



Get advice early

Asylum law is complicated and it is important that you get good legal advice and someone to put your case for you. You should find a solicitor as soon as possible, as there are very short deadlines for providing the evidence needed to support your claim for asylum.

Finding a solicitor in England or Wales

To find a solicitor in England or Wales who deals with immigration and asylum law:

- visit www.solicitors-online.com and search under 'immigration'; or
- phone the Law Society of England and Wales on 0870 606 6575.

What your solicitor will need to know

You must tell your solicitor the following:

- When you left your home country and arrived in the UK.
- How you got to the UK and the way you came here.
- Why you left your home country.
- Whether you are afraid to return to your home country and, if so, why.
- Your family circumstances.
- What documents you have given to the Immigration and Nationality Directorate (IND), the government department that deals with asylum claims.
- Whether you have been given any documents to fill in and return and, if so, when you have to return them.

How your solicitor can help

Your solicitor can:

- help you fill in your asylum claim form;
- help write formal statements for you;
- give you advice on how strong your case is;
- prepare your case and represent you if you appeal;
- give you advice on what will happen to your case; and
- get any further information you might need to explain your claim, such as a medical report or a report from an expert about circumstances in your home country.

Solicitors' charges

If you have little or no money, you are likely to be entitled to free legal advice to help with your asylum claim. Your solicitor will explain this, and will tell you how much they will charge you if you cannot get free advice.

Applying for asylum

To be recognised as a refugee, you will need to show that you have a real fear of being persecuted (treated badly) because of your race, religion, nationality, political opinion or membership of a

particular social group. You may have other reasons, based on human rights law, that mean you should be allowed to stay in the UK. Your solicitor will be able to tell you whether your claim for asylum is likely to succeed.

Screening interview

Soon after you apply for asylum, you will have a 'screening interview' where the Immigration and Nationality Directorate will ask about your personal details and how you arrived in the UK. Your fingerprints and photograph will be taken and you will be given an Application Registration Card (ARC) which proves your identity. The Immigration and Nationality Directorate will then decide how to deal with your claim.

At the interview you will need to show the Immigration and Nationality Directorate a valid passport or another form of identification (ID). If you do not have acceptable identification, get advice from your solicitor straight away.

Statement of Evidence Form

The Immigration and Nationality Directorate may give you a Statement of Evidence Form (SEF) to fill in. You must fill in the form in English and return it within 10 working days. It is very important that you fill in all parts of the form and return it on time. You should ask your solicitor to help you fill in the form.

Not everyone has to fill in this form. Sometimes the Immigration and Nationality Directorate can make a decision simply on the information you give during your asylum interview.

Asylum interview

After the screening interview, you will probably need to go to a longer interview to explain why you are applying for asylum. You should give as much information about your claim as you can, including any medical or experts' reports. The interview is important, as the Immigration and Nationality Directorate will use the information you give to make their decision about your claim. If you have filled in a Statement of Evidence Form, the information in it will be compared against what you say in the asylum interview. The interview is important, and you should ask your solicitor whether he or she can go with you.

Detention

You can be detained (kept in custody) at any stage of your claim. The Immigration and Nationality Directorate must give you their reasons for detaining you. If you are detained, you should immediately contact your solicitor and ask about applying to be released.

Instead of being detained, you may be tagged (this means your movements are tracked electronically) or asked to visit a reporting centre regularly.

It is important that you tell the Immigration and Nationality Directorate where they can contact you at all times, and that you also tell your solicitor.



Appeals

If your claim is refused, you should immediately ask your solicitor for advice about appealing against the decision, as there are very strict time limits for appeals. In some cases you can only appeal from outside the UK. Your solicitor may be able to prepare your case and represent you.

Money and housing

If you have no way of supporting yourself, you can apply to the National Asylum Support Service (NASS) for help. You may be given cash or temporary housing. You may be sent (dispersed) to another part of the country to be housed. Your solicitor will be able to explain what help you are entitled to.

Fast-track cases

If the Immigration and Nationality Directorate think that your claim is straightforward, they may put your case through a fast-track process, which means that it will be dealt with quickly. You should speak to your solicitor as soon as possible if you are placed on a fast-track scheme.

Being removed from the UK

If your claim for asylum is refused, it is likely that you will have to leave the UK. It is very important that you contact your solicitor immediately if this happens. If you do not co-operate with the government to get a travel document so that you can be removed from the UK, this is a criminal offence.

Finding a solicitor in Scotland

This leaflet is published by the Law Society of England and Wales. To find a solicitor in Scotland:

- phone the Law Society of Scotland on 0131 226 7411; or
- visit their website at www.lawscot.org.uk.

More information

This is one of a series of leaflets covering the most common types of legal services solicitors provide. Other leaflets in the series are listed below. You can get them from your solicitor or by phoning the Law Society of England and Wales on 0870 606 6575.

Your guide to making a will
Your guide to buying a home
Your guide to getting a divorce
Your guide to problems at work
Your guide to setting up in business
Your guide to making a personal injury claim
Your guide to financial matters for the elderly
Your guide to setting up home with your partner
Your guide to renting out your property
Your guide to renting a home
Your guide to using a solicitor
Your guide to probate
The Client's Charter: your solicitor's customer care standards