Explain how a solicitor can help

Explain what to expect from solicitors and legal advice

Asylum is a complex legal process and you need professional advice

*Questions to ask: Do you have a solicitor? I will firstly explain what a solicitor does and doesn’t do and if possible, help you to understand how to find a solicitor*

- We recommend you approach a solicitor for legal advice before your ‘Substantive Interview’ and show them any evidence.
- It is best to find legal advice as early as possible in your asylum claim, though it can be hard to find free legal representation before applying for Section 95 support.
- A solicitor advises you on the law and will have expert knowledge of the immigration system.
- Legal advice is expensive.
- Most people access Legal Aid. The legal aid system is designed to help those who do not have the resources to access legal representation. Legal aid is provided in the form of money from the government that will help you pay for legal representation to act on your behalf so you should not have to worry about the legal costs of processing your asylum claim.
- If you are receiving Asylum Support, or you cannot pay for legal representation for your asylum claim, you can access Legal Aid. Solicitors will apply for this themselves. You should take your S95 confirmation letter with you to your appointment.
- You can also pay for it yourself, or find a pro-bono (charity) solicitor.

What does my solicitor do?

Solicitors can help in a variety of ways:
- Discuss your evidence and help you plan what to do for your asylum case
- Explain how the law applies to your case and how you can understand and build your case

Notes:
Help you prepare and submit evidence
Submit your claim statement.
Arrange translations and get professional evidence – e.g. expert reports, medical evidence.
Make legal arguments in support of your case.
Your solicitor has a duty to act within the law and in your best interests.
Answer all your legal questions impartially
Keep your case confidential
Provide an interpreter for your meetings with them, when needed.
Inform you of what to do if you are not happy with them and how to make a complaint.
It is possible to change your solicitor if you have a good reason. Making an official complaint is usually part of this process. It is often best to consult a new solicitor about taking up your case, if you are considering leaving your current solicitor.

*NOTE* Solicitors Have Limited Time. They can only claim enough money to work on your case for 5 hours. That is not long!

What a solicitor CANNOT do:
- Promise success
- Do everything for you
- Deceive the Home Office/Courts/3rd parties on your behalf
- Call you regularly if there is nothing to update you on - they work with lots of people so will not contact if they don't have further information

Help your solicitor help you
- Be organised and keep a file of your papers
- Disclose full details of your problem and problems faced by anyone else in your family
- Prepare for meetings
- Do not be afraid to ask questions
- Act quickly on any advice
- Obtain evidence from friends/family etc. overseas or in the UK
- Attend appointments on time
- Take any agreed actions

Notes:
Tell them about any change in your circumstance eg. Change of address, new evidence, changes in circumstance in your home country etc.

Tell them everything about your case as accurately as possible.

Gather as much evidence as possible.

Your solicitor should work with you to give your case the best possible chance.

How to Find a Solicitor

To contact a solicitor you can call them or attend their office during ‘drop-in’ hours to discuss your case. The second option tends to be more effective.

You may need to contact more than one solicitor before you find one that will take your case.

If you do not have one, you can look for one using these directories

- Right to Remain - Directory
- The Law Society - Directory
- Scottish Law Society - Directory

Please note: Solicitors can carry out their own means test to assess whether they can represent you for free, but often they do not. Instead, they ask for evidence that you are, or will be, receiving Section 95 Support. So remember, if you have this, take it with you when approaching solicitors.

Only Use Qualified Solicitors

Beware of unqualified Legal Advice. Use the directories to find qualified advice.

Notes: