

Free legal advice: factsheet for asylum seekers in England and Wales

You should speak to a lawyer as soon as possible in relation to your asylum claim, as the Home Office may seek to take action on your case very quickly, particularly if you have come to the UK via the Channel. It is very important that you make sure that you have the name and contact details for your lawyer, including the name of the firm.

If you have just arrived in the UK

If you have just arrived in the UK and are in Yarl's Wood, then you can see a lawyer who comes there to give advice to people under the Detained Duty Advice Scheme. To see a lawyer, please go to the library and ask the officer to sign you up for the legal aid rota. The list of lawyers can also be found here: <http://www.aviddetention.org.uk/immigration-detention/are-you-detention/legal-advice>. The lawyer will be able to access an interpreter for your appointment.

If you have been moved by the Home Office into other accommodation

Asylum seekers are generally not allowed to work in the UK, and so you can probably get a free legal aid lawyer to help with your asylum claim.

To find a legal aid lawyer near you, put your postcode into this website: <https://find-legal-advice.justice.gov.uk/>

The lawyer will need to ask you some questions about your money situation. If you are getting section 4 or section 95 support from the Home Office then you are eligible for legal aid, and so you should tell the lawyer this. You will need to show the lawyer the letter from the Home Office saying that you are getting the support, and the letter should be dated within the last six months. If the letter is older or if you do not have the letter but you are getting section 4 or section 95 support, then you need to tell the lawyer this and they can email the Home Office to ask whether you are still receiving this.

If you are not getting section 4 or section 95 support (housing or money), then you can still get a legal aid lawyer if your disposable income (i.e. your income after allowances for rent and dependants) is £733 or less. You will need to answer a lot of questions¹ and you will need to take an up to date copy of your bank statement if you have a bank account, as well as any other evidence about how you are currently being supported, for example by friends or your community². Your lawyer will explain this in more detail.

You will need to sign the Legal Help form with the lawyer, and confirm that you have not seen another lawyer and signed another Legal Help form in the last six months.

Once a lawyer has opened a legal aid file for you they will be able to pay for an interpreter.

¹ If you want to check you are eligible, you can use the online calculator - <https://civil-eligibility-calculator.justice.gov.uk/>

² Your friend or family member can write their own letter or complete this example letter which shows what information is required (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700682/third-party-financial-support-pro-forma.docx)