

How MPs and Other Politicians Can Help With Your Legal Case

It can sometimes be useful to get your local Member of Parliament (MP) involved in your asylum, human rights or immigration case.

If you do not have a lawyer and you need help contacting the Home Office, MPs may be able to get involved – particularly about a delay in your case. They may also help with contacting the Home Office if the Home Office isn't responding to your lawyer, or if urgent action is needed. This might be if you are refused, detained, or threatened with removal.

The politician you are most likely to contact about your case is your local MP. Read this page to find out how to engage them in your legal case and what they can help with. There are other political figures you might want to engage in addition to or instead of your MP, particularly if your MP has said they cannot or will not help you. Read this page to find out more.

This page also looks at actions like petitions that might involve politicians, and the benefits and risks of public actions such as this.

Members of Parliament (MPs)

Members of Parliament (MPs) can raise your case with the Home Office or, if appropriate, the Immigration Minister or Home Secretary directly. This could be if you have received a negative decision, have been waiting a very long time for a decision and want a response, if you are detained, or if you are facing removal/deportation.

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

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.

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 can be more effective to meet them in person than to phone or email. You can meet your MP during their "surgery" where they meet members of their constituency face-to-face to talk about local issues. You may want to consider trying to agree a meeting in advance to ensure that the right people are there – for example, it may be a member of the MP's staff who does most of the work on immigration matters.

If you're in detention, you can ask a friend or community member to go and see the MP.

Try to research your MP – have they got involved in asylum and immigration issues before? Do they have a known anti-immigration or pro-deportation stance? If they have a generally negative stance on immigration, it's still worth trying to engage them on an individual case. The willingness or otherwise of an MP to get involved in your case is probably not going to depend on their political party – there are some very active MPs on individual cases whose party have a negative stance on immigration. You can find out more about your MP's interests at the UK Parliament website:

<http://www.parliament.uk/mps-lords-and-offices/mps/>

Linking your story to an area of the MP's interest may encourage them to get involved in your case. Think about what an MP can realistically do, and try and talk in a language they can respond to. Clearly set out your objective, what it is the MP can do about it, recognise the obstacles there may be to them getting involved but explain why it is worth them doing it. Be polite, but do not be intimidated.

Remember that, while an MP has no obligation to take up your case, they have a duty to respond to their constituents.

If your MP does take up your case, it's likely that most of your dealings will be with a caseworker or other office staff rather than the MP directly.

Tips for speaking to your MP

- Look at the reasons why the Home Office refused your case and see if you can address those reasons for refusal or produce new evidence to support your argument. This will help your MP to see that your case is strong, making it easier for them to advocate for you.
- Have all your documents and letters with you when you see the MP or a member of their staff. Put the documents in order so that you can find the right paper when asked.
- If your case is not urgent then it can take the Home Office a few weeks to respond to your MP – be patient.
- The Home Office often work very slowly and progress on your case can take many months. Lots of people are experiencing similar delays – it isn't just you.

What your MP can do

Your MP can raise your case with the Home Office.

This can be very useful, as the Home Office have to respond to the MP's query.

An MP might just email the Home Office about your case, and be told the stage your case is at, or that you are "appeals rights exhausted" and there is nothing that can be done. Encourage your MP to do more than that!

If there has been a long delay in a decision, your MP can push for a decision to be made. Make sure you want a decision, however, and be prepared for that decision being negative. If you have a lawyer, always ask them first before involving an MP.

The Home Office may try to tell your MP that you have exhausted all your legal options. There will have been barriers to getting justice in your case. Explain what these barriers are, point out the relevant failures of the asylum/immigration system, and tell the MP what they can do in order that justice is done in their constituent's case.

In some cases, MPs have managed to meet with the Immigration Minister or Home Secretary to discuss the case. This is a very effective use of political engagement as these Ministers have the power to make a positive intervention in your case. .

If your MP is unwilling to get involved, think about whether people who are close to you live in other constituencies and could approach their MP.

If you are in detention, your friends and family may be able to lobby the MP for the detention centre constituency to look at your case. People you know who live in the area where you used to live before you were detained can also go and speak to your old MP and ask for their support.

Note – if someone contacts an MP on your behalf, the MP may ask for written consent to discuss the case with that other person. Try to get a consent letter written in advance, before a crisis happens.

Case study

A family was trying to get their local MP to help them with their immigration case - the husband's human rights application had been refused, and he was facing detention and deportation.

The family kept emailing their MP but got no reply.

They explained the problem they were having to their children's school, and to their local GP who was a figure of some standing in the community.

The school's headteacher and the GP emailed and phoned the MP, asking them to respond to the family's emails.

The MP then contacted the family, met with them, and contacted the Home Office on their behalf.

Members of the Scottish Parliament (MSPs)

Scotland is part of the United Kingdom, and elects MPs to the UK Parliament, but it also has a Scottish Parliament. The Scottish government has powers in areas such as health, education and justice, but not immigration and asylum. These matters are reserved to the UK Parliament, meaning the Scottish government and Members of the Scottish Parliament (MSPs) have no influence on the law. This should not rule out MSPs representing their constituents in a similar way to MPs, but since around 2009 the Home Office, unlike other UK government agencies, has a policy of refusing to respond to MSPs.

Some MSPs will not get involved, and will advise you to contact your MP. Other MSPs may try to help. An MSP may know people (both in parliament and in other areas) who could be useful, so it is always a good idea to try.

You can find out who your local MSP is, and how to contact them, at TheyWorkForYou.com

Members of the Welsh Assembly (AMs)

Similarly to Scotland, certain legal powers are devolved to the National Assembly for Wales, but, like Scotland, not immigration and asylum. Also like in Scotland, the Home Office tends to ignore Welsh Assembly Members (AMs), but AMs can provide information, advice and contacts.

You can find out who your local AM is, and how to contact them, at TheyWorkForYou.com

Members of Northern Ireland Assembly (MLAs)

The Northern Ireland Assembly is the devolved legislature of Northern Ireland. It has power to legislate in a wide range of areas that are not explicitly *reserved* to the Parliament of the United Kingdom.

As in Scotland and Wales, the Northern Ireland Assembly has no powers over immigration and asylum. However, your Member of the Legislative Assembly (MLA) may be able to help you in other ways.

You can find out who your local MLA is, and how to contact them, at TheyWorkForYou.com

Local councillors, mayors

These are the people elected to make decisions at a local level, and can be more approachable than national political figures, although they do not have as much political influence. They'll be well placed to know about local situations, however, and may be interested in getting involved if they can see that it affects a lot of local people. Local councillors in Stockton-on-Tees, for example, passed a motion expressing concern about the Home Office's country guidance on Democratic Republic of Congo (DRC) after three refused asylum seekers were removed from Stockton to the DRC.

The support of local government figures might help encourage an MP to get involved in your case, or they may know other helpful people.

Sending letters and petitions to the Home Secretary or Immigration Minister

Some people ask the public to send letters and petitions to the Home Secretary or Immigration Minister, asking them to make a positive intervention in an asylum, immigration, or human right case.

It is extremely rare for the Home Secretary or Immigration Minister to intervene in a case. If they do, it is usually as a result of representations made by an MP (see above), or sometimes high-profile media coverage of a case. Media coverage can also have negative consequences however, and may even put you at risk.

Asking people to sign a petition means you are going public about your case. You may want to raise awareness of injustice by going public, but there are also risks to going public and it is your legal case that will get you the right to remain, if it is successful.

A petition – in itself – will not result in you being granted leave to remain.

Petitions can show a level of support for your situation (so think carefully about sending a petition to the Home Office if it isn't signed by many people). Petitions can be a vehicle for sharing your story, for encouraging others to spread the word about your case. They can be a way of asking supporters to pledge support, and pledging to take further action. If you have created an online petition, you will be able to contact the signatories via the email address they provide when signing.

Once people have pledged their support, perhaps by signing a petition, it's important to try and mobilise that support and ask people to take action that has tangible outcomes. This might include, for example, asking people to donate to a crowdfunder to help pay for legal fees.

Got to www.youtube.com/RighttoRemainOrgUk, and look for the "Thinking of Going Public?" playlist.