

Requesting a time extension for the asylum claim questionnaire: guidance for support organisations

At a glance

On 23 February 2023, the Home Office introduced a new process of asylum claim questionnaires. It is essential that asylum seekers respond to these questionnaires within the 20 working day deadline. Failure to do so could result in the asylum claim being withdrawn. The Law Centre has produced a Frequently Asked Questions (FAQ) that provides some basic information about the questionnaires.

The Law Centre is aware that not all asylum seekers are able to do this because:

- a) Either s/he does not have a solicitor; or
- b) The solicitor does not have capacity to respond within the deadline.


Migrant support organisations can play a helpful role in assisting their clients / service users / members to write to the Home Office to request an extension.

Whereas the asylum questionnaires must be completed by a solicitor or OISC Level 2 regulated advisor, any support organisation can assist with extension applications.

This guidance is aimed at support organisations. It explains the process for requesting time extensions and includes a template letter for support organisations to adapt.

The Law Centre recommends that the support organisation takes the following steps:

1. If the asylum seeker has a solicitor, help her/him to contact the solicitor to request assistance with completing the questionnaire.
2. If the solicitor cannot complete the questionnaire within the deadline, ask the solicitor if they can complete the extension request.
3. Only if the solicitor is unable to complete the extension request should you (the support organisation) agree to assist the asylum seeker to make this request.
4. Read the Home Office guidance on Streamlined Asylum Processing ([here](#)) before you start.
5. Adapt the template extension request at the end of this letter.
6. The asylum seeker should send the extension request from their *own email account*. You can be copied in.

To: asylumcustomercommunicationshub@homeoffice.co.uk
Cc: [your organisation email address]
Subject: Urgent – extension of time request
 Template letter

7. If the asylum seeker does not use email, send a paper request by *recorded delivery* to:
UKVI-Response
PO Box 7631
Village Way
Bilston
SV14 4DL

After you have sent the extension request:

8. Forward a copy of the extension request to the solicitor (if there is one).
9. Assist the asylum seeker to obtain the necessary help s/he needs to complete the questionnaire once an extension has been agreed e.g. find a solicitor.
10. Monitor for a Home Office response.

Notes

- Questionnaires should be completed within 20 working days from **date of receipt**.¹
- Reasons for the extension request must be given. There are two types of reasons:
 - Reasons about the **task** (complexity of task, requirement for interpreter, requirement for legal advice)
 - Reasons about the **individual** (medical conditions, living difficulties, family issues, literacy, mental health, trauma).
- State **all** the applicable reasons when requesting more time.
- The Home Office guidance states that it will ‘normally be appropriate to accept’ a request for up to a further 20 working days if it is proportionate to the task of completing the questionnaire.
- The guidance indicates that requests for over 20 working days will only be granted where there are ‘exceptional circumstances’. These are usually circumstances which are outside the normal reasons – reasons beyond your control can be ‘exceptional’ for instance not receiving the letter because it was sent to the wrong address, family emergencies, medical conditions or not being able to get legal advice could be ‘exceptional’.
- **Important:** an ‘adverse credibility finding’ is the most common reason for asylum claims to be refused. The Home Office scrutinises all documents provided in an asylum claim, and everything that is said at interview, for inconsistencies, which can result in adverse credibility findings. Inconsistency could be when a person says one thing in one document, and something else in another document. For this reason, and to avoid falling foul of the OISC restriction, it is advisable that support organisations do not add any detail about reasons for claiming asylum.

¹ The 20 days is calculated from the date the letter is received and not from the date on the letter. Do not count weekends or bank holidays.

Template Letter

To: asylumcustomercommunicationshub@homeoffice.co.uk

To - UKVI Asylum Team

Date:

Name:

Date of Birth:

Home Office Ref / Port Ref:

[you will find these on your letter from UKVI or your Immigration Bail form]

Request for extension of time:

I received a letter with an asylum claim questionnaire on *[insert date of receipt]*. It is required to be completed and submitted to you by *[insert date 20 working days after date of receipt]*. I cannot complete the detailed questionnaire within that time and I request that you grant me an extension of time.

My reasons for requesting extension of time:

1. I do not speak English to the level necessary to complete the form and will need the support of an interpreter.
2. As the questionnaire requires me to answer complex questions relating to asylum, trafficking, travel history, criminality and security I require the assistance of a solicitor or OISC Level 2 regulated advisor.
3. I am reliant on asylum support to meet my essential living needs and depend on the services provided by Legal Aid funded solicitors.
4. Despite my reasonable efforts, I have not been able to obtain the required legal advice and assistance to complete this form.
5. The immigration sector in Northern Ireland is unable at this time to provide the necessary support and legal advice within the required timeframe – this is completely out of my control and my asylum claim should not be disadvantaged as a result.

[You should also insert any individual personal reasons here:

Example 1 - I have been diagnosed with high blood pressure and depression and as a consequence I have greater difficulty meeting the challenges of completing this questionnaire [insert GP name and address]

Example 2 – I am a lone parent of two children aged 4 and 7 one of whom has special needs – I have very little help with childcare and as a result I cannot complete the questionnaire within the time limit.

Note these are just examples – any personal circumstance which makes completing the questionnaire more difficult should be included]

6. Completing the questionnaire is a complex and substantial task which requires support, interpreter service and legal advice and assistance. I believe it is reasonable for me to request additional time of **X days** in these circumstances.

[Note – take the date calculated as 20 working days after receipt of the letter and then add the requested additional period excluding weekends and bank holidays – this will be the new deadline date. If you cannot meet the new deadline after your extension of time request is granted then make a further request for more time.]

The contents of this communication are accurate to the best of my ability.

Please confirm in writing whether my extension request is accepted and the new applicable deadline.

Yours Sincerely,

[Name]