee status.

You have said that your reason for visiting {country} was **insert reasons given**. In view of the clear compassionate nature of your visit we have decided that your refugee status will not be withdrawn on this occasion.

You may wish to know that you are free to travel to {country} at any time should you so wish but a further visit there whilst you have refugee status in the United Kingdom is likely to result in the loss of your refugee status and will almost certainly also affect your immigration status.

You may wish to know too that should you become a British citizen you would no longer be considered a refugee under the United Nations Convention and would be free to travel abroad, including to {country} under the protection of Her Majesty's Government.

+Your Refugee Passport which was impounded by the immigration officer when you returned to the United Kingdom is returned herewith.

Yours sincerely

+include final paragraph if appropriate

### Representative Notification of Intended Withdrawal of Status Letter

The Representative  
UNHCR  
Strand Bridge House  
138-142 Strand  
London  
WC2R 1HH

Our Ref:

Uncontrolled if printed

Date:

## RE: PROPOSED CESSATION OF REFUGEE STATUS

Name

Date of Birth

Nationality

Dear \_\_\_\_\_

1. I am writing to inform you of the intention of the UK Border Agency to revoke the refugee status of the above named applicant who was recognised as a refugee in the United Kingdom on **date**. Our letter to **name** is enclosed for your reference. The background to the case is as follows;

2. **Give details of the reasons for proposed cessation in full, and how the reasons for the proposed cessation came to light.**

3. The UK Border Agency is proposing to revoke **name's** refugee status in view of Article 1 C (**specify which particular clause applies**) of the cessation clauses, which is set out in the UNHCR Handbook, and which states that:

**Specify the exact wording of the clause under which the individual falls.**

4. **This paragraph should briefly describe how the individual has come to fall within the specific cessation clause quoted above and whether it has been established that removal would not be a breach of the ECHR.**

5. Although cessation of refugee status does not in itself attract a right of appeal (**name's**) immigration status in the United Kingdom will almost certainly be affected by the decision to withdraw **his/her** refugee status. Any decision to withdraw (**name's**) indefinite leave to remain would entitle **him/her** to appeal against that decision under 82(2)(f) of the Nationality, Immigration and Asylum Act 2002.

6. I should be grateful if any comments you may wish to make on this proposal could be sent, for my attention, by (**allow two weeks**), at the following address:-

Senior Caseworkers Unit  
Asylum Casework Directorate  
[Insert address]

Yours Sincerely,

Senior Caseworker name  
Senior Caseworkers' Unit  
Asylum Casework Directorate  
*Acting on behalf of the Secretary of State*

## Applicant Notification of Intended Withdrawal of Status Letter

Address:

Our Ref:

Date:

### RE: PROPOSED CESSATION OF REFUGEE STATUS

**Name**

**Date of Birth**

**Nationality**

Dear \_\_\_\_\_

1. I am writing to inform you of the intention of the UK Border Agency to revoke your refugee status.
2. Give details of the reasons for proposed cessation in full, and how the reasons for the proposed cessation came to light.
3. The UK Border Agency is proposing to withdraw your refugee status in view of Article 1 C (specify which particular clause applies) of the cessation clauses, which is set out in the UNHCR Handbook, and which states that:  
  
[Specify the exact wording of the clause under which the individual falls]  
4. This paragraph should briefly describe how the individual has come to fall within the specific cessation clause quoted above and whether it has been established that removal would not be a breach of the ECHR.
5. Although the withdrawal of your refugee status does not in itself attract a right of appeal it may affect your immigration status in the United Kingdom . Your existing leave may be revoked (brought to an end) under section 76 of the Nationality, Immigration and Asylum Act 2002 on the grounds that you [state relevant ground from s.76]. A person who is not a British Citizen may be removed from the United Kingdom, in accordance with directions given by an immigration officer, if they have no extant leave to remain. Where a decision to revoke leave is made on this basis, you would be entitled to appeal against that decision under section 82(2)(f) of the Nationality, Immigration and Asylum Act 2002.
6. \*Your refugee document issued to you on \_\_\_\_\_ is not valid for travel to \_\_\_\_\_ and has been retained.
7. If you wish to make any comments on the proposal to withdraw your refugee status you should forward them as below. You should also include any reasons why your Indefinite Leave in the UK should not also be revoked.
8. Any comments you wish to make should be sent, for my attention, by (allow two weeks), at the following address:-

Senior Caseworkers Unit  
Asylum Casework Directorate  
[Insert address]

Yours Sincerely,

Senior Caseworker name  
Senior Caseworkers' Unit  
Asylum Casework Directorate  
*Acting on behalf of the Secretary of State*  
*\*include only as necessary*

### Letter to be used in S76(1) OR (2) cases

This letter is to be used in s76(1) or (2) cases ONLY, for S76(3) see templates above

Address:

Our Ref:

Date:

#### **RE: PROPOSED REVOCATION OF INDEFINITE LEAVE**

**Name**

**Date of Birth**

**Nationality**

Dear \_\_\_\_\_

1. I am writing to inform you of the intention of the UK Border Agency to revoke your indefinite leave to enter/remain.
2. Give details of the reasons for proposed revocation in full, and how the reasons for the proposed revocation came to light.
3. The UK Border Agency is proposing to revoke your indefinite leave to enter/remain under section 76 of the Nationality, Immigration and Asylum Act 2002 (specify which particular clause applies i.e. (1) or (2)). Section 76 (1)/(2)\* states:

[Specify the exact wording of the subsection under which the individual falls]

4. This paragraph should briefly describe how the individual has come to fall within the specific subsection of section 76 quoted above.
5. Where a decision to revoke leave is made on this basis, you would be entitled to appeal against that decision under section 82(2)(f) of the Nationality, Immigration and Asylum Act 2002.

6. If you wish to make any comments on the proposal to revoke your indefinite leave to remain you should forward them as below.

7. Any comments you wish to make should be sent, for my attention, by (allow two weeks), at the following address:-

[Insert address]

Yours Sincerely,

Senior Caseworker name  
Criminal Casework Team  
*Acting on behalf of the Secretary of State*

\* delete as appropriate

## Glossary

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<b>Term</b>	<b>Meaning</b>
Letter to a refugee after he has visited his own country for compelling/compassionate reasons	Letter to be used following a refugee has visited his own country for compelling/compassionate reasons
Representative's Withdrawal of Status Notification Letter	Letter to be used to notify the applicant's representative of the Intended Withdrawal of the applicant's Status
Applicant's Withdrawal of Status notification Letter	Letter to be used to notify applicant of Intended Withdrawal of Status
s76(1) or (2) letter	This letter is to be used ONLY in cases where 76(1) or (2) was applied.

# Document Control

## Change Record

Version	Authors	Date	Change Reference
1.0	MM	27/02/07	New web style implemented
2.0	BN	11/11/08	Update branding only.
3.0	JL	27/10/09	Children's duty paragraph added