

Quick Guide to the Legal Process

Understanding the Process: A good place to get an overview of the asylum process is through *The Asylum Process Made Simple*. This sets out the process from start to finish in a helpful one page diagram that shows the basics of the asylum system.

What does the Asylum Seeker need to know? There are several excellent online documents that explain what the asylum seeker needs to know about the process. Unfortunately most asylum seekers are not aware of them until it is too late to influence the initial decision on their claim. If you are able to help with this at an early stage, the chances of a successful outcome will be higher. The [Law Society](#) explains it well from the perspective of the asylum seeker. This is expanded on in the highly recommended [Right to Remain Toolkit](#), which explains in more detail what Legal Aid can be used for: this is basically the asylum claim, asylum support appeals, detention and less frequently a judicial review. The toolkit also explains the difference between *legal advice*, which by law only a qualified legal adviser is allowed to give, and *legal support*, which anyone can engage in without fear of breaking the law.

Asylum Support Appeals: Sometimes the Home Office cuts all support for the asylum seeker – often for quite arbitrary and unjust reasons. The effect of suddenly having no money at all can be quite devastating, so it is important to appeal the decision immediately. The [Asylum Support Appeals Project](#) has a free advice line. They are often able to find representation for the asylum seeker at the appeal tribunal, and have a very high success rate in overturning unjust decisions.

Finding a Solicitor: Although Legal Aid does not cover the solicitor for attending the initial interview, finding a good solicitor is important to the chances of a successful outcome. The asylum seeker will be given a list of solicitors when they claim asylum, but will have no idea of which one to approach. The [Right to Remain Toolkit](#) has a list of directories under the title [Finding a Lawyer](#). Although that is helpful, it is always a good idea to check out local organisations working with asylum seekers in the area: they will know whether a solicitor has a good reputation or not.

You may also find that the asylum seeker has been moved to a dispersal area, for example in the North of England, but still has a solicitor in London. It is worth considering whether having a local solicitor would be better: obviously there is no guarantee that a local solicitor would offer better advice, but the chances of being able to meet them in person would be greatly enhanced.