

PREPARING FOR AND TAKING PART IN HOME OFFICE INTERVIEWS

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There are two interviews which you will have if the Home Office agrees to consider your asylum application in the UK:

1. A screening interview – part of the asylum registration process; the document is headed 'Initial Contact and Asylum Registration Questionnaire'
2. A main asylum interview – the document is headed 'Statement of Evidence Form (SEF) Asylum Interview'

Any interview should be conducted in a language that you are fluent in; if the Home Office use an interpreter that you do not fully understand, you should ask them to make a note of that on the record

Both interviews are important and you should make sure that you have a copy of both; either read them through yourself afterwards or ask someone to read them to you so that you can add information to them or correct anything that is wrong

A Preliminary Information Questionnaire (PIQ) will be given to you after the screening interview which you are told to complete and return to the Home Office by a date that they will give you

Note: the PIQ again asks for information that you will already have been asked in the screening interview and you therefore don't need to repeat it in the PIQ

INTRODUCTION

SCREENING INTERVIEWS

PURPOSE OF A SCREENING INTERVIEW

After registration of an asylum claim (which involves taking fingerprints and photographs), a screening interview takes place (often on the same day as registration)

It is headed '*Initial Contact and Asylum Registration Questionnaire*' and contains questions which are typed on the questionnaire itself (unlike the main asylum interview)

The following statement is read at the beginning of the interview (by an interpreter if there is one):

"The officer is going to ask you some questions about your identity, family, background, travel history and some health and welfare questions. The officer will only ask you for a brief outline of why you are claiming asylum today."

The interview is short and would often only take about 30 minutes; it will be used to: (1) take information about how/when you arrived in the UK; (2) decide if your claim will be considered in the UK; and (3) compare information in it to what you say in any other interview or which is available to the Home Office in other documents (e.g. visa applications)

PART 1:

PERSONAL DETAILS

Questions include:

- ▶ name
- ▶ date of birth
- ▶ Nationality (including evidence of nationality e.g. passport)
- ▶ language(s) spoken
- ▶ religion
- ▶ occupation
- ▶ contact details
- ▶ family members (who are part of the claim)
- ▶ other close family members (UK or elsewhere)

The purpose of these questions is to both identify you and also any other family members who might get permission to stay or seek permission to enter the UK if you are granted asylum

Nationality is particularly important as it is the starting point for considering your claim

PART 2:

HEALTH AND SPECIAL NEEDS

The section asks for any information about your own **physical or mental health** (including medication) and that of any family members living with you; it is not clear why these questions are asked but it is important to say if you are not well or e.g. you have a disability

The same section also asks about “**exploitation**” and gives the examples of sexual exploitation, being forced to work or commit a crime; if it has happened to you, this may have been in your own country, in another country before you arrived here or in the UK.

Whether or not your asylum claim is about exploitation (sometimes called “trafficking”), the way that you have been treated by other people (including those who have been involved in your journey), it is important to mention this as it may have had an impact on your ability to talk about other things that are part of your claim.

If you have experienced any exploitation, the Home Office should ask you if you would agree for your case to be referred to a special unit which deals with ‘modern slavery’; this is through a process called the National Referral Mechanism

The section also asks about what **level of education** you have had (e.g. none, level 10, degree, etc.) – this is not particularly relevant to an asylum claim

PART 3:

TRAVEL AND THIRD COUNTRY

The first question in this section is:

“Why have you come to the UK?”

Remember that the Home Office will use fingerprints and other information (e.g. visa applications) to get your immigration history and they will compare what you say here to the information they get from elsewhere

It is followed by questions about being fingerprinting in any country, the route that you took to come to the UK, what transport you used, how long you stayed in other countries (if you didn't come directly), whether you claimed asylum in any other country and what you said on arrival in the UK

The answers you give will be used to check that you are telling the truth (by comparing to what you say with other documents) but also may be used against you e.g. if you have passed through other countries that they think of as 'safe' (particularly EU countries); there is separate information about how to deal with this in the next slide and in the session on the Preliminary Information Questionnaire

TRAVELLING THROUGH OTHER COUNTRIES

If you travelled through other countries, particularly through European countries such as Italy and France, it is important to say why you didn't stay there or, if you claimed asylum there, what happened

For example, it might be because people you knew were leaving for another country and you wanted to stay with them; or you were not treated well in the country that you were in or it wasn't safe; or you had no idea what asylum was or that you could claim it

Whatever the reason is for continuing your journey to the UK (if you even knew that this is where you were travelling on to eventually), try to help the interviewing officer understand that this was not necessarily a journey that was planned from the beginning but one that happened for different reasons along the way

If you were under the control of someone else at any part of your journey, it is important that you explain that

PART 4:

BASIS OF ASYLUM CLAIM

This section starts with the statement which should be read to you:

“Please BRIEFLY explain ALL of the reasons why you cannot return to your home country”.

Try to say as much as you feel you can in answer to this question (without going into detail) because if you don't mention something important here, but you say it later e.g. at your main asylum interview, they may say that it isn't true

One of the optional questions in this section is:

“When did this happen?”

Don't guess at a date when you don't know it; and, if nothing has happened yet, say why you think it may happen if you go back

The section also asks if you would be more comfortable, at any future interview, to be interviewed by a man or a woman and whether you prefer the interpreter to be male or female – if there are things that you wouldn't say e.g. in front of a man, then be honest and say you want a woman interviewer and interpreter

PART 5:

CRIMINALITY AND SECURITY

This section asks a series of questions which are intended to help the Home Office decide if they should not give you refugee status because of what you have done in the past

For example, the questions include:

“Have you ever, in any country, been accused of, or have committed an offence for which you have been, or could have been convicted?”

Have you ever been involved with, or accused of being involved with any ... armed or violent organisation, group or party?”

PART 6:

DETENTION SUITABILITY

This section is optional so they may not be asked

The introduction says:

"In general, there is a presumption not to detain."

It continues with things that should be considered such as:

"what is the likelihood of the person being removed and ... is there a history of absconding ... what are the person's ties with the UK."

If the interviewing officer decides to complete this section, the question is:

"Can you tell me if there are particular reasons why you should not be detained while your claim is considered?" (and gives examples such as "personal circumstances, health, any special needs")

PART 7:

DECLARATION

"Have you understood all the questions?"

You won't really know if you have understood all the questions until you see the notes later so it is fine to say "I think so"

"Is there anything you would like to add or change to your response?"

Regardless of what you have said, you don't know what has been interpreted or written down so an answer could be "I don't think so"

Before you sign, the following statements should be read to you:

"By signing this application you are declaring that all of your personal details are correct and that you understand that it is a criminal offence to seek to obtain leave to remain in the UK by deception."

"Your signature below also confirms that you have understood all of the questions asked and received a copy of this interview."

ASYLUM INTERVIEWS

INTRODUCTION

Asylum interviews follow the registration of a claim, fingerprinting, a screening interview and the Home Office obtaining reports, visa applications, the Preliminary Information Questionnaire being submitted and other information and documents (where relevant) and a review of country information:

“To prepare for the interview you must read the claimant’s reasons for making the asylum claim in the screening form, preliminary information questionnaire, witness statement, or other relevant information in the case file, such as information about the claimant’s visa application records, and relevant country reports or country guidance, including case law.” (page 29, Home Office guidance to caseworkers, Asylum Interviews)

If you have other family members in the UK with you, and they have been interviewed as well (when your claim was registered), that is also information that is taken into account before the asylum interview

What you say in an asylum interview will be compared to what you have said or submitted before or other information that the Home Office has about you or about your country

PRACTICALITIES

The letter inviting you to an interview will specify the time and place that the interview will take place; take this letter with you together with your Home Office ID (Application Registration Card)

Even if the interview is going to be by video, you will still be required to attend at a Home Office building

Interviews rarely start on time so be prepared for a wait

Some of them take place in buildings where other people are there to report so it may be busy

If your interview is with an officer present (rather than on video), you will sit on the other side of the desk from them; they will be seated behind a computer screen and the Home Office interpreter (if there is one) will be seated next to the officer

According to recent statements from the Home Office, the interview should now only take 45 minutes instead of several hours but be prepared for it to take a long time

If you have children, try to make arrangements for someone to look after them/meet them from school rather than having them with you

Take evidence with you of any medication you are receiving and any other documents that help to show that what you are saying (about your identity, nationality or what has happened to you) is true; but these can be submitted afterwards (within a week of your interview)

GUIDANCE TO CASEWORKERS ON THE PURPOSE OF AN ASYLUM INTERVIEW

"The policy objective when you conduct an asylum interview is to gather enough evidence to be able to properly consider and determine the claim. You must:

- provide a positive and secure environment to support the claimant to disclose all evidence, including sensitive information to support their claim*
- ensure that all asylum claimants are treated with respect, dignity and fairness regardless of their ... age, disability, ethnicity, nationality, race, gender, sexual orientation, religion or belief*
- ask appropriate and focused questions to encourage full disclosure and gather relevant evidence on important aspects of the claim*
 - this will allow you to:*
 - assess the credibility of the claimant's statements*
 - give the claimant an opportunity to explain anything that appears to be implausible or inconsistent*
- make potentially vulnerable claimants aware of appropriate support services, for example, where there are concerns over physical and mental health, the claimant has experienced torture, sexual or domestic violence, or modern slavery, or there are child protection concerns"*

Page 8, Asylum Interviews

GUIDANCE TO CASEWORKERS ON DOCUMENTS ALREADY SUBMITTED OR AVAILABLE

"If a witness statement, Preliminary Information Questionnaire (PIQ), or other written evidence has been submitted before the interview, you must establish who wrote and submitted the evidence. You must ask the claimant if they have read and understood the content of the evidence and if they agree with it. If the claimant indicates they have not had the written evidence read back to them in full in a language they understand, even if they have signed it, the interview should be suspended, and the situation clarified with the legal representative. You should note any response or explanation provided by the legal representative on the interview record."

Page 31, Asylum Interviews

INTERVIEWING BY VIDEO

Some interviews may be by video, meaning that the interviewing officer and the interpreter can only be seen on a screen

This may make it harder to talk about things that have happened

There is an option to ask for a face-to-face interview; this request should be made before the day of the interview (but can be made on the day if necessary).

Home Office guidance says:

"If the claimant, or their legal representative, considers that remote interviewing would not be suitable for them, they must contact the number provided in the invitation to interview letter, and provide reasons why it is not suitable in their case." Page 13, Asylum Interviews

Cases where interview by video is not a good idea:

"cases involving sexual orientation or gender identity, victims of torture or other trauma where recording was part of the persecution, victims of sexual violence or other forms of gender-based persecution, victims of modern slavery or claimants with mental health conditions."
Page 14, Asylum Interviews

OPENING COMMENTS OR QUESTIONS

"If you do understand a question, please tell me and I will clarify or rephrase it."

"This interview is your opportunity to tell us your reasons for claiming asylum."

"If you want to take a break during the interview, please let me know. I may also suggest a break if I think that we need to take one."

"I have read your statement of evidence and documents. There is no need to repeat this information today unless I ask you questions about them. You will have the opportunity to add to, amend, or explain the information you have provided."

"Do you understand the interpreter?"

"Are you feeling well enough to be interviewed today?"

"Do you have any documents or other evidence you wish to submit today? You will need to explain how they are relevant to your claim."

"Are you aware of and happy with the contents of your screening interview, your Visas and any other information you may have submitted to the Home Office and any other UK authorities?"


HOME OFFICE INTERPRETERS

Statement to the interpreter at the start of the interview:

"You must interpret everything that is said during the interview in direct speech. Please do not change what I say or what the claimant says. You must tell me if you have any difficulty in understanding or interpreting my questions or any of the replies. If the claimant starts to speak in another language or dialect during the interview you must tell me immediately."

It is Home Office interpreters, rather than Interviewing Officers, who can present the greatest challenge in an interview; some of them do not take kindly to any suggestion that they are either not being understood, are not properly interpreting the question or answer or have not themselves understood what is being said to them

Remember what was said to you at the beginning of the interview: *"This interview is your opportunity to tell us your reasons for claiming asylum."* Don't let the interpreter or the officer take that opportunity away from you!

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1. Make sure that you have understood the question properly
 2. If you are not sure what the question is about, ask for it to be repeated or rephrased
 3. Don't start to answer a question before you are clear about what you being asked about
 4. Never guess at what you think the answer is; if you don't know the answer then say "I don't know" or "I can't remember"
 5. When you have understood the question, answer it as directly as you can
 6. If you think you have made a mistake or that you have not been asked about something you think is important, then say that in answer to the question at the end which says: *"Is there anything that you would like to add or amend?"*

ADVICE ON ANSWERING QUESTIONS



POSSIBLE QUESTIONS DURING AN INTERVIEW

The questions asked are specific to each individual case and it is not possible to know what questions you will be asked but the slides that follow cover some of the more likely things that may come up; some will apply to you

Depending upon where you are from, the journey that you have had to the UK or why you have claimed asylum, there are some ideas that can be given to help you prepare for the interview

In advance of an interview, you should read through (or have someone read to you) your screening interview and any statement that has been submitted; if you have submitted a completed PIQ, you should know what has been written in it

If a solicitor or adviser has submitted anything on your behalf, make sure you have a copy and know what has been said on your behalf; if any of it isn't correct, you must make that clear at the beginning of the interview

If you do not have any document to confirm who you are or where you are from, they may ask you questions to see what you know about your country

The questions can be about:

- ▶ the history (e.g. when it became independent) and geography (e.g. rivers, mountains, famous landmarks) of the country or at least the part that you lived in
- ▶ The government e.g. the President
- ▶ The currency (bank notes, coins, etc.)
- ▶ Any particular festivals that are celebrated
- ▶ Description of any flags

There are many reasons why you may not know the answer the questions; don't guess at answers – try and explain why you don't know e.g. no education, only lived there as a child, etc.

LACK OF EVIDENCE OF IDENTITY AND NATIONALITY

You may be asked why you claimed asylum when you had already been in the UK e.g. as a visitor, a student, overstayer or on a 'spouse' visa

Think about how it is that you even found out about asylum and that asylum might apply to you; for example:

- what did you learn from people that you met (e.g. in the mosque, church, areas you were living in, etc.)?
- did you get any legal advice? From whom? When? What did they say?
- were there any particular reasons why did not claim asylum before the date that you did?

Were there other reasons that you didn't claim asylum before e.g. you were still hoping to go back (thinking things might settle down)?

Everyone's story is different, think about how it is that you claimed asylum when you did

DELAY IN CLAIMING ASYLUM

The questions may be about how you came to change religion (e.g. if you converted to Christianity from Islam)

Home Office guidance to caseworkers says:

“In the case of conversion to Christianity, you should expect the claimant’s experience normally to include being baptised using water”

“At interview, you should expect the claimant to be able to describe the encounters or contacts with their new religion or belief. This may include the people whose words or example inspired them, or the readings which struck a chord, and which contributed to the decision to accept and follow it. You should also expect them to be able to describe how far this occurred in the home country or in the UK. You should ask the claimant to describe their church experiences, for example, whether this has been within small house groups or in congregational worship, including the languages in use at those groups or services. This will help frame questions about their experience of the Bible and church services.”

CLAIMS BASED ON RELIGION: CONVERSION TO CHRISTIANITY

Asylum claims based upon religion may be rejection of a religion or actions considered to be against religious teaching (e.g. a woman not wearing a hijab)

Alternatively, someone may be persecuted simply for their religion

“simply claiming to hold a set of beliefs which result in persecution ... is not enough to substantiate a claim to refugee status. You must ask questions to enable the decision-maker to decide whether the claimant genuinely adheres to the religion or belief to which they profess to belong, how that individual observes those beliefs in the private and public spheres, and whether that would place them at risk of persecution on return to their country.” (Home Office guidance to caseworkers. Asylum Interviews)

CLAIMS BASED ON RELIGION

Being a woman in some countries is enough to make you a second-class citizen and liable to persecution because of what you have done or failed to do

But being a woman is not enough by itself

Reasons that you might be at risk are e.g.:

- because you have rejected an arranged marriage;
- were forced to marry and then treated like a slave by your husband and/or his family;
- you have had children outside of marriage

The questions you will be asked will be to get more information from you about why you say it is not safe for you as a woman

CLAIMS BASED ON PERSECUTION AS A WOMAN

*“... the claimant [does not] have to provide independent evidence of personal participation in political activity if the **account** of political events is **reasonably detailed, consistent, and plausible**.”* (Home Office guidance to caseworkers, *Assessing Credibility*)

If you have taken part in political activities, either in your country or in the UK, you will be asked questions about what those activities have been (e.g. demonstrations, distribution of leaflets, etc.), when, where, how often, what happened?

If you have been involved with a political party in your country, you may be asked questions about that party: its history, the leadership, elections, etc

REMEMBER: Do not guess what the answer is; be prepared to say why you don't know the answer e.g. you were not at a high level

“an illiterate farm worker may not necessarily be able to provide details of national political developments, despite being a grass roots supporter of the political opposition.” (Home Office guidance to caseworkers, *Assessing Credibility*)

CLAIMS BASED ON POLITICAL ACTIVITY

Trafficking can take various forms:

- sexual exploitation – this can include being brought to the UK on the understanding that you were going to study here
- forced labour (outside the home) – including in hotels, catering and cleaning
- forced labour (inside the home) – domestic labour e.g. child care and housekeeping
- forced criminal activity – including begging and growing or distributing drugs

Questions at an interview may include where this happened, how you were treated and by whom, whether you had any opportunity to leave (e.g. if you were allowed free time when you could go out).

If there has been a separate decision on your claim to have been trafficked and it has been decided that you were not trafficked, the Home Office will take that decision into account

CLAIMS BASED ON TRAFFICKING

Domestic abuse can take place within a family (e.g. from a father) or marriage, either at the hands of a woman's husband or members of his family

The Home Office needs to accept that the abuse happened and also that you will be alone and unsupported in your country if you are back there

Questions at an interview will be about what happened and when but also may include:

- whether you sought help from the authorities e.g. the police or from any organisations supporting women
- if you didn't seek help, why not?
- if you did seek help, what happened?

CLAIMS BASED ON DOMESTIC ABUSE

From Home Office guidance to caseworkers:

“Where sexual orientation or gender identity is the basis of a claimant’s claim, you should focus the interview on establishing claimant’s current sexual orientation or gender identity, how they define and express it and how this is relevant to their fear of harm in their home country”

“You should carefully phrase questions to comply with Home Office policies on sexual orientation and gender identity. For example, your questions must not imply that a claimant is expected to have attended a gay nightclub or attended a gay pride event, or used dating websites, unless such activities are part of their claim. Your questions must not suggest that it is incompatible to be of a particular sexual orientation or gender identity and have a particular religious faith.”

CLAIMS BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY

CHILDREN

If you have children with you, the Home Office should take into account what will happen to them if you are refused and told to return to your country

Your children may face problems of their own e.g. girls may be at risk of FGM; your children may have been threatened because of your political activity; they may face problems because you are not married to their father

If the Home Office does not ask questions about your child(ren), you can mention your concerns for your children when you are asked at the end of the interview if there is anything you want to add

ASKING FOR HELP IN YOUR COUNTRY

Asylum is given to you if you are at risk of persecution or serious harm in your country **and** if you cannot get protection from the authorities

Unless it is people in the authorities that are out to hurt you, you will need to explain why you cannot get help from someone in your country

So there are likely to be questions about whether you went to anyone official (e.g. police) to get help and, if you did, what they said/did?

Most people know that there is little that e.g. the police will do even if you did go to seek help from them; if that is your experience, you need to try to find a way to help the Home Office understand the reality of the situation in your country

MOVING TO ANOTHER PART OF YOUR COUNTRY

Even if the Home Office believe what you are saying, they may still refuse you because they think that there is another part of your country that you could have gone to instead of leaving

So you may be asked a question like:

“Were these problems just in the part of the country where you lived?”

If that type of question is asked, you need to explain why it was/is not possible for you live safely anywhere else e.g. your family will find out about you, you cannot live by yourself, you cannot get work or support yourself (and children), you will need to register in a new place and you have no documents with you to prove who you are



PROBLEMS DURING THE INTERVIEW

There are times when you may need to say that you do not wish to continue; it isn't always easy to have the confidence to say this

Stopping the interview can be for some of the following reasons:

- because of difficulties with the interpreter; the Interviewing Officer should take time to understand the problem from your perspective, not just the interpreter;
- because the Interviewing Officer has referred to documents which you have not seen;
- because you are unwell (even if you were okay when you started the interview);
- because the questions are upsetting you

You might not want to stop because it might mean coming back again but this has to be weighed against problems which might be caused by e.g. bad interpretation; you might not say as much as you should because you want the interview to end more quickly and something important might then be missed

A series of four parallel white diagonal lines of varying lengths, starting from the left edge and extending towards the center of the slide.

CAN ANYONE GO WITH ME TO THE INTERVIEW?

“For reasons of confidentiality, you will normally interview a claimant on their own or in the presence of a legal representative or regulated adviser. **Exceptionally, however, and with advance notice, you may allow a friend or other companion of the claimant to be present to provide emotional or medical support.** For example, if an interviewer of the requested gender has not been possible. Alternatively, a claimant may benefit from the presence of a supporter from their faith group or non-religious organisation before or during the interview, and this can also be accommodated exceptionally and where advance notice is provided.”

“A friend, companion or supporter can be admitted on condition that they are there solely to provide emotional, medical or spiritual support. They must not intervene during the interview unless it is to raise a welfare or safeguarding concern with the claimant, using the Home Office interpreter.” (Pages 20 and 21, Asylum Interviews)

AFTER THE INTERVIEW

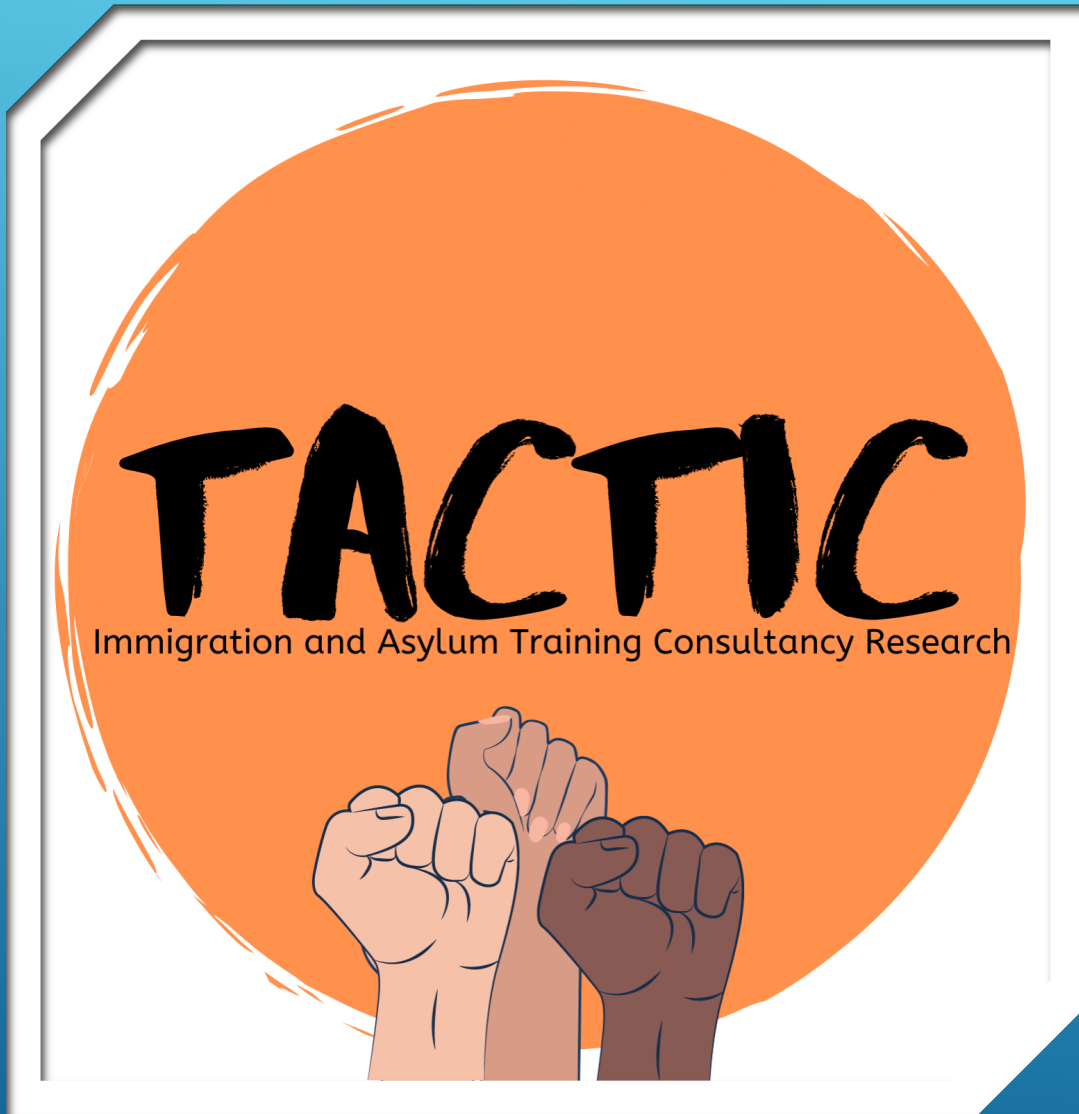
At the end of the interview, you should be given a USB stick which contains the typed interview record and the audio recording; this might be sent to you at a later date but try to get it as soon as possible as otherwise you may forget what happened at the interview

You may also be told that there are some documents that the Home Office expect you to submit and by what date you should send them in e.g. about the medical treatment you are receiving

You should try to review the typed record (or listen to the recording) to check that it is correct

If there are any mistakes (by you or someone else e.g. the interpreter or the interviewing officer), or something important has been missed out, you need to get these corrected as soon as possible

You also need to send documents to the Home Office as soon as possible afterwards



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THANK YOU!