

What happens when you claim asylum

If you have come to the UK and you need to stay because you would be in danger in your country of origin or residence, and you want the UK to grant you international protection, you need to claim asylum.

You claim asylum via the UK Home Office.

Read this page to find out how and where you claim asylum and what the asylum process is. On this page, you can find out about lawyers/solicitors; whether you are allowed to work in the UK; accommodation and financial support; reporting to the Home Office; and immigration detention. Find out how long the asylum process takes; evidence you might need to win your claim; and actions you should be taking at this stage to be in the best possible position to get the right to stay.

The UK government may refuse to consider asylum claims made after 1 January 2021 if they believe you “could enjoy sufficient protection in a safe third country” if you travelled through other countries on your way to the UK. Read the section below to find out more about these new “inadmissibility” rules.

How and where to claim asylum

The Home Office expect people to claim asylum immediately on entry to the UK. If you do not do this, the Home Office may say you are not really in danger. If you didn't claim asylum as soon as you came to the UK, you will need to explain why you didn't claim asylum immediately, and provide evidence of this where possible.

Some people claim asylum immediately on entering the UK, at the port at which they arrive. They do this by telling the immigration officials there that they wish to claim asylum. If you do this, you will usually have your first interview to gather basic information about you and your journey – your screening interview – that day or in the next five days.

If you don't claim asylum immediately on entering the UK, you will generally need to register your asylum claim by telephoning to make an appointment to claim asylum at the Screening Unit in Croydon. This is the same for adults and children – in the case of unaccompanied children, however, they should have their welfare interview locally rather than having to travel to Croydon if that is not the nearest Home Office branch.

If you have nowhere to live, you do not need to telephone first to register your asylum claim – you can just present yourself at the Screening Unit in Croydon. See the Screening Interview page for information on phoning the Home Office and presenting in person. You should also check our Covid updates page to see if the process has changed because of the coronavirus public health crisis: righttoremain.org.uk/changes-to-the-asylum-process-due-to-covid-19/

Also read: Screening Interview page of this guide

The exception to this process for claiming asylum is if you arrive to the UK in Northern Ireland - in this situation you claim asylum at the [Home Office at Drumkeen House](#) in Upper Galwally, Belfast.

You cannot claim asylum at a police station – though in some cases people who make themselves known at a police station may be directed to the Home Office.

If you are picked up by immigration enforcement teams before you have arranged to claim asylum, you need to tell them you wish to claim asylum.

The inadmissibility rules

In January 2021, the UK government introduced new rules through which they can decide that an asylum claim is “inadmissible”, meaning it won’t be considered in the UK. These rules replace the Dublin Regulations, which no longer operate in the UK after Brexit.

If the Home Office think that you travelled through a “safe country” on your way to the UK, they can decide to investigate whether your claim should be treated as inadmissible. While your claim is being considered under these rules, your asylum claim will not move forward in the UK.

Read more about the inadmissibility rules in our legal blog post here:

<https://righttoremain.org.uk/the-asylum-inadmissibility-rules-whats-happening/>

The asylum process

After claiming asylum, you will have your first (short) interview called the screening interview. Basic information will be taken from you during this interview.

Also read: Screening Interview page of this guide

Once you have had your screening interview, you should be sent an “ARC card”. This a credit card-sized plastic card with your photograph on, that shows you have claimed asylum. Read more about ARC cards on the Home Office website here:

<https://www.gov.uk/government/publications/application-registration-card-arc/application-registration-card-arc>

Some time after your screening interview, you will then have your **asylum substantive interview**. This is the long, in-depth interview where you explain why you would be at risk if returned to your country. Read more about the substantive interview, and how to prepare

for it, in our guide to the Asylum Substantive Interview.

Also read: Substantive Interview page of this guide

The time period between the screening interview and substantive interview can vary. It can be many months, and at the time of writing, some people are waiting **more than a year**.

It's really important, if possible, to have a lawyer representing you during the asylum process. See next section.

You may want to submit **evidence** to support your story/claim to the Home Office at or soon after your substantive interview. If you have a lawyer, make sure you discuss this with them first. Read our guide to Evidence in asylum claims to find out what evidence is needed for a strong asylum claim.

Also read: Asylum Evidence page of this guide

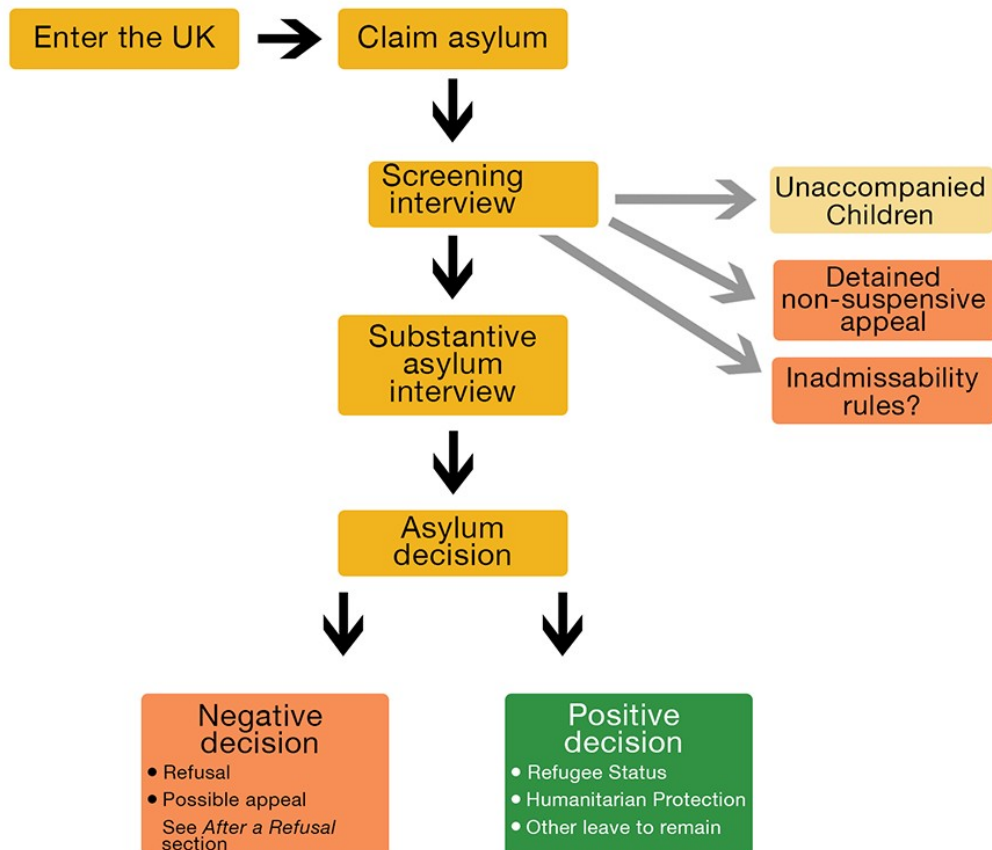
The Home Office may take many months to make a decision on your asylum claim. In 2019, most decisions took more than six months. We have been contacted by people waiting a year or more for their decision. The new inadmissibility rules (see section above) may lead to even more delays.

Go to our YouTube channel to watch our video on Home Office delays

If your asylum claim is refused, you may have the right to appeal the refusal in the courts. The first place you would appeal is the First-tier Tribunal.

Also read: After a Refusal page of this guide

Asylum Process **RIGHT TO REMAIN**



Lawyers/solicitors

If you have no or little income, you may be able to get legal aid to get free legal advice.

If you claim asylum immediately or soon after arriving in the UK, you will usually be able to meet with a legal aid lawyer after your screening interview and before your substantive interview.

In the UK, the word lawyer can be used for anyone qualified to give legal advice. This includes caseworkers, solicitors and barristers. People often use the word solicitor to describe their legal representative even if they are not technically a solicitor.

You will not be automatically allocated a lawyer, but you can find out about your nearest legal aid law firm or law centre by asking at your asylum accommodation (see below).

If you have already been in the UK for some time, you should try and see a lawyer before

you claim asylum.

Read more about asylum and immigration lawyers and legal advice on our lawyers and legal advice page.

Also read: Lawyers/Legal Advice page of this guide

Accommodation and financial support

If you do not have anywhere to live and you have no money to support yourself, you need to tell the Home Office this when you claim asylum. At this point of the legal process, you will be entitled to housing and a small amount of money, but you will have no choice where in the country you live, unless you know someone who will let you stay in their house.

In almost all cases, if you are seeking asylum you are not be allowed to work. If you are caught working illegally (without permission), you could be prosecuted and sent to prison. If you have been waiting for a decision on your asylum claim for more than 12 months, you can apply for permission to work. If this is granted, you will usually only be allowed to work in a job on the “shortage occupation list”. You can read the Home Office guidance on permission to work applications here:

<https://www.gov.uk/government/publications/handling-applications-for-permission-to-take-employment-instruction>

If you are destitute, you can apply for housing and basic living expenses – “asylum support”, which is administered by the Home Office.

Also read: Asylum Support page of this guide

Reporting to the Home Office

If you claimed asylum and have not had a decision yet, or have had your asylum claim refused, you may have to report (sign) at the Home Office at a specified time each week, two weeks, or month or sometimes less regularly than this.

These reporting requirements may not be set up by the Home Office until some time after you claim asylum – some people are never required to report, and the Home Office do not have the resources to ask everybody without immigration status to regularly report.

If you are asked to report, this should be at the nearest immigration office to you – either a branch of the Home Office, or an immigration desk at a nearby police station.

At these appointments, you may just be asked to sign your name. Sometimes, the immigration officer may ask you questions. Although the appointment might only last a matter of minutes, the Home Office takes it seriously and may use it against you if you do not attend. At the later stages of your asylum case, you are also at risk of being detained at one of these appointments. See below.

Read about being prepared in case of detention on the Detention page of this guide.

Detention

If you are subject to “immigration control” it is possible that at some point during the legal process, you could be held in immigration detention. The detention centres, known officially as “Immigration Removal Centres”, are like prisons.

You could be detained at any time during your claim, but there are several points in the asylum process when it can be more likely to happen.

The Home Office may detain you after you claim asylum, if they say that they are considering whether your asylum claim is “inadmissible”. See section on the inadmissibility rules above.

You may also be detained if the Home Office say your asylum claim is deemed “clearly unfounded”. *Read more about this on the Screening Interview page of this guide.*

If you have been in the UK for a while and do not have valid immigration papers, are picked up by immigration enforcement and claim asylum, you may be detained and your case placed in the “detained asylum casework” category. If your asylum claim is refused, you will have the right of appeal in the UK unless your case has been categorised as “non-suspensive appeal”. *Read more about this on the Screening Interview page of this guide.*

Most people in the “detained asylum casework” category are released from detention before their appeal is heard.

If you are not detained when you claim asylum, you will usually not be detained until after a refusal of your asylum claim and a dismissal of an appeal at the First-tier Tribunal if you had an appeal right. This is when you are what the Home Office calls “appeal rights exhausted”.

Also read: Asylum Appeal Rights Exhausted page of this guide

There is currently no time limit on adult detention in the UK – you can be detained *indefinitely* (with the exception of pregnant women, who can usually only be detained for up to 72 hours).

Also read: Detention page of this guide

ACTION SECTION

- **Start to make contacts in your new local area as soon as you can.**

It is very difficult to go through the asylum process without support. In the ACTION SECTIONS throughout this guide, there are suggestions of actions that you and the people around you can take, to help you get through the process.

Most towns and cities in which people seeking asylum are accommodated have community centres where you can meet other people seeking asylum, and volunteers who will be able to help and advise you. When you arrive in a new place, ask other people and look for these places, until you find one or more that you like.

- **Prepare for what is coming next.**

If you have not yet had your asylum substantive interview, start preparing for it now. *Read the Substantive Interview page of this guide.*

Most people who apply for asylum are refused asylum by the Home Office. Make sure you know what your legal options are if this happens.

Have good people around you who can support you. It is not a nice experience to be told by the Home Office, and maybe by the courts as well, that you are not telling the truth. With people standing by you in solidarity, you are more likely to be able to keep going, and keep fighting for justice in your case.

- **Find out who your local MP is.**

Your MP will depend on the constituency you live in or have strong connections to. A constituency is an area of the UK where the voters elect one MP.

You can find out who your local MP is, and how to contact them, at [TheyWorkForYou.com](https://www.TheyWorkForYou.com).

It's never too early to start thinking about meeting your MP. If they already know you, they will be more likely to want to help if you go to speak to them when something has gone wrong in your case. It's better to try and meet them in person than to phone or email. You can meet them during their "surgery" where they meet members of their constituency face-to-face to talk about local issues.

If you're a member of a local group, you might like to invite your local MP to one of the group's events. If you later approach the MP for help, your connection to that group may be a positive factor and may encourage them to help you.