

Streamlined Asylum Processing

Frequently Asked Questions

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Who is this FAQ for?

This FAQ is for you if:

- You are a national of Afghanistan, Eritrea, Libya, Syria or Yemen, and
- You applied for asylum before 28 June 2022, and
- You have been given an asylum questionnaire to complete and return, and
- You are not an unaccompanied minor

If you cannot tick all four of the boxes above, this FAQ is not for you! (Although it may still have some useful information...)

What are the most important things to know?

- If you receive an asylum questionnaire, there is a deadline to submit it
- We recommend that you ask a regulated immigration adviser to help you fill it out
- If you can't find a regulated immigration adviser, you can request an extension to the deadline
- Charities and refugee community organisations can help you to request an extension
- If you do nothing, your claim can be treated as withdrawn - this is bad!

What is 'streamlined asylum processing'?

Streamlined asylum processing is a new process for deciding some asylum claims quickly. It was introduced in February 2023 by UK Visas and Immigration, or UKVI - a department of the Home Office that deals with immigration applications and asylum claims.

UKVI will send you an '**asylum questionnaire**' and ask you to complete it in English and return it **within 20 working days**. They will use the information you provide to decide your claim.

If they decide that you qualify for asylum or humanitarian protection:

- They should grant you status *without* inviting you for an asylum interview
- We don't know how quickly they will grant status, but completing this questionnaire is meant to speed up the process

If they are not sure that you qualify for asylum or humanitarian protection:

- They should invite you to an interview
- You can also provide further evidence
- After the interview they can still grant status, but they can also refuse it.

You should not be **refused** asylum without an interview.

What happens if I don't complete and return the questionnaire?

If you do not complete and return the questionnaire on time UKVI may decide to **'treat your claim as withdrawn'**

This is worse than a refusal:

- There is no right of appeal
- You will no longer have a pending asylum claim
- You may no longer qualify for asylum support
- You may lose any benefits of having claimed before 28 June 2022

There may still be a way around this (see below) but it will take longer and may result in a less favourable status.

You can ask for an extension to the deadline, if you cannot find someone to help you in time.

Can I complete and submit the form myself?

Yes you can. However, it will usually be better to get a regulated immigration adviser to help you. This is because there are risks to you if you get something wrong in the form.

See below for more information on regulated immigration advisers.

What are the risks of completing the questionnaire?

When it comes to filling out the questionnaire, there are a few things that you can do wrong:

- Leave out important information
- Make 'factual errors' (i.e. mistakes about your life)
- Include irrelevant information
- Be unclear or confusing
- Say something untrue or conceal information

These things can affect:

- Whether UKVI believes your history
- Whether UKVI thinks you are a national of the country you claim to be from
- Whether UKVI thinks think you need protection
- Any future applications your family members might make to join you in the UK if your claim succeeds

For example, UKVI may think you are not telling the truth if:

- You say something different to what you said in earlier or later interviews or questionnaires without any explanation
- You say conflicting things in your questionnaire
- If you say something that does not match information UKVI has, including information about your home country
- If you try to conceal something that UKVI knows about from another source
- If you fail to explain something you have done in the past that UKVI knows about
- If you use incorrect words in English, or if an online translation tool alters the meaning of your words

If they think you are not telling the truth, they may refuse your claim. They may even doubt your nationality.

There are other examples of things that can go wrong:

- If you leave out important information, UKVI may think that you are not in danger and refuse your claim for that reason
 - They may also think you're not telling the truth if you add it later
- If you are unclear or confusing, or put in lots of irrelevant information, you will make it harder for them to make the right decision - they may misunderstand your claim
- If you forget to mention family members who are outside the UK, those family members are more likely to be refused when they apply to join you

These kinds of things can happen, whether you are completing the questionnaire yourself or with the help of someone else. However, regulated immigration advisers should be careful and try to ensure there are no mistakes.

It should be noted that the aim of the policy is to decide cases quickly. Because they are not supposed to refuse without an interview, it is quicker to grant protection than to refuse it. Last year the grant-rate for asylum seekers from Afghanistan, Eritrea, Libya, Syria and Yemen was above 95%. So refusals should be rare. However, it is clear from the [policy on Streamlined Asylum Processing](#) that UKVI still anticipates making some refusals. Until we know more, it is best to be cautious!

How can a regulated immigration adviser help?

A regulated immigration adviser should:

- Help you to understand whether or not information is important or relevant
- Check earlier interviews and papers and ask you about any inconsistencies
- Ensure that the questionnaire is filled out clearly, accurately and as fully as necessary (or they may attach a statement that is clear and complete and answers the questions)
- Help you to decide what evidence you should include, if any
- Not make significant mistakes
- Never purposefully deceive or conceal relevant information
- Confirm with you that the information you have given is correct before they submit it

They have a duty to act in your best interests (as defined by you!) You can complain to their regulator if they do something that harms your claim. However, they rely on what you tell them, so if you make a mistake they cannot be held responsible - you need to be careful too!

In most circumstances, it is a criminal offence for an unregulated person to provide this kind of help.

I have a regulated adviser - what do I do?

Excellent! Contact them straight away and see if they will give you an appointment to complete the form.

Be patient - they may have many other clients in this situation.

They might be able to request an extension to the deadline to submit the form if they don't have capacity to see you straight away.

I don't have a regulated adviser - how do I find one?

This is difficult at the moment. There is a shortage of free immigration advice in most parts of the country. You may have to wait for months for an appointment.

Legal Aid Lawyers

The best option is to find a legal aid lawyer. You will be entitled to legal aid if you are receiving asylum support. You can also be entitled in other circumstances, if you do not have much in the way of income or savings.

Also:

- Legal aid lawyers have to pass immigration exams, so they have been tested on their knowledge
- Legal aid can also pay for interpretation, translations and expert reports, if needed.

[You can find a legal aid lawyer here.](#) Enter your postcode. Make sure you check the box that says "Immigration or Asylum."

OISC advisers

OISC advisers specialise in immigration and also have to pass exams. You need an adviser who is qualified at Level 2 in the Asylum & Protection category.

There are two types of OISC adviser: fee charging and non-fee charging. Fee charging means you have to pay in most circumstances.

[You can find an OISC adviser here.](#) Enter your postcode. Select “L2 Casework” from “Types of advice.” Select “Asylum And Protection Advice” from “Asylum or Immigration.” Select “Fee Charging or Not Fee Charging” according to your needs. Fee charging advisers are likely to be unaffordable if you are on asylum support. You should not have to borrow money or get into debt when you are eligible for legal aid!

Non-fee charging OISC advisers tend to work in charities that help specific communities or vulnerable groups (e.g. people in a specific town or area, refugees, women, children etc.) Also, they may only offer a very specific or limited service. They may not have the capacity to help you with the questionnaire. However, they may still be able to help with other things, such as finding a legal aid lawyer or requesting an extension.

Other Lawyers

[You can find solicitors on the Law Society website](#), including legal aid solicitors. Those who do not do legal aid will charge you in most cases. The fees are likely to be unaffordable if you are on asylum support. There are other types of lawyers who may be able to help, but these are comparatively few and far between!

Can I ask my friend to help me?

This is usually a bad idea. However, it is not illegal for a friend to help you fill out the questionnaire or to decide what to put in it, provided:

- You do not give them any money or gifts (not even to say thank you!)
- They are not working or volunteering for an organisation that is supporting you in any way
- They are not helping lots of other people in similar circumstances or with other asylum or immigration problems

If any one of the above apply, your friend may be committing a criminal offence and could be fined or imprisoned if convicted.

Why is it usually a bad idea to ask a friend to help?

There are many reasons:

- Your friend’s English may not be good enough, or they may not speak your language well enough
- Your friend may not be as careful as a trained professional - they may make mistakes or misunderstand you and put wrong information down
- Your friend may not know what is relevant or important to include
- Your friend may not understand the legal jargon and concepts involved and may mis-translate or misinterpret the questions, causing you to give wrong answers
- You may have to tell your friend things that are difficult or embarrassing - it can affect your relationship with them

- You may be placing an unreasonable burden on your friend - it is a lot of work and they will feel responsible if your claim is delayed or does not succeed
- If they are merely an acquaintance or a friend of a friend, then they will have little motivation to be careful or act in your best interests

There may be more reasons!

Can a local refugee organisation help me?

Local refugee organisations and other charities can only help you to complete the form if they are regulated by the Office of the Immigration Services Commission (OISC) at Level 2 or above (see above.) Few organisations fall into this category. Even where they do, they will not be able to help everyone who needs it.

UKVI intends to issue some 12,000 of these forms over quite a short space of time. Each form will take an unknown number of hours to complete. Most organisations who are regulated to give immigration advice are already working to capacity and struggling to meet existing demand.

Organisations may be able to do some things to help, for example:

- Refer you to regulated immigration advisers, where possible (although, often it will not be possible in the short term)
- Help you to request an extension of the deadline to complete the form while you look for an adviser to help you

They may be able to read the form to you in a language that you understand. However, given the length of the form, this might cost them a lot in interpreters fees, and they may refuse to do this.

If they are not regulated, they should not help you to fill the form in.

If I return the questionnaire, when can I expect a decision?

The short answer is, we don't know. However, the aim of the policy is to make positive decisions quickly where possible, so you might not have to wait too long.

What can I do if my claim is treated as withdrawn?

There is no right of appeal. If you have missed the deadline, you can write to the Home Office (asylumcustomercommunicationshub@homeoffice.gov.uk) to ask for your claim to be reinstated and explain the reasons why you could not return the questionnaire in time.

if they refuse, this leaves two possibilities:

- To go through the Judicial Review process
- To make 'further submissions on a fresh claim'

What is a Judicial Review?

You can apply to the court for a Judicial Review when a government body (in this case UKVI) does something which is illegal, irrational or at least very unreasonable. If you are among the first people to have your claim treated as withdrawn, there should be solicitors willing to help you. However, if the first Judicial Reviews of these decisions fail, then it may no longer be an option.

Judicial reviews are expensive. They begin with a letter to UKVI asking them to withdraw their decision rather than go to court. If UKVI refuses, then you apply to the court. Only a solicitor or barrister can represent you in an application to the court. A Level 3 OISC adviser can write the initial letter for you. You can get legal aid to pay for your legal representation if your case is strong enough.

If your Judicial Review succeeds, you will not be granted status. Instead, you will be back in the position you were in before your claim was treated as withdrawn - with a pending asylum claim that has not been decided.

There is a time limit to apply for Judicial Reviews - you must do it as soon as possible and within 3 months of receiving the decision to treat your claim as withdrawn.

What are 'further submissions on a fresh claim'?

'Further submissions' are just new evidence and legal arguments on why you should be recognised as a refugee, even though you have been refused asylum or your claim has been treated as withdrawn. You have to submit them in person to the Home Office, usually in Liverpool.

When the Home Office receives further submissions they can do one of three things:

- Grant you refugee status or humanitarian protection
- Refuse the submissions, but recognise there is a fresh claim; this means you will have a right of appeal
- Reject the submissions as not amounting to a fresh claim

For further submissions to amount to a fresh claim, they must be something new that has not already been considered. If your claim was treated as withdrawn then UKVI will not have considered anything, and so anything will be new. Therefore you *should* get a right of appeal if they are refused.

The big disadvantage in making further submissions is that the fresh claim will be treated as having been made after the 28th of June 2022. This means you could be granted a less favourable status than you would have been if your claim was not treated as withdrawn and you were. It might be possible for them to say your fresh claim is inadmissible. However, this appears unlikely.