

## Asylum claim questionnaires: information for support organisations

### At a glance

On 23 February 2023, the Home Office introduced a new system of asylum claim questionnaires.

It is essential that asylum seekers respond to these questionnaires within the deadline. This Frequently Asked Questions (FAQ) is aimed at migrant support organisations to help them understand what these questionnaires entail and how their clients / members / service users will be affected.

### What are asylum claim questionnaires?

On 23 February, the Home Office introduced a new [streamlined asylum processing](#) policy on 23 February 2023. Under this new policy, some *asylum* seekers will receive [asylum claim questionnaires](#). By introducing these asylum claim questionnaires, the Home Office aims to tackle the current asylum claim backlog by giving decision-makers with the information they need to make asylum decisions more promptly.

### What information is needed to complete the questionnaire?

In order to complete the questionnaire, the asylum seeker needs to provide details of:

- Personal details including date of birth, current address and previous address(es)
- Identity and nationality
- Journey to UK
- Physical and mental health
- Reasons s/he cannot return to country of origin
- Other reasons for needing to stay in the UK
- Any exploitation e.g. human trafficking
- Dependent family members
- Any criminal record and/or conduct that may preclude a grant of refugee status

### Who will receive a questionnaire?

The questionnaires will only be sent to people from **Afghanistan, Eritrea, Libya, Syria and Yemen**:

- i. and who claimed asylum before 28<sup>th</sup> June 2022
- ii. and who have not already had a substantive interview

### **Why are these questionnaires only being sent to these five specific nationalities?**

The Home Office has chosen to send the questionnaires to people from countries which have a high-grant rate of protection status. All these nationalities have a grant rate of over 95%.

Even though there is a high-grant rate for people from these countries, it is essential that the questionnaires are completed comprehensively and accurately. Asylum seekers should not assume that they will be granted status.

### **Will separated children receive these questionnaires?**

No. At present, this new policy does not apply to separated children i.e. unaccompanied asylum seeker minors.

### **What is the deadline for responses?**

The questionnaire and any supporting evidence must be returned within 20 working days by email or post. It is possible to apply for a time extension of an additional 20 days in exceptional circumstances: please speak to a solicitor about this.

### **What happens if the deadline is not met?**

If the deadline is not met, the Home Office will issue a reminder and provides a further 10 days for the asylum seeker to respond. If the individual does not respond, there is a real risk that their claim will be treated as 'withdrawn'. This puts the individual in a very vulnerable position as they can potentially face enforcement action i.e. detention / removal. It is essential that asylum seekers respond to the questionnaire within the deadline.

### **What happens after the questionnaire has been submitted?**

On receipt of the questionnaires, the Home Office may decide to:

- Grant refugee status or humanitarian protection; or
- Request the asylum seeker to provide additional or supporting information (in writing); or
- Invite the asylum seeker to attend a shortened 'personal' interview.

## Is a solicitor necessary to complete the questionnaire?

The Law Centre strongly recommends that the questionnaires are completed by solicitors. It is not advisable for individuals to complete the questionnaires by themselves.

## Can a migrant support organisation assist asylum seekers to complete questionnaires?

The Office of the Immigration Services Commissioner (OISC) has [advised](#) that only solicitors and those with OISC Level 2 and above should provide immigration advice in respect of completing questionnaires.

If you do not have OISC Level 2, you can *help* asylum seekers complete the form – such as helping to type the answers or to gather supporting information - but you should avoid providing any *advice* on content. The [Right to Remain toolkit](#) provides a handy reminder about the distinction between legal support (which migrant support organisations can provide) and legal advice (which can only be provided by qualified immigration advisers).

As above, it is best to request a solicitor's assistance and avoid being involved.

## Finding a solicitor

A good place to start finding a solicitor with expertise in immigration is the Law Society's [Immigration Practitioner List 2022](#).

## Are these questionnaires a reason to panic?!

The Law Centre is cautiously optimistic about this asylum claim questionnaire development. These questionnaires will hopefully result in some asylum seekers getting decisions far quicker and should reduce the length of the substantive interviews.

However, the Law Centre is concerned about the tight deadlines and we encourage support organisations to speak to their clients / members / service users about the questionnaires.

## Further reading

More information can be found:

- <https://freemovement.org.uk/new-streamlined-asylum-process/>
- <https://righttoremain.org.uk/toolkit/legal-support/>