Discuss how to appeal against a solicitor’s decision to stop representation following refusal.

If your Solicitor decides that they will not represent you for your Asylum Appeal, you may be able to challenge this decision with a Legal Aid Agency Appeal

(This is separate from your Asylum Appeal)

- If you receive an asylum refusal, your solicitor will make a merits assessment of your case in order to decide whether they can represent you for your asylum appeal. If they deem that your case has a lower than 50% chance of success, they are likely to stop representing you. You may be able to challenge this decision.

CW4 – If your solicitor says they cannot represent you during the appeal they are obliged to provide you with this form, it is known as a CW4 form - it is important that you discuss this with your solicitor.

- This form explains the reasons your solicitor believes your case has a less than 50% chance at the appeal.

- The importance of this form is that, underneath the solicitors opinion on your case, is a space where you can write your argument about what you believe is strong about your case.

- You then send your argument plus copies of your case bundle to the Legal Aid agency and ask them to look again at the merits of your case.

- It may be that they agree with you and believe that your case does have a 50% or more chance at appeal. It may then be possible for you to obtain another solicitor to help you during the appeal stage.
- You need to do this as soon as your solicitor tells you they cannot represent you. It is best to call your solicitor the day you are refused to ask them what support they going to give you so you know straight away what actions you need to take.

- If you find strong, new evidence after your solicitor has stopped representing you, you may become eligible for Legal Aid again. You can:
  - Take your new evidence back to your solicitor to see if they can pick up your case again.
  - Take your CW4, your case and your new evidence to a different solicitor.
  - Submit your new evidence as part of an appeal to the Legal Aid Agency.