

The UK Asylum Process – System and Support

Arrival - Initial Application & Screening Interview

The person will be screened and assessed for vulnerability. If the person is likely to be destitute and unable to support themselves they will be given temporary accommodation. The ARC card is issued

Claim Asylum at the Port of entry or Croydon

Initial Accommodation Section 98 1-6 weeks

People are dispersed to centres around the UK. Liverpool is the centre for the NW

Claimants will be health screened and given dispersal briefings (Migrant Help) They may move into Liverpool or to another area – Wigan, Manchester etc. Migrant Help currently process the request for housing and start the payments (single person £37.70). Aspen card – can be used in cash machines and shops

Section 95 Mainstream Accommodation 2-6 months

Substantive Interview and SEF (Statement of Evidence Form) Some are conducted by Video Link

At Interview the claimant can be accompanied by an advisor or can request the interview is recorded – this is a very important time – all the different parts of the evidence will be cross checked and verified
In Liverpool, private landlords via Serco provide the housing. People must remain at their designated address and keep to their reporting schedules in order to retain support. Permission to work will probably not be given.

Refusal or Acceptance IAFT1 Appeal Against Refusal Forms

This decision by the UKVI. Where denied, an appeal to the 1st Tier AIT tribunal must be made in order for support to continue

Section 95 is usually continued during this period. Successful claimants will be given Refugee Status, Humanitarian Protection (both usually 5 years LR) or Discretionary Leave to Remain for varying periods. People usually apply for Citizenship or an extension to DLR before a citizenship application.

1st Tier Appeal circa month 6-12

Appeal to the 1st Tier - Given 2 dates – Case Management Review and Full Hearing

Can be accompanied by rep or just advised

1st Tier AIT (Asylum Immigration Tribunal) - Independent Judge – appeal usually based on 1 of 4 grounds for refusal: Error in Law, ECHR incorrectly applied, UN51 Convention incorrectly applied, Decision made without proper authority.

Full AIT Hearing Refusal or Acceptance

Claimants day in court to state case against Refusal – facts of the case

Support is stopped and the claimant is told to contact an Assisted Voluntary Returns Programme - Eviction on day 21.

Permission to appeal

1st Tier - Sent to Senior Immigration Judge (SIJ) for permission to go to Upper Tribunal

Permission to Appeal IAFT-4 or direct to UT via IAUT-1 Any appeal should be based on a material error of law. ('subjective fear' appeal 6 weeks turn around but stops at this stage)

Appeal to Upper Tribunal Refusal or Acceptance

Panel of Immigration Judges in court who review the whole case for error

Any appeal must be based on an error in law or point of law. The upper tier may allow, dismiss or send the appeal back to the 1st Tier again. It is possible to Appeal to the Upper Tier but this is highly unlikely – going outside the immigration system will usually involve Judicial Review, During the periods when an appeal is pending, support will be given, but usually not during the period when seeking permission to appeal