

# Asylum Screening Interview

This is the first interview that takes place after you have claimed asylum.

If you have claimed asylum at the port where you entered the UK, you will usually be interviewed there by an immigration officer. If you claim asylum some time after entering the UK, you will usually be interviewed at the Screening Unit in Croydon.

If you claim asylum at the port of entry when you enter the UK, or if you are picked up by an immigration enforcement team at some other time, you will either have your screening interview **that day or within five days**.

If you are claiming asylum other than at the port of entry or after being picked up by an enforcement team, you need to **telephone to make an appointment** at the Screening Unit in Croydon. For contact details, check this page of the Home Office website:

[www.gov.uk/asylum-screening-centre](http://www.gov.uk/asylum-screening-centre)

If you have nowhere to live, you do not need to telephone and book an appointment before going to the Screening Unit. The staff there may tell you otherwise, so you need to be prepared to argue for your right to be seen as a “walk-in”. It may help to take a friend/supporter with you to help you with this.

The Home Office have a target of conducting screening interviews within ten days of someone claiming asylum, but this target is often missed for people who claim asylum at the Screening Unit in Croydon.

If you have evidence of why you would not be able to attend an appointment in Croydon (because of complicated medical issues or disabilities for example), you or your lawyer need to speak to the Home Office to see if it's possible to be interviewed elsewhere.

If you are detained when you claim asylum, your screening interview will probably be conducted in the detention centre. Many people who are detained when they claim asylum are released after the screening interview. Others may continue to be detained, if their case is put into the “detained asylum casework” category. See ‘Detention’ section of the Toolkit.

Most people do not have chance to meet with a lawyer before their screening interview (though it is good to try and speak to a lawyer before the interview if possible). Your lawyer will not attend the screening interview with you. The screening interview cannot be audio-recorded, unlike the longer substantive asylum interview.

The Home Office interviewer will take notes on a screening interview form during the interview. **It is very important that you get a copy of this screening interview record.**

There will be an interpreter provided if you need one. If there are any problems with the interpreter – you cannot understand them, they cannot understand you, they speak a

different dialect, you don't think they are being professional or you can tell they aren't interpreting things correctly – it is very important to tell the Home Office interviewer this and ask them to write it down.

You can also tell your lawyer at a later date if there have been problems, but it is far better to have it recorded at the time of interview. If there is a discrepancy in your testimony that is used to refuse your application, and this is because of poor interpretation at the screening interview, it will be much easier to prove if the Home Office interviewer noted that there were problems with the interpretation.

## **Questions in the screening interview**

In the screening interview, you will be asked some basic questions (often called “bio-data”):

- your name,
- your date of birth,
- your nationality,
- your ethnicity,
- your religion,
- about your family members.

You will be asked to say briefly why you have come to the UK - why you are claiming asylum. This should only be a brief couple of questions, as you will be asked about this in much more detail in your (later) substantive interview.

There is case law that establishes that information given in the screening interview about reasons for claiming asylum should not be overly relied upon. This is the information, however, on which the Home Office will decide which category your case should go into. If they need more information to decide this, they should seek further information after the interview, before making a decision.

Although these questions may seem fairly straightforward, the information you give will be used by the Home Office to compare against what you say in other interviews or statements. Read more about this in the Toolkit *Asylum Interview* section..

You will be asked if you wish to have a male or female interviewer for your main substantive interview. If you do not state a preference in the screening interview but later wish to request a male or female interviewer (and interpreter), you can do this before your asylum substantive interview. *Make the request far in advance, don't wait until the day of the interview.*

**PART FOUR: Basis of Claim Summary**

4.1 What was your reason for coming to the UK?

4.2 Can you BRIEFLY explain why you cannot return to your home country?

Excerpt from screening interview record that asks about why you are claiming asylum

## Your journey to the UK

A major part of your screening interview will be about your journey to the UK. One of the reasons you are asked questions about this is to determine whether the UK is responsible for considering your asylum claim (see *Dublin/Third Country Cases*). There will be questions asking whether you have claimed asylum or been granted refugee status in any other country; and if you passed through other countries, why you did not apply for asylum there.

Even if the Home Office do not use this information to try and pass responsibility for your asylum claim to another European country, they may use it to undermine your credibility. If there were other countries you travelled through where you could have claimed asylum and did not, the Home Office is likely to argue that this shows you are not telling the truth when you say you fear persecution. They may argue that if you are really in danger, you would have claimed asylum in the first place you could.

**PART TWO: Travel History and Documentation**

Travel History		Arrival
Departure	Transit	
2.1	<p>How did you enter/travel to the United Kingdom?</p> <p><b>Screening officer to explore the applicant's travel history and method of entry into the UK.</b></p> <p>Suggested points to cover:</p> <ul style="list-style-type: none"> <li>- what countries did you travel through on your way to the UK?</li> <li>- Documentation used to travel? (This will be explored in greater detail in 2.5)</li> <li>- How long in transit?</li> <li>- Mode(s) of transport?</li> <li>- What date did you arrive in the UK?</li> <li>- Where did you arrive in the UK?</li> </ul>	

Excerpt from screening interview record that asks about your journey to the UK

If the information you give in this interview is different from the information you give in later interviews, this will be used against you. If you are not sure of something or can't remember a date or detail you can say "I'm not sure of the date" or "I don't remember".

## Health questions

You will be asked about your health in this interview. Although it is difficult to give personal details to someone you don't know, if you don't feel well you should say so.

You may be feeling tired, distressed or ill, especially if you have your screening interview at port just after arrival. It is even harder to remember details of your journey when you are tired or stressed, and if this is causing you a problem you should ask that this is recorded on the interview record. If you later refer to a health problem that wasn't mentioned in your screening interview, this may be used against you.

Disclosing information about any illnesses you have will not negatively affect your application for asylum. Some people do not disclose illnesses such as HIV/AIDS or TB because they fear they will be denied leave to remain on that basis. This is not allowed to happen under UK law.

**PART THREE: Health****Please read to the applicant:**

It is important you answer the following questions and disclose any relevant information relating to your health (including any contagious diseases) at the earliest stage so we can ensure you are able to access the correct medical treatment throughout the process of your application.

Furthermore, any information you disclose may help you with accessing health services.

**No illnesses or treatment you may have will affect your application for asylum in the UK.**

3.1

**Do you have any medical conditions?****Investigate:**

- How long have you suffered with this condition?
- Diagnosed by a recognised medical practitioner?
- Receiving specific treatment in the UK? (NHS?)
- Name/Address of GP?
- Any medication?
- Any specialist care?

Excerpt from screening interview record that asks about your health

## Categorising your case

At the screening interview, the Home Office will decide which of the following categories your case falls into:

- general casework
- detained non-suspensive appeal
- Dublin/safe third country
- unaccompanied minors

### Detained non-suspensive appeal

If your asylum claim is categorised as “non-suspensive appeals”, you will have an *asylum substantive interview* but you will have **no right to appeal within the UK if the Home Office refuse your asylum claim after the substantive interview**, which they are very likely to do if your claim is in this category.

If it decided your case is "*detained non-suspensive appeals*", you will be detained straight after the screening interview. Read more about immigration detention, and your legal options if detained, in the Toolkit *Detention* section.

The term "non-suspensive" refers to the fact the **Home Office does not have to suspend your removal until you have had the chance to appeal a refusal**, unlike other asylum cases. In order to do this, the Home Office "**certify**" your asylum claim under Section 94 of the Nationality, Immigration and Asylum Act 2002.

This category is clearly problematic as the decision that you do not have the right to appeal is being made before the asylum interview, when you would give full reasons of why you fled. The decision is usually made on the grounds of country of origin, if you come from a country in which it is thought you are unlikely to need the protection of international law. These countries are often called the "White List". Some countries are included as "men only" - only men claiming asylum from those countries are likely to have their asylum claims certified. You can find out more about the Safe Country/White List here:

<https://www.ein.org.uk/bpg/chapter/3>

The timing of your asylum claim may also be a factor in this decision. The Home Office may decide that an asylum application is "opportunistic" (meaning made solely to get leave to remain because you have no other options) and certify a claim on that basis. For example, if you have lived in the UK for a long time but only claim asylum when you are picked up by an immigration enforcement team, the Home Office is likely to say that asylum claim is opportunistic.

A decision to certify an asylum claim (categorising it as "non-suspensive appeals") can be challenged by a judicial review.

### **Detained Fast-Track:**

this used to be one of the categories a case could be routed in to at screening interview. This category does not currently exist as the detained fast-track system for asylum applications was suspended following successful litigation that showed it was being operated unlawfully.

## **Dublin/safe third country**

Not everyone has the right for their asylum claim to be heard in the UK. If you are an adult and you claim asylum in the UK, and the Home Office proves that you have travelled through a safe country on your journey to the UK, they will try to "transfer" your case and say that you have to return to that safe country (the "third country") to have your asylum claim heard. They are called "third" countries because they are not the UK and not your

country of origin/residence.

In practice, this is usually enforced for people who have travelled through countries that are European Economic Area (EEA) member states plus Switzerland, as removal back to those member states is allowed under a European agreement called the Dublin Regulations. There have been several versions of the Dublin Regulations, and the ones currently in use are called Dublin III (three).

If your case is considered to be a Dublin case, you will not have an asylum substantive interview in the UK.

Read more in the Toolkit section on the *Dublin regulations*.

## **Unaccompanied minors**

If you are an unaccompanied minor, and the Home Office accept this, your case will be dealt with slightly differently by the Home Office than if they say you are an adult. An unaccompanied minor is a child who is under the age of 18 years old; is applying for asylum in their own right; and is separated from both parents and is not being cared for in the UK by an adult who in law or by custom has responsibility to do so.

If you are an unaccompanied minor you will in most cases still have an asylum (substantive) interview, and your lawyer will usually attend the interview with you.

If you are an unaccompanied minor, you may find general information in this Toolkit useful. The legal process explained in this Toolkit, however, is mainly for adults and does not contain child-specific procedure.

For more information on the asylum process if you are an unaccompanied minor, contact the Children's Panel at the Refugee Council or the Migrant Children's Project at Coram Children's Legal Centre.

The Home Office may not believe that you are under 18 years old - this is called an "age dispute". The Home Office may undertake an age assessment, and may also ask a local authority social services to assess your age. Read more at the website of the Migrant Children's Project at Coram Children's Legal Centre.

**Next section: *Dublin Regulations***