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Asylum ^[1]

When a foreign national who is in the UK fears persecution if they return to their home country, and that the authorities in their own country would be unable to protect them, they have a right to claim asylum here in the UK.

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US FREE ON 0808 166 8831

CONTACT US ^[2]

To be granted asylum under the 1951 United Nations' Convention relating to the Status of Refugees, an individual will have to show that they have a well-founded fear of persecution in their country of nationality for at least one of the following reasons:

- Race
- Religion
- Nationality
- Political opinion
- Membership of a particular social group.

An individual will be expected to show that even if they have experienced problems in their own country they could not move somewhere else within that country and be safe and that they could not look to their own government for protection.

How do I claim asylum?

If you wish to claim asylum here in the UK the first step is to contact the Home Office directly to notify them. After that you would be given a short screening interview in Croydon where the Home Office will take basic details, then you will need to wait for a date for a substantive asylum interview.

The second interview, known as the substantive interview is much more in depth and is where the Home Office will ask questions about your claim. Evidence can also be used to support your claim.

The asylum process can be very lengthy and complicated, and understandably very stressful for the claimant. We can help to ease the process by supporting you throughout. It is very important that individuals are completely honest throughout the asylum process and provide full disclosure from the outset to avoid complications at a later date.

What are the possible outcomes?

If the Home Office accept that an individual would be at risk of persecution upon return to their home country they will grant them 5 years refugee status with the right to work or study.

If someone does not qualify for asylum because they do not fall within one of the above categories, but the UK government accepts they would be at risk of serious harm for some other reason, they may be granted a similar form of protection called Humanitarian Protection.

Occasionally the Home Office can refuse to grant asylum, but instead grant an individual Discretionary Leave due to their circumstances, for example if they are a minor, or if they have children in the UK.

It can often be very difficult for an asylum claim to be accepted. People often flee in desperation with no supporting evidence; they often do not fully understand the process or due to fear do not give as much information as is necessary. If the Home Office do not accept the individuals claim they will refuse to grant asylum or humanitarian protection.

If an asylum claim is not accepted, an individual is normally given a right of appeal. However, if the Home Office feel a case is totally without merit, they may well certify it, meaning an individual would only be given an out of country right of appeal, so they could only appeal after leaving the UK.

Our team are very experienced in asylum law and can assist with both the initial claim and also the appeals procedure, as well as any fresh claims for asylum (sometimes referred to as further submissions). Please do get in touch to find out more about how we can help.

Contact us today on 0808 166 8831 or email a.minnaar@sydneymitchell.co.uk [3] or m.southall@sydneymitchell.co.uk [4] alternatively complete our [online enquiry form](#) [5].

****Please note that often individuals who are claiming asylum for the first time may be entitled to legal representation through Legal Aid, if you pass the means and merit tests. Our very experienced team members can represent you on a fixed fee paying basis, but we do not offer Legal Aid.**

Links

[1] <https://www.sydney Mitchell.co.uk/services-individuals/immigration/asylum>

[2] <https://www.sydney Mitchell.co.uk/contact>

[3] <mailto:a.minnaar@sydney Mitchell.co.uk>

[4] <mailto:m.southall@sydney Mitchell.co.uk>

[5] <https://www.sydney Mitchell.co.uk/content/contact-us>