



Home Office

Asylum interviews

Version 9.0

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About this guidance

This guidance tells you how to carry out effective asylum interviews to obtain relevant information to establish, as far as possible, whether the claimant meets the requirements for an asylum or human rights claim to succeed. It applies to any member of staff conducting a substantive asylum interview.

It provides specific guidance on:

- [interview arrangements and formalities](#)
- [preparing for an asylum interview](#)
- [how to investigate an asylum claim](#), including important principles, questioning techniques and factors that may affect an individual's ability to provide evidence

This instruction must be read in alongside the main asylum policy instructions, on considering protection needs in asylum claims. In particular:

- Assessing credibility (select the version that relates to the date of the claim)
- Certification under section 94 and 96
- Dependants and former dependants
- Disclosure and confidentiality of information in asylum claims
- Family asylum claims
- Gender identity issues in the asylum claim
- Gender issues in the asylum claim
- Medical evidence in asylum claims
- Processing children's asylum claims
- Sexual orientation in the asylum claim
- Withdrawing asylum claims

You must also refer to the relevant [country policy and information notes](#), which include guidance on individual countries of origin. You may also wish to refer to the [UNHCR's Protection Handbook](#)

Contacts

If you have any questions about the guidance and your line manager, Technical Specialist or Senior Caseworker cannot help you, or you think that the guidance has factual errors, you can email the Asylum Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on), or have any comments about the layout or navigability of the guidance, you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **9.0**

- published for Home Office staff on **28 June 2022**

Changes from last version of this guidance

- updated in line with current drafting requirements
- changes made in light of the Nationality and Borders Act 2022, including highlighting the importance of checking the date of the asylum claim so that the interview enables the claim to be considered under the relevant Immigration Rules, including the required standard of proof and differential treatment of refugees
- minor restructuring of sections and text to assist the flow of the guidance.
- updated in line with changes made to Assessing Credibility and Refugee Status guidance for consistency
- updated throughout to reflect existing operational practices, including the process for providing interview transcripts and audio recordings which has changed since v8.0 of the guidance was published

Related content

[Contents](#)

Purpose of guidance

Background

This guidance applies to anyone being interviewed in connection with their asylum application; an asylum applicant (or for the purposes of this guidance a 'claimant') being defined in Paragraph 327 of the [Immigration Rules](#) as a person who makes a request to be recognised as a refugee under the Refugee Convention or otherwise makes a request for international protection.

The asylum interview is an important part of the asylum process because it is the main opportunity for the claimant to provide relevant evidence about why they need international protection and for you, as the person conducting the interview, to help draw out and test that evidence.

It is important that you create an environment in which claimants feel at ease and able to disclose all relevant information to you, allowing you to fully investigate the key issues through focused, professional and sensitive questioning. This is particularly relevant as some evidence may be highly complex and emotive, relating for example to instances of persecution or serious harm, including sexual violence or torture. Such evidence is crucial to ensure that asylum claims are properly considered, so that protection is granted to those who genuinely need it and refused to those who do not.

It is also important to remember that, in some circumstances and particularly in relation to highly sensitive information, disclosure may not happen during the interview, despite the interviewer's best efforts. Claimants may be more comfortable disclosing sensitive information to legal representatives, clinicians or support workers. Because of the sensitive information they need to share, they may elect to specify the sex of their interviewing officer in advance, or to highlight vulnerabilities and request the interview be omitted.

Policy objective

The policy objective when you conduct an asylum interview is to gather enough evidence to be able to properly consider and determine the claim. You must:

- provide a positive and secure environment to support the claimant to disclose all evidence, including sensitive information to support their claim
- ensure that all asylum claimants are treated with respect, dignity and fairness regardless of their:
 - age
 - disability
 - ethnicity
 - nationality
 - race
 - gender
 - sexual orientation

- religion or belief
- ask appropriate and focused questions to encourage full disclosure and gather relevant evidence on important aspects of the claim – this will allow you to:
 - assess the credibility of the claimant’s statements
 - give the claimant an opportunity to explain anything that appears to be implausible or inconsistent
- make potentially vulnerable claimants aware of appropriate support services, for example, where there are concerns over physical and mental health, the claimant has experienced torture, sexual or domestic violence, or [modern slavery](#), or there are child protection concerns

Asylum interviews: best interests of the child

[Section 55 of the Borders, Citizenship and Immigration Act 2009](#) requires the Home Office to carry out its functions in a way that takes into account the need to safeguard and promote the welfare of children in the UK. In dealing with parents and children, you must see the family both as a unit and as individuals. Although a child’s best interests are not a factor in assessing whether a fear of persecution is well-founded, the way that you interact with children throughout the interview and the decision-making process, and any decisions following the determination of refugee status must take account of the section 55 duty.

You must comply with this duty when carrying out actions set out in this instruction in respect of children and those with children. You must follow the principles set out in the statutory guidance [Every Child Matters - Change for Children](#).

Our statutory duty to children means you must demonstrate:

- fair treatment which meets the same standard a British child would receive
- the child’s best interests being a primary, although not the only, consideration
- no discrimination of any kind
- timely processing of asylum claims
- identification of those who might be at risk from harm

Considering claims from those who are under eighteen must be conducted by decision-makers who have completed the requisite training and are qualified to interview and decide them. See processing children's asylum claims. Even if a separate claim is not being made, it is important not to lose sight of the child as an individual, as well as part of a family, to be vigilant and responsive to their protection and welfare needs and to consider how this could impact on the needs of the family as a whole.

When a child does not qualify for refugee status, you must next consider whether they qualify for a grant of humanitarian protection (HP). As with a grant of refugee status, a decision to grant HP will normally be in keeping with a duty to take account of the need to safeguard and promote the welfare of the child. You must keep this duty in mind throughout the asylum interview and decision-making process and refer to other specific guidance available, as relevant, in the Dependants, the processing children's asylum claims guidance, and the Family asylum claims guidance.

Safeguarding

Protecting vulnerable adults and children is a key cross-cutting departmental priority and safeguarding is everyone's responsibility. If you become concerned that a claimant may be in danger at the interview or any other stage of the asylum process, you need to take immediate action to ensure their safety. In all circumstances a referral should be made to the Safeguarding Hub and advice sought on case progression.

In an emergency, the case must be referred to emergency services without delay. The first person to become aware of an emergency must contact 999 and request the appropriate emergency service. Afterwards, you must then make a referral to the Safeguarding Hub for actions to be progressed.

Safeguarding children

You must be vigilant that a child may be at risk of harm and where you are concerned about their welfare or protection issues be prepared to refer cases immediately (whether that child is a dependant of the asylum claim or not). In such circumstances you must immediately contact the Safeguarding Hub, who will refer the case to the relevant local authority in accordance with the guidance in local authority child referrals. In an emergency, you must refer the case to emergency services immediately.

When referring cases involving children, there is no requirement to obtain the consent of any adults involved as the safeguarding of children is our primary responsibility as detailed in Section 55 of the Borders, Citizenship and Immigration Act 2009.

The Safeguarding Advice and Children's Champion (SACC) can also offer specialist safeguarding and welfare advice on issues relating to children, including family court proceedings and complex child protection cases. For more information see SACC.

Signposting to support services

Asylum claimants receive the [information booklet for asylum applications](#) which includes information on support services and you can refer claimants to the contacts for appropriate support which are detailed in this leaflet.

Related content

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Relevant legislation

Current UK asylum law is derived from a range of sources; international and European Law, primary and secondary legislation, the Immigration Rules (which are in turn supported by policy and guidance), and a substantial body of caselaw.

The 1951 Refugee Convention

The [Refugee Convention](#) is the primary source of international refugee protection. It has since been supplemented in the European Union (the EU) and other regions by a subsidiary protection regime, as well as by the progressive development of international refugee and human rights law.

Under [Paragraph 328 of the Immigration Rules](#), all asylum applications have to be decided in accordance with the Refugee Convention. Many of the principles set out in the Refugee Convention have been applied and interpreted by UK law, through statute, caselaw, and policies.

The European Convention on Human Rights (ECHR)

The [ECHR](#) (formally the Convention for the Protection of Human Rights and Fundamental Freedoms) is an international convention to protect human rights and political freedoms in Europe. Drafted in 1950 by the [Council of Europe](#), the Convention entered into force on 3 September 1953. The Convention established the [European Court of Human Rights](#) (ECtHR). Any person who feels his or her rights have been violated under the Convention by a state party can take a case to the Court.

The ECHR has been given effect to in UK law through the Human Rights Act 1998. This makes it unlawful for a public authority to act in breach of the UK's obligations under the ECHR. Decision-makers are in some cases required to assess whether an individual has protection needs related to their rights under the ECHR and this is dealt with through separate guidance on claims for Humanitarian Protection and Family Life.

European legislation

The EU set up the Common European Asylum System (CEAS), consisting of a series of legislative measures at an EU level, which introduced minimum and then common standards in the field of asylum. When a member of the EU, the UK opted into a number of the Directives within the CEAS with the obligations of those Directives being incorporated in UK legislation. The EU Directives themselves are no longer binding; however, any requirements that have been incorporated into UK legislation must continue to be complied with unless changed.

The [Asylum \(Procedures\) Regulations 2007](#) together with the Immigration Rules transposed into UK law, [Council Directive 2005/85/EC](#) (the Procedures Directive). The Procedures Directive articles most relevant to this instruction are Articles 12 to

14 which specifically refer to asylum interviews and set out the requirements before a decision is taken on an asylum claim, including circumstances in which an interview can be omitted and when an interview may be recorded.

Nationality and Borders Act 2022

The [Nationality and Borders Act 2022 \(the '2022 Act'\)](#) made changes to the way in which asylum claims made after 28 June 2022 are determined. The conducting asylum interview guidance v9.0 is relevant to all asylum claims, irrespective of the date that they were made.

However, there are 2 separate instructions for assessing credibility and refugee status depending on the date that the claim was made, and you must ensure you refer to the relevant instruction when preparing for, conducting and/or completing follow up actions in relation to the asylum interview.

You must follow v10.0 of the Asylum Instruction on assessing credibility for asylum claims made on or before 27 June 2022 and you must use v11.0 for claims made on or after 28 June 2022.

There are transitional arrangements in place for individuals who sought to register an asylum claim before the commencement date of 28 June 2022 but were provided with an appointment to attend a designated place to register their asylum application on or after 28 June 2022. The section on transitional arrangements in the assessing credibility guidance contains more details and you must ensure you refer to this before deciding whether transitional arrangements apply.

The Immigration Rules

[Part 11 of the Immigration Rules](#) sets out the provisions for the consideration of asylum claims.

[Paragraphs 339NA to 339ND of the Immigration Rules](#) set out the basic provisions for asylum interviews and reflect our international obligations. These rules set out provisions for you to conduct an asylum interview, the circumstances when you can decide not to interview, a requirement that you treat evidence provided during an interview with appropriate confidentiality, and the provision of an interpreter during the interview.

[Paragraph 339NE of the Immigration Rules](#) introduced in the [Statement of changes to the Immigration Rules: HC667 3 November 2016](#), sets out when you must make an audio recording of the personal interview and applies to all interviews conducted on or after 24 November 2016. See [interview recording policy](#).

[Paragraph 333C of the Immigration Rules](#) enables you to treat a claim as withdrawn if the claimant fails to attend the interview without reasonable explanation. See [non-attendance due to illness](#).

[Paragraphs 339HA to 339N of the Immigration Rules](#) are also relevant to the asylum interview because these set out the legal framework for considering the asylum claim, including that you must consider all the evidence provided by the claimant, including oral evidence provided at interview.

Sections 80B and 80C of the [Nationality, Immigration and Asylum Act 2002](#) set out, for asylum claims made on after 28 June 2022, the circumstances in which an asylum claim may be treated as inadmissible on safe third country grounds (for claims made before that date, [paragraphs 345A-D of the Immigration Rules](#) applied in a similar way). This is relevant because a person's claim may be treated as inadmissible if before claiming asylum in the UK, they were present in, or had a connection to, a safe third country where they were safe and had or could have obtained protection. In some cases, this information may only come to light during the asylum interview. See [inadmissibility on safe third country grounds](#).

[Paragraphs 339QA-QB of the Immigration Rules](#) are only relevant for interviews conducted for asylum claims that were made on or after 28 June 2022 when the asylum related provisions of the 2022 Act came into force. Paragraph 339QA sets out what type of permission to stay should be issued to individuals granted refugee status in the UK depending on whether the individual is a Group 1 refugee (eligible for refugee permission to stay) or a Group 2 refugee (eligible for temporary refugee permission to stay) as defined in [Section 12 of the 2022 Act](#). You must ensure relevant questions are asked during the interview, because if the asylum claim is successful, the information obtained will be used to determine whether the claimant is a Group 1 or Group 2 refugee. See section on differentiation for further information. [Paragraph 339QB](#) sets out what type of permission to stay should be issued to individuals granted humanitarian protection in the UK.

Other legislation

Under [Section 8 of the Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004](#), you must consider certain behaviours when assessing general credibility. You must provide the claimant with an opportunity to explain the reasons for such behaviour during the interview. See [Section 8](#) for more information.

Related content

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Interview arrangements

This section tells you how to arrange and conduct interviews and the behaviours expected of you as a representative of the Home Office when conducting an asylum interview.

Personal conduct

In all interviews, irrespective of whether they are carried out in-person or remotely, you represent the Home Office and are expected to maintain high professional standards and treat claimants with dignity, respect and sensitivity throughout. You must not wear overly casual or inappropriate clothing. You need to be aware of the impact on the claimant of both your verbal and non-verbal communication. Your body language should be open and relaxed and non-threatening, for example, keeping your arms uncrossed, and smiling where appropriate. This will help you to create an environment in which the claimant feels able to disclose relevant and potentially highly personal and sensitive information.

If the interview is to be carried out remotely by Video Conference (VC), you must conduct it from a suitably quiet and private area and be mindful of what the other attendees will be able to see and hear in the background. The standard of dress referred to above continues to apply to interviews conducted by VC. VC interviews can sometimes lose some of the key cues of communication that we all sub-consciously rely on, so it is important to make it clear at the start that you will be taking notes during the interview and will not always be able to look at the camera. You should also make time to look at the claimant regularly and make eye contact and nod and smile when appropriate.

Invitation to interview

Unless one of the exceptions in [paragraph 339NA of the Immigration Rules](#) applies, you must invite claimants to attend an asylum interview using the standard invitation to interview letter template (ASL.0062) adapted to include specific details for the date, time and location of the interview and whether the interview will take place in person or by VC. You must copy this letter to the claimant's legal representative, if there is one on record. See section on [legal representatives](#).

If the claimant, or their legal representative, considers that remote interviewing would not be suitable for them, they must contact the number provided in the invitation to interview letter, and provide reasons why it is not suitable in their case. You may also consider that an individual is not suitable to be interviewed by VC, and you can decide to invite them to an in-person interview instead. See [appropriateness of interviewing by video conference](#).

The asylum interview is an important stage in the process so should not be cancelled or postponed without good reason. If the interview is postponed it should be rescheduled at the earliest opportunity. If the claimant requests a further delay, for example, to obtain a medical report, detailing why they are unfit to be interviewed,

this request should be considered in line with the section on [non-attendance due to illness](#).

If the medical report does not pertain to fitness to interview, the request should explain, in brief, why it is necessary to delay the interview to await the medical report. It is unlikely that an interview should be delayed for a medical report unless that report is about whether the claimant is fit to be interviewed. An interview may establish protection needs without the need for medical evidence, and further supporting evidence can be submitted following the interview. See guidance on medical evidence in asylum claims for more information on considering medical reports in an asylum decision. If the claimant is a child, you must refer to processing children's asylum claims.

Appropriateness of interviewing by video conference (VC)

In some exceptional cases, conducting an interview via VC may not be appropriate, though this will depend on the circumstances of the individual case. When deciding whether to use VC you need to consider whether the claimant has any sight or hearing impairment, mental health issues, learning disabilities or difficulties, or if there are other factors that may prevent a claimant disclosing particularly sensitive information in a VC interview and, in the case of children, whether the use of VC is in accordance with the duty under section 55. For further information on the appropriateness of using VC when interviewing children see processing children's asylum claims guidance.

This does not mean that VC will not be appropriate, but any reasons given by the claimant for not wanting an interview to be conducted by VC must be carefully considered. This may include, but is not limited to, cases involving sexual orientation or gender identity, victims of torture or other trauma where recording was part of the persecution, victims of sexual violence or other forms of gender-based persecution, victims of modern slavery or claimants with mental health conditions. A decision to continue with a VC interview despite a request to the contrary from the claimant should be fully justified and recorded in the claimant's records.

Where you assess, based on the evidence available, that a VC interview is not appropriate, then you should inform the claimant that a face to face interview will be organised (subject to any Covid-19 restrictions in place at the time - refer to the latest guidance on Safe System Of Work (SSOW) for Covid-19).

Alternatively, some claimants with specific needs may prefer remote interviews. These individual factors are something that you must take into consideration when deciding whether to use VC or interview in person.

Where it becomes clear during a VC interview that the claimant is unable to participate fully in the interview process, you must try to establish the reasons why and then take a break, seeking advice from a Senior Caseworker or Technical Specialist as necessary. If the interview cannot continue as a VC interview, it should be rearranged as a face-to-face interview (subject to any Covid-19 restrictions).

In cases where the VC interview is suspended because the claimant is unable to participate fully in the interview process, and is rearranged as a face-to-face interview, decision-makers should take a case-by-case approach as to what point the face-to-face interview starts from. Decision-makers should consider recapping where the interview was suspended and signposting to what will be covered next. Claimants should not be obliged to recount their experience again if it is not entirely necessary.

When a child turns 18 before the substantive interview

If an asylum seeker makes a claim as a child, but their 18th birthday passes before a substantive asylum interview has been conducted, they are legally an adult. An asylum seeker who has recently turned 18 is a young adult and as their asylum claim relates to circumstances experienced as a child, you must take into account their age, level of maturity and experiences when interviewing and deciding the claim. For further details about how to handle these cases, refer to the guidance on processing children's asylum claims.

Children and families

You must follow the asylum instruction on dependants and former dependants in asylum claims, which provides the policy and procedures for considering an asylum claim from a family with at least one child under 18 years of age. You should normally expect the principal claimant to set out protection needs on behalf of their children, and this should avoid putting children through an interview process unnecessarily. However, you have discretion to interview any dependant, subject to age and maturity, where it is appropriate and relevant to do so. This can include, but is not limited to, cases where:

- their individual protection needs, as recorded at the screening interview, have highlighted issues which should be explored independently of the principal claimant
- evidence has been submitted prior to the interview of the principal claimant which indicates interviewing the dependant will assist in making an informed decision on the claim
- evidence arises during the interview of the principal claimant which requires further investigation to make an informed decision

To conduct a substantive interview with a claimant under 18 years of age you must be trained to interview children in line with the standards and procedures set out in the guidance on processing children's asylum claims.

Even if a separate interview is not considered necessary, you must not lose sight of the child as an individual, as well as part of a family during the interview process. You must be vigilant and responsive to their protection and welfare needs and consider how this could impact on the needs of the whole family. You must also be aware that child protection issues may arise in the context of the family unit.

Where a decision is made to interview a dependant, a separate invitation to interview letter must be issued to that dependant. The dependant may wish to obtain legal advice and arrange for a legal representative or, in the case of a child, a responsible adult, to attend prior to the interview. Where a legal representative has already been instructed, they must be informed in advance about any proposed interviews of dependants.

Copies of interview records will be returned to the individual family members or to the legal representative once the related interviews have all been completed. This will also apply to interviews of close family members who are not dependants but who are claiming asylum in their own right.

Childcare during asylum interviews

You must not expect parents to give an account of past persecution in front of their children. This is to protect the claimant's own interests (they may be reluctant to reveal difficult information with a child present) and those of the child, bearing in mind the statutory duty to safeguard and promote the welfare of children.

Claimants who are invited to interview who have young children that require childcare and who are unable to make alternative care arrangements, should contact the Home Office using the contact number provided on the invite to interview letter to discuss options available. This will include whether there is any scope to secure creche facilities at or near the interview location, or whether the interview will need to be rescheduled.

The current sites offering childcare provision are:

- Cardiff
- Glasgow
- Croydon
- Leeds
- Solihull
- Hounslow

The childcare provision varies at each site: some are based in UKVI offices, others are in a nursery facility within a three-mile radius. A leaflet providing relevant information about childcare provision and how to book must be included with the invitation to interview letter. Decision-makers should refer to latest Covid-19 SSOW guidance when considering any issues raised by the claimant with regards to using these provisions.

Certification under Section 94

Section 94(1) of the Nationality, Immigration and Asylum Act 2002 (the 2002 Act) states that the Secretary of State may certify a protection or human rights claim as clearly unfounded. In all cases where a protection and/ or human rights claim falls to be refused decision-makers must consider whether section 94 certification is

appropriate and claims that are clearly unfounded should be certified unless an exception applies.

The Nationality and Borders Act 2022 removed the out of country right of appeal for any claims certified under section 94 on or after 28 June 2022 which means that these cases no longer have a right of appeal against the decision. This applies irrespective of the date that the asylum and any human rights claim was made, so even if the claim was made on or before 27 June 2022, there will be no right of appeal if the claim is certified under section 94.

For further information on certification under section 94, consult the guidance: [Clearly unfounded claims - certification under section 94](#).

Asylum decision-makers who are signed off to conduct interviews and make decisions on asylum claims from adult claimants, and who have undertaken the dedicated section 94 training, can conduct substantive interviews with claimants entitled to reside in the countries listed in section [94\(4\) of the 2002 Act](#) in line with the guidance on section 94 cases and certification under section 94 of the 2002 Act.

Only accredited Second Pair Of Eyes (SPOE) decision-makers, Technical Specialists and Senior Caseworkers (SCW) can authorise decisions on claims from nationals of those countries.

Non-attendance

You must normally require all asylum claimants to attend an interview, except where it may be omitted in accordance with [paragraph 339NA of the Immigration Rules](#). This includes where the claimant is unfit to be interviewed.

Non-attendance due to illness

If the claimant is unable to attend or proceed with an interview due to illness or a medical condition, the claimant or their legal representative must provide a letter or certificate, or another appropriate form of evidence, for example, a fit for work certificate. The evidence must be from a GP, consultant or other appropriately qualified relevant healthcare professional regulated by one of the following regulators:

- [General Medical Council](#) (GMC)
- [Health & Care Professions Council](#) (HCPC)
- [Nursing & Midwifery Council](#) (NMC)

The evidence must be provided either before the interview or within 5 working days after the date of the interview. This must specifically confirm that the claimant was unable to attend their interview on the relevant date and the reasons why.

You will be provided with any updated procedures related specifically to Covid-19 separately and must refer to latest guidance if a claimant states that they are unable to attend an interview on that basis.

If the claimant is detained, it is expected that the interview will be conducted while they are in detention. As with non-detained cases, claimants in detention who do not attend an interview due to medical reasons are expected to provide evidence to support them being unable to attend or proceed with an interview, as soon as practicable and in any event within 5 working days from the proposed date of interview. This is to enable the interview to be rearranged and the asylum claim processed as quickly as possible. Claimants' particular circumstances and continued eligibility for detention must be considered in line with the detained asylum process policy with reference to the adults at risk policy and detention criteria and Rule 35 processes. However, claimants must not normally be released for the sole reason of waiting for medical evidence about their suitability to attend an interview. Refer to the Asylum Policy Instruction on medical evidence in asylum claims for more information.

In all cases, if the claimant has been unable to provide the required details within 5 working days, you should consider any explanation provided, for example, they were admitted to hospital and, if accepted, you can rebook the interview. If no explanation is provided, or you do not consider the explanation to be satisfactory, you should treat the claim as withdrawn.

If the evidence shows that the claimant is mentally or physically unable, for the foreseeable future, to cope with an interview, you must consult a Senior Caseworker, taking into account the requirements of [paragraph 339NA\(vii\) of the Immigration Rules](#). See also [mental illness](#).

If the claimant states that they are unwell at the beginning of or during a substantive interview, you must obtain all relevant information about their health to reach an informed decision on how to proceed. You must establish:

- why they feel unwell
- whether they feel able/unable to proceed with the interview
- whether they have seen a medical professional about any condition, and can provide evidence of this appointment and the outcome, including any diagnosis, as soon as practicable within the 5 working days
- when their condition started and whether they have any diagnosis and/or prognosis from a clinician
- what, if any, medication they have been prescribed and are taking
- how the condition impacts on day-to-day living and how it is affecting them during the interview.
- if the claimant is detained, whether they sought, or tried to obtain, evidence with an emphasis on their suitability to be interviewed in detention prior to the interview
- if the condition is pre-existing and they didn't try to obtain evidence on their suitability to be interviewed prior to the interview, why they did not do this
- when they expect to be better and able to proceed with the interview
- if they wish to stop the interview, under what conditions they think they will be able to proceed, for example once they have taken medication or seen a GP

- whether there is anything you could do to enable the interview to proceed, including referring the claimant to an on-site nurse or other medical professional for a medical assessment

For further information see medical evidence in asylum claims. You may also need to refer to guidance on communicable diseases or consider whether a safeguarding referral is necessary.

On receipt of any medical evidence, you must check that it has been compiled by a suitably qualified, relevant, healthcare professional regulated by the [GMC](#), [HCPC](#) or [NMC](#), and consider the evidence therein to establish when you can rebook the interview or consider whether the interview can be omitted in line with paragraph [339NA of the Immigration Rules](#).

You should explore with the claimant, the implications of continuing or suspending the interview, considering both the need to protect the claimant's health, and the possibility of delays to the process if the interview is suspended. This will include making the claimant aware that suspending an interview may delay a decision on their asylum claim or potentially mean a longer period in detention, depending on the particular facts of the case and the circumstances of the individual.

If after discussion, the claimant agrees to continue with the interview, you must offer breaks as appropriate. You must also regularly check how they are feeling and whether they still feel able to continue at key moments, for example when resuming the interview after a break, or after an episode in which sensitive matters have been discussed.

If you decide that the claimant is not fit to be interviewed, you should cancel or suspend the interview with the claimant's agreement. If the claimant insists on continuing you must consult with an HEO or SEO.

All requests or decisions to cancel or suspend a substantive interview due to sickness must be signed off by an HEO or SEO and all relevant details must be noted on Home Office records.

Non-attendance for other reasons

If the claimant states that they were unable to attend due to severe travel delays or disruption, they must provide acceptable evidence of this, for example, information from the travel company or news reports of severe disruption. You must consider whether any explanation for non-attendance is reasonable. You must not accept explanations such as the unavailability of the legal representative to meet with the claimant before the interview, unavailability of their legal representative or interpreter for the scheduled interview, attendance at college or, where permission to work has been granted, employment commitments.

Treat the claim as withdrawn because of non-attendance

If the claimant does not attend, no explanation is received, contact is lost, and the legal representative is unable to assist, you should normally treat the claim as withdrawn and stop considering it, in line with [paragraph 333C of the Immigration Rules](#). See guidance on withdrawing asylum claims for further advice.

Choice of language

A claimant may have been screened in one language but expressed a preference for the substantive interview to be conducted in another language. Every effort should be made to find an interpreter in the claimant's chosen language. However, if you cannot find an interpreter in their preferred language you must use an interpreter who speaks the language used at the screening interview. You must explain this to the claimant and conduct the interview in the language used at the screening interview, unless the claimant's command of the language is not good enough for the asylum interview. See also [languages at interview](#).

Requests for a male or female interviewer or interpreter

Claimants are asked at the screening interview if they would like a male or female interviewer. They are also asked again in the invitation to interview letter and advised to telephone us if they have a preference and have not advised us already and that we will do our best to arrange this.

When a request for a male or female interviewer or interpreter is made in advance of the interview, you should make every effort to meet this requirement as far as operationally possible. This includes making any requests for a gender specific interpreter clear to the Interpreter & Language Services Unit (ILSU) booking team, by completing the comments section of the booking request. If a claimant's request cannot be met on the scheduled day, the interview should normally be rearranged.

If a claimant states a preference for a male or female interviewer or interpreter for the first time on the actual day of the interview, you must consider whether this can be accommodated. If it can't be accommodated, you must proceed with the interview as planned unless there are any vulnerabilities or other reasons that come to light that suggest the interview should be rearranged. The decision to proceed with, or to rearrange, an interview must be agreed with a Senior Caseworker and noted on Home Office records.

In all cases, you must also be aware of gender related issues, since this may affect how the claimant responds during the interview. See gender issues in the asylum claim, gender identity issues in the asylum claim, and sexual orientation issues in the asylum claim.

Pregnancy and maternity

You can ask expectant mothers to attend an interview until around 6 weeks before the due date for the birth, unless they have been advised not to attend on medical grounds. Any advice not to attend an interview must be supported by a letter from the GP or consultant, or other appropriately qualified healthcare professional

involved in their maternity care, such as a midwife, nurse or health visitor, regulated by the [GMC](#), [HCPC](#) or [NMC](#).

For claimants who have given birth, you must not arrange interviews until at least 6 weeks after the birth. You should consult with the claimant or legal representatives and if there are health concerns for the mother or baby, you should postpone the interview until they are well enough, but you must obtain medical evidence from one of the bodies or individuals listed above to support any further delay.

Friends, companions or supporters

For reasons of confidentiality, you will normally interview a claimant on their own or in the presence of a legal representative or regulated adviser. Exceptionally, however, and with advance notice, you may allow a friend or other companion of the claimant to be present to provide emotional or medical support. For example, if an interviewer of the requested gender has not been possible. Alternatively, a claimant may benefit from the presence of a supporter from their faith group or non-religious organisation before or during the interview, and this can also be accommodated exceptionally and where advance notice is provided.

However, you must keep in mind the need to safeguard against the possibility that a trafficker or smuggler may use this as an opportunity to influence or monitor the claimant's asylum claim. You must therefore first establish with the claimant alone whether they are content for the friend, companion or supporter to be present during the interview. The interviewer must also consider whether the claimant might be under the control of a trafficker. If it is a known or suspected trafficking case, the identity of the friend, companion or supporter should be carefully considered.

A friend, companion or supporter must **not** be permitted to attend if they:

- are a family member
- are seeking asylum separately themselves
- have any obvious personal interest in the outcome of the claim
- have engaged in providing legal advice to the claimant

Whilst it is important to keep the presence of a friend, companion or supporter to a minimum, you must discuss any request from the claimant with a Senior Caseworker and accommodate this if there are exceptional circumstances which would mean that this is appropriate.

A friend, companion or supporter can be admitted on condition that they are there solely to provide emotional, medical or spiritual support. They must not intervene during the interview unless it is to raise a welfare or safeguarding concern with the claimant, using the Home Office interpreter. You must observe and record this interaction and then complete your own welfare check. A friend, companion or supporter must observe complete confidentiality afterwards. You must explain this to the claimant as well as any friend, companion or supporter, so that they are fully aware of what is expected. If you become concerned about the behaviour, conduct or interventions of the friend, companion or supporter during the interview, the interview must be suspended, and you must consider whether it is appropriate to ask

them to leave. This may involve speaking to the claimant separately or discussing the case with a senior manager, depending on the circumstances.

Religious festivals

You must be sensitive and respectful of any religious beliefs and practices. However, asylum is an important matter and you must normally require claimants to attend an interview even if the date coincides with a religious festival or a period of fasting. For reference purposes, [the interfaith calendar](#) provides the relevant dates for religious festivals. Further information on religions and faiths can be found at [the inter-faith network for the United Kingdom](#).

Health, safety and risk assessments

You must check the file, database notes and any special conditions in advance of the interview, in case of any known risk factors relating to the claimant, such as previous verbal or physical abuse, threats to commit suicide or self-harm or criminal convictions. You must inform security and management if there is reason to believe that a claimant could be a danger to the safety of themselves, interpreters, other claimants or staff, so that they can take steps to manage any risk.

Interviews in prison

You must contact the prison to arrange a time and date for the interview and, once arranged, serve notice of the interview on the claimant.

Official – sensitive: start of section

The information on this page has been removed as it is restricted for internal Home Office use.

Official – sensitive: end of section

You must have completed level 1 and 2 personal safety training (PST) before conducting an interview in prison. You must arrange and conduct interviews in line with this guidance. You must expect the claimant in prison to attend any interview. Any explanation for non-attendance must be considered in line with the [non-attendance policy](#).

You must notify a claimant's legal representative where an interview is taking place in prison, giving adequate time for them to arrange to advise their client and if appropriate attend the interview. Where a claimant is unrepresented you must allow adequate time when scheduling the interview for them to seek legal advice and communicate with any legal representative, bearing in mind restrictions on the legal representative calling clients in prison.

Recording interviews in prison

If you are conducting an asylum interview in a prison and recording facilities are available, you must follow the [interview audio recording policy](#), in addition to the written record of the interview. If the claimant is an EEA national and the subject of extradition proceedings, and if an interview is needed, you should request the European arrest warrant by email from the National Crime Agency before the interview date, so that it is received in time for the decision.

Detained Asylum Casework

Interviews in detention must take place in accordance with the policy on Detained Asylum Casework.

Video conferencing (VC)

Where the interview is conducted by VC, the claimant, interpreter and interviewing officer may be in separate locations. You must explain the process at the start of the interview so that the claimant is fully aware of what will happen and how the technology works. You must ensure that everyone has correctly positioned the headsets and/or microphones and that all participants can be clearly heard throughout the interview, and the interviewer and the claimant can see each other at all times. If a legal representative is present with the claimant, or joining remotely, use a microphone and ensure all parties can hear each other. Processing children's asylum claims guidance should be taken into account when interviewing children.

As with face-to-face interviews, it is just as important in a VC interview to take time, before the formal interview begins, to help the claimant feel at ease and ensure that they understand the purpose and significance of the interview in the asylum process. You must create a suitable atmosphere and conditions – including an effective introduction, inquiries about the wellbeing of the claimant, and regular breaks to ensure the most complete and accurate disclosure of information. Good rapport should be maintained with an open and receptive approach to the information being given.

You can make a remote interview more effective by:

- welcoming the claimant and ensuring reciprocal introductions at the beginning of the interview
- checking that all participants attending by VC can clearly hear and see each other (and if the interpreter is attending by audio only, that they can hear and be heard)
- advising the claimant that you will be typing and may need to refer to notes during the interview and that you will be listening even though you aren't able to look at the camera all the time
- frequently looking up and maintaining eye contact with the claimant
- checking the claimant's understanding often
- explaining the process you are following, for example, "I am just pausing now so that I can write up some notes before I ask you another question"

- offering breaks at suitable opportunities, and checking the claimant is okay at key moments, for example when resuming an interview after a break, or after discussing sensitive matters

You should inform the claimant that a transcript of the interview record will be provided following completion of the interview and let them know any arrangements for receiving a copy of the digital/audio recording. See section on [providing a copy of the recording](#).

You should make it clear to the claimant that there is no video recording being made of the interview, only an audio or digital recording. If the VC connection fails or there is a problem with the technical equipment and you can no longer hear or see the claimant, you must take a break and not continue until the issues have been resolved. If the VC connection cannot be re-established or the technical equipment cannot be fixed, and there is no alternative interview room available, the interview must be rearranged.

Remote interviews and interpreters

If the interview is to be carried out remotely, VC options should be used wherever possible, to ensure the interpreter is seen, but where this is not possible, an interpreter may join by telephone or another audio connection. This may occur due to issues on the day in operating the technology, or because the relevant interpreter cannot join a scheduled interview by video link. You should consider whether there are any reasons why it would not be suitable for the interpreter to be 'unseen' and join by audio only. Generally, the fact that an interpreter cannot be seen should not be a cause to delay or cancel an interview.

If the interpreter is joining by telephone or other audio connection, you must check that that everyone can hear each other and understand each other at the outset and make clear that if at any time communication is unclear the interview will be suspended until the problem is rectified. If the interpreter or method of communication changes during the course of the interview, you must check again that everyone can hear each other, that the claimant and the interpreter can still understand each other, and that the claimant is content to continue with the interview. For further information see section on [interpreters](#).

Submission of documents in VC interviews

Claimants are advised in the invite to interview letter that they should send in any documents or other evidence in support of their claim before attending the interview. Claimants are advised that they should provide documents by email where possible to the email address provided in the invite to interview letter. The letter explains that all foreign language documents must be translated into English and certified as authentic translations of the originals. Claimants are advised to show copies of any documentation they wish to submit to their legal representatives before the interview and that they will help obtain translations. If any claimants are not represented or cannot provide translated documents, they should explain why during the interview.

If VC interviews are taking place in Home Office premises, you can arrange for documents to be submitted on the day of the interview if it hasn't been possible for them to be submitted in advance. These should be scanned by administrative staff facilitating the interview and sent immediately to the interviewing officer by email. Note that in compliance with Safe System Of Work (SSOW) for Covid-19, this task might take place at a later stage, though should be completed as soon as is reasonably practical. Irrespective of when or how documents are submitted, you must still establish their relevance to the claim and ensure claimants have been given a suitable period to submit them. See [submission of documents at interview](#).

Safeguarding in VC interviews

Asylum administrative or reception staff will provide a single point of contact (SPOC) for decision-makers undertaking the VC interview in case safeguarding issues arise during the interview that require immediate attention. This may include instances where the claimant is distressed and requires assistance in the room, where they become unwell, or where issues arise in respect of the legal representative or interpreter. Administrative or reception staff will then attend the interview room to advise and escort the claimant as necessary.

In addition, you should contact the relevant administrative team or reception ahead of an interview where there is evidence that the claimant may have particular vulnerabilities, or where there may be security or safety concerns for anyone attending the interview. Panic button facilities are also in rooms should immediate assistance be required.

Related content

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Interview recording policy

This section tells you how to arrange and conduct an asylum interview in line with the policy of recording all interviews. It also tells you how and when to provide copies of transcripts and audio recordings. For information on data protection policy see guidance on disclosure of information in asylum claims.

Digital interviewing capability is part of the Home Office's aim to become digital by default. The term 'digital interviewing' covers both the typed interview transcript and the audio recording when the digital interviewing software has been used to capture the record of the interview. When the digital interviewing software is available, this is the preferred way of capturing and providing a copy of the interview record both for the transcript and audio recording.

When digital interviewing software is not available, the transcript must be typed in word (or handwritten if there is no other alternative). The interview must also be audio recorded by other means (subject to audio recording exemptions).

Transcript of interviews

[Paragraph 339NC of the Immigration Rules](#) sets out that a written report needs to be made of every interview and that the claimant should have timely access to the report to allow for any appeal.

Audio recording interviews

[Paragraph 339NE of the Immigration Rules](#) sets out when you must make an audio recording of the personal interview and applies to all interviews conducted on or after 24 November 2016.

Where the appropriate digital interviewing software or other audio recording equipment is installed (and an [exemption](#) does not apply), as a matter of policy, you must ensure that the substantive asylum interview is audio recorded.

Inform the claimant

The [point of claim leaflet](#), the screening interview form and the invitation to interview letter (ASL.0062) all include information on the recording policy. You must check the Home Office file to ensure that the claimant has been informed about the policy before starting an interview that will be recorded.

Exemptions to audio recording interviews

Wherever possible you must make an audio recording of the substantive asylum interview. However, in some cases, claimants may request that the interview is not audio recorded. Claimants must notify the Home Office of such a request before the scheduled date of the interview, stating their reasons why the interview should not be audio recorded. Acceptable reasons may include, for example, where a claimant has

been subject to torture that involved the recording of their abuse, but other reasons must also be considered. In most cases, a letter from a GP, consultant or another clinician registered with the GMC and involved in the current care or treatment of the claimant should be provided, setting out the reason why it would not be appropriate to record the interview.

Refusal on non-compliance grounds

Where the claimant fails to provide a reasonable explanation and relevant supporting information as to why their interview should not be audio recorded, you must expect them to continue with the interview as arranged.

You must advise the claimant that if they fail to attend and complete the interview, their claim may be refused on non-compliance grounds or treated in line with the withdrawing asylum claims policy. Such action may be appropriate if they:

- refuse to comply with the recording policy because they prefer not to be recorded
- fail to provide a reasonable explanation
- fail to provide any supporting evidence as to why their interview should not be recorded

Failure of audio recording equipment

It is Home Office policy to audio record asylum interviews unless the [exemptions policy](#) applies. However, if the digital audio recording equipment fails or is temporarily not available and there are no other permitted options to audio record the interview, you should still proceed with the interview if the claimant agrees to the interview being conducted without an audio recording being made – they will still receive a typed transcript of the interview. In this case, you should offer to delay the start of the interview to enable the claimant to speak to their legal representative. If the claimant confirms that they want to have the interview audio recorded, you must either source an alternative means of recording or re-arrange the interview.

If the audio recording equipment fails during the interview and a legal representative is present, and there haven't been any issues raised with regards to interpretation, you must normally continue with the interview.

If the audio recording equipment fails during the interview and there is no legal representative or there have been issues with regards to the interpretation of the interview, you must consider rearranging the interview with the claimant's agreement.

You must only accept a request for a second interview so that an audio recording can be made if the first interview was not audio recorded and the claimant did not agree to it not being recorded, or if there are serious concerns about the way the first interview was conducted. A decision to re-interview must be authorised by a Senior Caseworker.

Provide a copy of the transcript

Where the claimant and interviewing officer are in the same location as each other, you must provide the claimant with a copy of the transcript at the end of the interview. You must ask the claimant to sign the acknowledgement section on the original copy of the interview transcript to confirm receipt. This is solely to confirm receipt and not to agree the accuracy of the contents, but if they are unhappy and refuse to sign, you should make a note of that.

If the digital interview software has been used, you must also provide a copy of the digital transcript and audio recording by MOVEit provided that the claimant's legal representative has access to the portal and has agreed to it. You can check the central database to confirm if they have access.

Where the claimant and interviewing officer are not in the same location, the transcript must be sent to the claimant or their legal representative as soon as possible and in time for any appeal to be lodged. If the claimant has a legal representative, the most secure way to send the interview transcript is via the MOVEit portal. If the claimant's legal representative has a MOVEit account and has agreed to this method of service, you must transfer both the digital typed transcript and audio recording via the MOVEit portal.

If the claimant and interviewing officer are not in the same location and sending the transcript by MOVEit is not an option, you must ask the claimant for their consent to send the transcript by email. Speak to your SCW for advice on how to do this. If the transcript cannot be sent by email, you must send it out by a tracked delivery service such as Royal Mail Recorded Delivery. This should be communicated to the claimant at the end of the interview.

Provide a copy of the audio recording

If the interview is taking place by VC and the claimant has a legal representative with a MOVEit account, you must explain that the most secure way to send the interview recording is via the MOVEit portal. If they agree to this method of service, you must transfer both the digital typed transcript and audio recording via the MOVEit portal. Where MOVEit is not an option, the audio recording will only be available if requested by the claimant or their legal representative. If a request for the audio recording is made, it must be sent by a tracked delivery service such as Royal Mail Recorded Delivery to the claimant or their legal representative (as appropriate).

Requests to read over the interview transcript

You should only read over all or part of an interview with the claimant in exceptional circumstances. You should remember that a read-over could be inappropriate for someone with evidence of trauma or where a particularly lengthy response from the claimant has been summarised. If considered necessary, you should note this on the interview record, together with the reason why. Both you and the claimant should initial any amendments or additions to the interview record.

Other requests for interview audio recordings

You must not agree to any request to play back the recording. You must not allow claimants or legal representatives to use their own recording equipment during an asylum interview, but you should allow a legal representative to use a laptop to take notes if it does not distract the claimant. You must not remove recordings from a secure office environment. This is a breach of confidentiality and is contrary to Home Office policy.

Related content

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Interview: preparation and structure

This section tells you how to effectively prepare for an asylum interview and the standard procedures that you must follow, including beginning the interview and taking breaks. In preparing for the interview, you must double check the date that the asylum claim was made to ensure that your interview enables the claim to be considered under the relevant Immigration Rules appropriate to the date of the claim.

Preparing for the interview

To prepare for the interview you must read the claimant's reasons for making the asylum claim in the screening form, preliminary information questionnaire, witness statement, or other relevant information in the case file, such as information about the claimant's visa application records, and relevant country reports or country guidance, including case law. You must:

- consider how you will put the claimant at ease and establish rapport – are there wider or more neutral topics with which you could start the interview
- prepare broad lines of enquiry, to focus the interview on important issues and avoid wasting time on irrelevant questions
- be familiar with any relevant Country Policy and Information Notes (CPINs), and any other products such as COI responses produced by the Country Policy and Information team (CPIT)
- review any special conditions and security checks alerts in relation to the claimant on relevant databases
- check the information already held about the claimant to ensure any relevant referrals, for example safeguarding, have been made and check for any response or actions arising – if you identify a referral is required but hasn't already been made, you must action it as soon as possible
- consider any evidence already available and the brief information provided at screening about the individual and family
- be alert to evidence relating to claimants having been present in or having a connection to safe third countries in relation to inadmissibility: safe third country cases
- consider any evidence or indication of vulnerability or trauma, such as being a survivor of torture, and prepare your interview approach, for example, face-to-face rather than VC, and lines of enquiry with that in mind
- consider your approach in light of any evidence or indication of vulnerability or trauma as this could affect the claimant's ability to remember peripheral detail
- take into account any medical evidence when preparing for and conducting the interview, including making any necessary adjustments to the content of the interview
- pay particular attention to the situation of any children present in the UK in line with the Asylum Policy Instruction on dependants and former dependants
- consider ethnic origin, religion or belief, education, employment and social status, as well as age, gender issues, sexual orientation or gender identity, disability, mental health, or nationality (or lack of)

- ensure the interview starts on time, but if delay is unavoidable, inform the claimant as a courtesy

Biometric Residence Permit

You should check Home Office records before the interview to see if the claimant and any dependants have enrolled their biometrics. If they have not, you must issue a new Biometric Enrolment Letter to the claimant and any dependants.

Emergency Travel Document (ETD) application

If necessary, in order to provide return documentation if the asylum claim is refused and appeals rights are exhausted, you must follow the instructions for the ETD application process.

Start the interview

If the interview taking place is face to face, you must ensure that you adhere to any requirements set out in the conducting interviews section of the SSOW Covid-19 guidance.

You must take time, before the formal interview begins, to help the claimant feel at ease and ensure that they understand the purpose and significance of the interview in the asylum process. When opening the interview, you must:

- introduce yourself and anybody else in the room or attending the interview remotely not known to the claimant
- be satisfied that the claimant is the person who has been requested to attend and is the subject of the case file – [see verifying identity](#)
- if the interview is being conducted by VC, explain the process and the technology to the claimant and introduce everyone connected to the session
- inform the claimant of the evacuation procedure in the event of a fire alarm during the interview
- explain that the claimant may request a break at any point if they are tired or if they are finding the process difficult or upsetting
- explain the safeguarding protocol in place to support the claimant should they need urgent assistance
- confirm that the address provided by the claimant is correct and already recorded
- explain that all information provided will be treated in confidence and that no asylum information will be disclosed to the authorities of the claimant's country of nationality or, if stateless, the country or territory of former habitual residence
- explain that information may be disclosed to other government departments or organisations to help them discharge their functions, but nothing will be shared that may put the claimant or their family members at risk of persecution or serious harm
- confirm that the claimant understands the interpreter and, if not, investigate the reasons with the claimant and interpreter, establish whether there is sufficient

understanding to continue and, if not, find an alternative interpreter or postpone the interview – see [languages at interview](#)

- confirm that the claimant is ready to be interviewed and provide reassurance that you will assist in obtaining and assessing all the available information relevant to the claim
- explain that the claimant should not feel obliged to answer upsetting questions, that it is reasonable for them to interrupt the interview to say if they feel too upset to answer questions on a particular subject or if they need a moment to gather their thoughts or even stop the interview
- ensure the claimant is feeling fit and well enough, both physically and mentally, to proceed with the interview

Verifying identity

The identity of the claimant must always be checked at the start of every asylum interview to ensure they are the subject of the case file who has been requested to attend the interview. This applies whether the interview is being carried out in-person or remotely via VC.

You must ask the claimant to show their Application Registration Card ('ARC') and use this to conduct a visual check to ensure the photo, name and reference number matches Home Office records and the individual attending the interview.

If the claimant does not have their ARC, identity can also be verified by checking whether the claimant who is attending the interview, matches other existing photographic data that is held by the Home Office. For example, photographs taken during the screening interview, or other ID or passports on file. If you have any doubts, you should refer the case to a Senior Caseworker for a second opinion and to authorise the interview can go ahead if they are content.

If any doubts remain, you will need to arrange for the claimant's fingerprints to be checked against the fingerprints already held by the Home Office. This may mean that the interview needs to be rescheduled.

You must confirm in the interview record and on CID or in the 'interview outcome' screen on Atlas that you have verified the claimant's identity and you must provide details of what checks you have completed.

Anyone else attending the interview will also need to have their details checked and recorded, for example a responsible adult, support companion, interpreter and legal representative (including a check that they are properly authorised to act).

If there is an issue that cannot be resolved, it should be escalated to the National Workflow or Asylum Chief Casework team, depending on the nature of the question.

Written statements

If a witness statement, Preliminary Information Questionnaire (PIQ), or other written evidence has been submitted before the interview, you must establish who wrote

and submitted the evidence. You must ask the claimant if they have read and understood the content of the evidence and if they agree with it. If the claimant indicates they have not had the written evidence read back to them in full in a language they understand, even if they have signed it, the interview should be suspended, and the situation clarified with the legal representative. You should note any response or explanation provided by the legal representative on the interview record.

Preparing for an interview by reading any written evidence will enable you to ask focused and probing questions that address the issues raised in the statement or PIQ, allow the claimant to explain any apparent discrepancies, and test their knowledge of the contents.

Documents and other evidence at interview

If documents are submitted at interview, you must list them on the interview record. You must also make a note of any documentation referred to that has been submitted remotely. (See: [submission of documents in VC interviews](#)).

You must ask the claimant when and how the document was obtained and its relevance to their claim as this will help establish reliability during the asylum decision making process. If you accept the submission of an 'original' document, this does not imply that its authenticity is accepted.

You should also clarify whether the claimant's legal representative has had sight of the documents. If the claimant indicates that they have not, take photocopies of the documents and advise the claimant to show them to their legal representative.

See the guidance on safeguarding valuable documents and the section on [submission of further evidence](#).

The section below details the different approaches that you must take depending on whether the documents are produced in the UK or overseas.

Overseas documents

If a claimant produces an original overseas document, for example, official certificates or arrest warrants, you must ask questions surrounding content, relevance to the claim and how and when it was obtained. This will go towards establishing reliability. When you consider the weight to attach to any overseas documents, remember that it is for the claimant to show that the documents can be relied on. This principle was set out by the Immigration Appeal Tribunal in [Tanveer Ahmed \[2002\] UKIAT 000439](#), and further information on considering the evidence under this principle is available in the guidance on assessing credibility and refugee status.

If the claimant or any dependant submits a passport or other form of identification such as birth certificates or identity cards, you must retain them as they may be required for documentation purposes at a later stage. For advice on retaining

documents, see the guidance on [drafting, implementing and serving asylum decisions](#).

If the claimant submits a document in a foreign language, you must ask what it is and what relevance it has. If the document is or could be useful, you must give the claimant an agreed period to submit a translation, noting this on the interview record.

UK documents

The principles outlined in the Tanveer Ahmed case apply to overseas documents and should not be cited in reference to UK documents. However, you should not necessarily accept UK documents uncritically.

Documents from the UK which may be submitted by claimants include for example, expert reports leaflets or photographs from UK-held demonstrations, or membership cards for UK based wings of overseas political organisations. You must ask relevant questions during the interview so that consideration can be given to content and relevance of the evidence to the claim.

Medical reports are explained in detail in the medical evidence in asylum claims guidance and are dealt with under separate principles.

When considering expert reports, decision-makers should consider issues such as the author's impartiality, qualifications or experience when assessing the evidence presented to them.

Breaks in the interview

Irrespective of whether the asylum interview is carried out remotely or face-to-face, it is likely to be demanding on the claimant, interpreter and you as the interviewer, and a break may on occasion be needed. You should inform the claimant at the start of the interview that they can request a break if necessary and make clear this will not affect their claim. You can take a break if, for example, you need a rest or need to check a statement against country-of-origin information before the claimant leaves the office.

You must be mindful of the effects of asking questions about traumatic events and offer breaks where appropriate, for example, after the claimant has been recalling painful memories and wishes to pause and collect their thoughts. You must record details of the duration and reason for the break and record if the offer of a break is not accepted, perhaps because the claimant prefers to complete giving evidence on a particular point. After a break taken because the claimant has become distressed, you should ask them if they are feeling ok to continue. If yes, begin the interview again by asking if they have more they would like to add to the previous answer, or if they prefer to move on. You should not automatically switch to a new topic without comment on the preceding distress.

If the claimant is taken ill in a face-to-face interview, you must call security to request medical help. If they are taken ill during a VC interview, you must request medical

help through your onsite safeguarding SPOC that you will have been provided contact details for prior to commencing the VC interview. You must arrange for the interview to be rescheduled and record the reasons on the interview transcript. You should not provide a copy of the interview record until the interview has been rebooked and concluded.

If you become ill and are unable to continue, and it is impractical for another member of staff to take over, you should suspend the interview and rebook it. If the interpreter becomes unwell, you should first call a break and try to find another interpreter to continue, if possible. If you cannot find another interpreter, suspend and rebook the interview.

Aggressive or threatening behaviour

Personal safety training is compulsory for anyone undertaking an asylum interview.

You are responsible for maintaining control of the situation in the interview room. You must remain calm if provoked and maintain a friendly but firm manner, but you are not expected to continue an interview in the face of abuse or aggression. If you feel at risk of physical harm, you must notify security immediately and stop the interview. You must never try to restrain or detain anyone.

You must report all incidents of threats and abuse to your line manager. Your line manager must then complete the accident report form as soon as possible after the incident has been reported. It is a legal requirement to report and investigate accidents, injuries, assaults, near misses, verbal abuse and threatening behaviour. For further advice refer to the accident and incident reporting guidance.

Family reunion

It is important to obtain full details of the claimant's partner and children during the asylum process so that well-informed and prompt decisions can be made on any subsequent family reunion or settlement applications made under [Part 8 or Part 11](#) of the Immigration Rules.

Those who apply for family reunion in line with Paragraphs [352A and 352D](#) or [352FA and 352FG](#) must demonstrate they are related to the sponsor and that the relationship existed before the sponsor fled their country of origin. Where the sponsor's asylum claim explicitly refers to a partner and / or children, this provides a strong indication that they formed part of the pre-flight family unit. You must also be aware that there may be other family members who were dependent and living as part of the family unit before the claimant left and where this is the case, details should be recorded.

Information needed:

- the asylum claimant's marital status and date of their marriage (if married) or date relationship began (if unmarried)
- partner's name and date of birth

- partner's town/city and country of birth
- partner's nationality
- explanation of where the partner is now and when and how the claimant last saw them or had contact with them (including whether they have ever lived together)
- partner's contact details, including telephone number and email address
- details of any children (including adoptions), including names, dates of birth, and place/country of birth
- explanation of where any children are currently located and when and how the claimant last saw them or had contact with them

Gathering information

Relevant information should have been gathered during the screening interview or provided on the PIQ where this has been completed. However, not all claimants will complete a PIQ and there may be cases where questions were not asked during the screening process.

When preparing for interview you must check all of the evidence available on file, including the PIQ and any statements they have submitted, and where information about their partner and children is missing or incomplete you must ask additional questions during the substantive asylum interview or follow up in writing to the claimant or their legal representative before making a decision. You only need to obtain this information if it isn't already available on the claimant's file.

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Investigating the asylum claim

This section tells you how to conduct the asylum interview, the areas that must be covered and the interview techniques that should be used.

Principles and standards

The asylum interview is central to the process of gathering and assessing the information you need to decide if the claimant requires international protection. The burden of substantiating a claim lies with the claimant, who must establish to the required standard of proof that they qualify for international protection. For further information see [assessing credibility and refugee status guidance](#).

The asylum interview is not the only means of gathering information, but the quality of the interview will normally determine whether you can assess credibility in a fair way and reach an informed decision about the claimant's protection needs. You must apply the principles and standards set out below, bearing in mind that an open, empathic manner is more likely to ensure that a claimant gives their testimony in full.

The interview will involve:

- **shared responsibility** – whilst the burden of substantiating the claim rests with the claimant, the interview is a co-operative process in which you must assist the claimant by:
 - establishing the relevant aspects of the claim
 - encouraging the claimant to disclose all relevant information
 - obtaining, exploring and assessing the relevant information
- **individual assessment** – you must conduct the interview on an individualised basis, and you must take into account:
 - the particular background and circumstances of the claimant
 - any fear relevant to their dependants in the context of the family unit or as individuals – see [dependants and former dependants](#)
 - any individual factors which may affect how a claimant responds to your questions – see [individual factors](#)
- **objective and impartial assessment** – you must:
 - not prejudge the claim or approach the interview with scepticism
 - be aware that your own values, beliefs, prejudices and views can affect the objectivity of your assessments in order to avoid them influencing the conduct of the interview
 - explore credibility issues as the interview progresses, but be aware that it will not be possible to make a balanced assessment until all the evidence is considered in the round to the required standard of proof – see [assessing credibility and refugee status guidance](#)
- **focus on material facts** – you must:

- ensure you are familiar with the required standard of proof against which the claim must be assessed as set out in the assessing credibility and refugee status guidance relevant to the date that the asylum claim was made.
 - focus on facts which can be identified as key issues in the asylum claim in light of available country reports and case law
 - be mindful that, although claimants are required to establish their claim to be in need of protection, you must properly and thoroughly investigate key issues and ask relevant questions to help ascertain the material facts, the credibility of the account and the likelihood of future persecution to the required standard of proof
 - avoid unnecessarily detailed, prolonged, and exhausting interviews
 - examine the claimant's personal experiences and verifiable details such as published facts about key events or incidents
 - establish the background to the way in which the individual lived and worked in the country of origin or former habitual residence, as well as, for example, their involvement in one political party rather than others, or the reasons for and the circumstances of their conversion to a particular religion or belief
- **establish nationality** – you must:
 - clearly establish the claimant's nationality and if any doubts exist, refer to nationality: doubtful, disputed and other cases
 - confirm that the interpreter is translating questions regarding nationality correctly, and ensure that they do not paraphrase in a way that will lead to incorrect attribution of nationality where none exists or where nationality is uncertain
 - use careful wording in questions seeking to establish nationality, bearing in mind that a claimant may identify with a nationality but might not be legally recognised as a national of that country by its authorities – for further guidance see: statelessness and applications for leave to remain
 - ask follow-up questions to correctly ascertain and record a claimant's nationality
 - consider the need to conduct language analysis testing, see asylum instruction on language analysis
 - note that in most cases a claimant who has a passport or other identity document from a country is considered to be a national of that country. However, as this may not always be the case, it should not be automatically assumed.
 - **testing of potentially significant adverse credibility findings** – you must give the claimant the opportunity to:
 - explain any contradictions which become apparent in their answers
 - explain or clarify any significant inconsistency with information the claimant previously provided in writing or at the screening interview
 - clarify any statements that appear to be inconsistent with known country reports, appear to make no sense, or seem implausible

If you do not ask the claimant to explain a contradiction or inconsistency and the claim is subsequently refused on credibility grounds because significant elements in the account are considered untrue or implausible, there is a real risk that the decision will be flawed. You must also explore in more detail if there is a significant

lack of information or gap in the account. You should not seek every detail exhaustively, but you should remember that the credibility of an account cannot be dismissed on grounds of a lack of detail if the questioning during the interview did not attempt to bring out those details.

Individual factors

You must be aware of the factors which can affect the task of obtaining information at interview and the subsequent assessment of credibility. This applies irrespective of whether the asylum interview is carried out remotely or face-to-face, and may include, but is not limited to:

- past treatment by authority figures in the country of origin or former habitual residence
- the level of education or literacy levels of the claimant
- language barriers to communication and the necessity of using an interpreter
- the ability of the interpreter to present an accurate representation of the claimant's responses
- the social and cultural position of certain members of society, for example, some women may not be used to being heard and may find it difficult to disclose information about certain issues, for example sexual or domestic abuse
- understanding the claimant's statements must also take into account individual factors unique to the claimant including, but not limited to:
 - age, gender, sexual orientation, gender identity
 - culture, social and economic status
 - education, religion, beliefs, values
 - state of mental and physical health
 - personal experiences in the country of origin (or habitual residence) and on the journey to the UK
 - the effect of traumatic events, including torture or other ill-treatment
 - the working of the human memory - its fallibility and its strengths
 - effects of being stateless, which may include, but are not limited to, lack of documents, lack of formal education, depression or anxiety, and fear of authorities

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Interviewing techniques

You must be aware of different interview techniques set out below.

Open and closed questions

It is often helpful to begin with open questions, allowing the individual to give their account uninterrupted as far as possible, and then to continue with focused follow up questioning. Once you have established the outline of the claim, you should normally ask further questions to gather more detail about the claimed events.

This would include:

- “tell me more about...?”
- “when did it happen?”
- “where did it happen?”
- “can you estimate how many people attended the demonstration?”
- “who led it?”
- “did you understand it to be legal or illegal?”
- “do you know if it was reported in the media?”
- “do you know when it was reported?”
- “do you know where the report was published?”

You should avoid compound questions (asking multiple questions at once) and anything complex should be simplified and broken down. For example, “Was it reported in the media – and if so when and where?” may be too complex, especially for vulnerable claimants who may have difficulties with memory and concentration.

It is better if you ask the claimant one question at a time. If the response indicates that the claimant may not have fully understood the question, you should ask again and make it as simple as you can. You should use both open and closed questions as both can be of value in an interview.

Closed questions are useful to draw out a statement of fact, for example:

- “when did the demonstration take place?”
- “did you take part in that demonstration?”

Closed questions should be supplemented with open questions to avoid restricting the claimant’s account.

Open questions are useful in giving the claimant the opportunity to give a full and open answer, and generally begin with “what” “why” or “how”. You should use open questions try to draw out descriptive and/or more detailed factual information, such as an account of a situation or event, or an opinion. You should consider using the following questions:

- “what happened next?”

- “if you feel able, tell me more about what happened after that...”

You will often need to ask follow-up questions to probe exactly what happened and what the claimant thought or did. However, where appropriate, you must avoid interruptions when open questions are being asked, as this can restrict an individual’s account, and risks relevant information being missed.

You should explain to the claimant that if they cannot remember a specific detail about an event, for example, the exact date it took place, they should explain what they can remember.

You must ask questions which may go to the heart of the credibility of the claimant’s alleged fear, for example, “Was there a reason that you did not leave the country for [insert number] months?” “Can you tell me about what was happening during this period?” “Were you able to make arrangements for the safety of your family?” “Were you able to contact or obtain news of your family?” But you should be careful not to phrase this type of question to imply scepticism about the reality of the danger or to suggest criticism of the claimant’s conduct in leaving the country without their family.

Summarise and signposting

It is good practice to summarise the information the claimant has provided to you. You can use it to check that you have obtained the correct details, for example, “So you were mainly involved in distributing leaflets?” “Your sister was a member of the group – is this correct?” If you summarise at points in the interview, you will also reassure the claimant that you are listening and the information they are sharing is being properly recorded. You must ensure you are accurate when summarising and that the claimant is content with the summary. If necessary, you should emphasise that you want to get as clear a picture as possible and encourage the claimant to correct any misunderstandings.

You can use ‘signposting’ to inform the claimant what you are going to ask questions about, especially if it is about a completely different part of the claim, for example, “I’d now like to talk to you about your other arrest” or “You said earlier that your daughter was attacked. I am now going to ask you more about that incident.”

By using signposting, you can:

- increase a claimant’s sense of security about being interviewed
- reduce the likelihood of confusion over which incident is being discussed
- draw a section of the interview to a close where no further questions are needed

Verifying witness statements and other evidence provided

You should explain to the claimant that you need to gather enough evidence during the interview to be able to properly consider and determine their asylum claim and as part of that you are giving them an opportunity to clarify anything that appears to be implausible or inconsistent.

You must address any contradictions between the written statements or other evidence, including documentary evidence, submitted in support of the claim, and oral evidence provided by the claimant during the interview. You can do this by inviting the claimant to clarify any apparent differences in accounts given. You must also address any evidence that the claimant does not understand what has been written on their behalf.

Whilst an interview should not amount to a test of the claimant's memory, for example, their ability to recall specific dates, it is important to ask appropriate questions to confirm the veracity of statements made. If the claimant is unable to remember significant elements of their written evidence or contradicts such evidence, it may call into question the veracity of the information in those documents, though you must give the claimant an opportunity to explain any such discrepancies. However, you should try to avoid simply asking the claimant to repeat information that they have already provided in the statement or PIQ.

Exploring sensitive topics

When asking about sensitive matters, including torture, gender-based persecution, loss of family members, health difficulties, injury and modern slavery, the following techniques can help you navigate the issues with sensitivity, and mitigate the distress that claimants may feel when discussing them:

- signpost sensitive topics before questioning
- ask for active consent to probe further where further questioning may cause distress
- if follow up questions are needed, explain/reiterate the purpose of the questions
- acknowledge sensitive disclosures as relevant, even if they do not directly answer the question you have asked
- avoid interruption when a claimant is making a sensitive disclosure

In some cases, it will be helpful to introduce a sensitive topic before asking a question, for example "I am now going to ask you about your family", or "this is going to be a health question", or "I have some questions about the person who brought you to this country".

If a claimant is unable to disclose further information on an issue which is at the core of their asylum claim, signpost to them the importance of the topic and offer an alternative, such as allowing them to return to the subject after a break, or later in the interview. If the claimant is still completely unable to disclose the issue at interview, you can consider asking them to prepare a statement on the issue to be submitted at the earliest opportunity with an agreed timescale for return.

You must actively listen to the responses the claimant provides, including listening out for pauses, phrases or euphemisms that might suggest that there may be information that the claimant is finding difficult to divulge, for example, "he hurt me" might mean "he raped me". While you cannot make any assumptions about what a

claimant may mean by a particular phrase, you should use this as a signal to sensitively question the claimant further about the details behind their statement.

You must ask appropriate questions if there are indications of gender-based persecution or where country reports show that such harm is common in certain circumstances, for example, rape in detention. You should try explaining to the claimant that you understand the difficulty they may be facing in recalling and disclosing sensitive information, for example by saying: “I understand that it may be difficult to talk about, but can you help me understand what else happened to you in detention?”

When sensitive information arises in the course of an interview, the claimant’s feelings about it should be briefly and respectfully acknowledged. Recognising that information is distressing does not undermine professional objectivity or prevent professionals’ ability to later review an account in full and come to a different conclusion.

If necessary, you should make a note on the interview record where you suspect there is something that the claimant is reluctant to reveal and, even when prompted, the claimant still does not disclose. In such cases, it may be appropriate to offer a reasonable period of time after the interview for the claimant to provide any further information to support their claim.

Level of detail

Subject to their individual backgrounds and abilities, you should expect claimants to be able to provide information to a level of detail which someone who has witnessed or experienced an incident, became aware of their sexual orientation, converted to a different faith, or undertaken political activities, should reasonably be able to recall and describe. This will vary from person to person.

At the same time, the substance of what happened during a significant event is potentially more important than precise dates, frequencies and direct speech, which may not always be consistent throughout an account. It is, for example, more important for you to obtain details of a prison’s organisation and regime whilst in detention, the prison’s whereabouts and so on, than to focus narrowly on the precise dates of detention, which are unlikely to be verifiable and may be difficult to recall where someone has been detained and tortured for long periods.

Clarity is crucial, especially names, places, or organisations. You must fully record these in the claimant’s original language, or the English language version if that is their normal title, translated if necessary. If, despite pre-interview preparation, a place, political party, or event of significance is unfamiliar, you must try to obtain further details to help verify it if possible. Without further questioning, it would be wrong to find that a place or event is unverified and therefore not accepted as credible. It may be appropriate to take a short break during the interview for you to check country reports for further details.

You should recognise that some claimants, such as those affected by ill-treatment, including gender-based persecution, are unlikely to have documentary evidence of

the harm they claim to have experienced. It is important that you investigate allegations of torture or modern slavery or other forms of ill-treatment with appropriate sensitivity and awareness of the effects of trauma on memory, which may lead to gaps in details, inconsistencies or delayed disclosure. See [victims of torture or other trauma](#) and [victims of modern slavery](#).

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Exploring the immigration history

You must explore the claimant's immigration history during the asylum interview and this section provides further information on the areas that you need to cover.

Inadmissibility on safe third country grounds

In broad terms, a person's asylum claim may be treated as inadmissible if before claiming asylum in the UK they were present in, or had a connection to, a safe third country where they were safe and had or could have obtained protection. The consequence of an inadmissibility decision is that the UK does not take responsibility for the asylum claim, does not consider the substantive merits of the claim, and where appropriate can proceed promptly to remove the claimant. The published guidance, inadmissibility: safe third country cases, sets out further detail.

Most inadmissibility decisions will be made on the basis of evidence relating to third countries identified during the asylum screening stage. However, such evidence may become available only after a case has been routed for substantive consideration.

You must therefore be alert to evidence relating to claimants having been present in or having a connection to safe third countries. This may include physical evidence (for example, biometric matching to safe countries, passport stamps and visas, legal papers, employment letters, bank statements, business cards, invoices, receipts and other similar documents). It may also include claimant disclosures made during asylum interviews.

Where such evidence is identified, provided it appears to be new evidence that has not already been considered as part of inadmissibility processes, the case must be referred to the Third Country Unit, which will examine whether inadmissibility action is appropriate. See the section 'Casework referrals' in the guidance inadmissibility: safe third country cases.

Section 8 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004

You must explore the claimant's immigration history during the asylum interview, especially if you have noted (or it has been noted during the screening interview) that there are factors in relation to the claimant's immigration behaviour which engages [Section 8](#) of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 as this is something which can impact on the claimant's credibility and may affect the outcome of their claim.

The following types of behaviour must be regarded as potentially damaging to the claimant's general credibility in the context of any decision and therefore must be explored fully at interview, giving the claimant the opportunity to explain their actions:

- failure without reasonable explanation to produce a passport on request
- producing a document that is not a valid passport as if it were

- destruction, alteration or disposal of a passport, ticket or other travel document without reasonable explanation
- failure without reasonable explanation to answer a question asked by a deciding authority
- failure to take advantage of a reasonable opportunity to make an asylum or human rights claim while in a safe country
- failure to make an asylum or human rights claim until notified of an immigration decision, unless the claim relies wholly on matters arising after the notification – this must be examined in all cases where ‘verbal deception’ has been identified, and also where the claimant obtained leave to enter upon arrival to the UK but did not claim asylum at the border when they could/should have done so (such as, where the claimant is relying on events that lead to their protection claim at the date of arrival to the UK)
- failure to make an asylum or human rights claim before being arrested under immigration provisions, unless there was no reasonable opportunity to claim before the arrest or the claim relies wholly on matters arising after arrest

The Asylum Instruction on assessing credibility and refugee status contains further details on these behaviours which will assist you in tailoring your questions appropriately.

Additional factors relevant to assessing credibility

There may be other aspects of a claimant’s immigration history which are relevant to the assessment of credibility but are not specified under Section 8 of the 2004 Act and you must explore these with the claimant, again giving them the opportunity to explain their actions, for example:

- failure to claim asylum at the earliest possible time in the UK unless there is a good reason for not having done so
- any other factors within the claimant’s immigration history or conduct which might demonstrate a lack of credibility, for example non-compliance with the Immigration Rules, breach of immigration bail conditions, breach of conditions attached to previous grants of leave, or periods of overstaying.

Differentiation

This section is about differential treatment of refugees and is only relevant for asylum claims that were made on or after 28 June 2022 when the asylum related provisions of the [Nationality and Borders Act 2022](#) came into force (or claims where transitional arrangements apply).

For these cases, when the claimant is found to qualify for refugee status in the UK, the decision-maker will need to review the asylum interview along with any other evidence submitted and determine which type of refugee permission to stay should be granted. [Paragraphs 339QA of the Immigration Rules](#) sets out what type of permission to stay should be granted depending on whether the individual is a Group 1 refugee (eligible for refugee permission to stay) or a Group 2 refugee (eligible for temporary refugee permission to stay) as defined in Section 12 of the 2022 Act.

As the interviewer, you must therefore be familiar with the guidance on ‘granting refugee status and permission to stay’ set out in version 11 of the assessing credibility and refugee status guidance. You must ensure you have asked sufficient questions in order for the decision-maker to determine whether the refugee is a ‘Group 1’ or ‘Group 2’ refugee.

Whilst it is likely that you will already be aware of how the claimant travelled to the UK, for example from Border Force case notes detailing the claimant’s desire to claim asylum upon arrival at the UK coast or at an airport, you must use the interview to confirm details of the claimant’s journey to the UK.

[Section 12\(2\)\(a\)](#) of the 2022 Act requires claimants to ‘have come to the United Kingdom directly from a country or territory where their life or freedom was threatened’, therefore it is imperative that when exploring the claimant’s immigration history in the interview that you ask questions to allow the decision-maker to assess the claimant’s compliance with Section 12(2)(a) of the 2022 Act.

[Section 12\(2\)\(b\)](#) of the 2022 Act requires claimants to have ‘presented themselves without delay to the authorities.’ This means that the claimant must have claimed asylum in the UK as soon as reasonably practicable. You therefore must ask questions in the interview which will allow a decision-maker to consider whether the claimant has claimed asylum ‘without delay’. You must also question the reason for any delay in claiming asylum.

[Section 12\(3\)](#) of the 2022 Act requires claimants to show ‘good cause for their unlawful entry or presence’.

[Section 12\(4\)](#) defines ‘unlawful entry or presence’ as where the individual requires leave to enter or remain (also referred to as permission to enter or stay) and the individual does not have it. Consequently, where you are aware that the claimant entered the UK unlawfully and / or was in the UK unlawfully when they claimed asylum, then you must use the substantive interview to give the claimant an opportunity to explain their reasoning for their unlawful entry or presence.

The guidance on ‘granting refugee status and permission to stay’ set out in version 11 of the assessing credibility and refugee status guidance provides further information and advice which will help you obtain relevant information on each of these requirements during the interview.

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Questions about the basis of the claim

You should adapt your approach to the interview depending on the reasons for seeking asylum, for example, religion or belief, sexual orientation, and claims which depend on another's actions or circumstances.

Religion or belief

Persecution for reasons of religion may take various forms. For further information and examples see Assessing Credibility guidance. However, simply claiming to hold a set of beliefs which result in persecution in the country of nationality (or former habitual residence) is not enough to substantiate a claim to refugee status. You must ask questions to enable the decision-maker to decide whether the claimant genuinely adheres to the religion or belief to which they profess to belong, how that individual observes those beliefs in the private and public spheres, and whether that would place them at risk of persecution on return to their country.

You must ensure that the interpreter can translate the concepts and terminology of religious or non-religious groups in the country of origin and ask questions in a way that encourages the claimant to elaborate on their personal journey. If possible, it is good practice to brief the interpreter on the case before the interview, especially in situations where particular sensitivity may be required.

It is important to note that, sometimes, a claimant raises issues of blasphemy or apostasy, and they may not want to speak the words deemed to be 'blasphemous' in front of an interpreter perceived to be of a particular faith, out of deference to their feelings. In these circumstances you may wish to explain to the claimant that the interpreter will not allow their personal religious or other beliefs to influence their professional attitude, so they should feel free to say what they want to say without worrying about upsetting the interpreter (or, indeed, the interviewing officer).

Conversely, the interpreter might be reluctant to interpret particular words, out of fear that they might be committing blasphemy themselves. In these circumstances, you should remind the interpreter that they are required to interpret everything the claimant says, and, if they refuse, you should try to suspend the interview and find a new interpreter. For advice on what action to take if there are concerns refer to the [Interpreters Code of Conduct](#).

Religious conversion and apostasy

For the purpose of this guidance the term 'apostasy' means "the renunciation, abandonment of or withdrawing from a former religious identity or principle." In cases where religious or belief-based conversion, or apostasy forms the basis of the asylum claim, you must use the interview to explore the credibility of the claimant's personal experiences and the path taken to a new faith or belief.

This applies regardless of whether this began in their country of origin or in the UK. Although the assessment of credibility must not depend solely upon a test of

religious or belief-based knowledge, it is reasonable to expect the claimant to possess some knowledge of the basics of their faith or belief, and you should ask appropriate questions about the claimant's knowledge and understanding. Questions should be at the level which may reasonably be expected in the light of the claimant's circumstances.

You must also be aware that non-religious beliefs are not codified in the same way as religious beliefs often are. Those who claim to be apostates should not be expected to have a detailed understanding of the history or philosophy behind a non-religious belief system. However, they should be able to explain their reasons for no longer believing in or practising their former faith and they should demonstrate a clear and coherent understanding of their own motivation for becoming an apostate.

If the claim is based on conversion, you must carefully explore the claimant's motivation behind the conversion and their journey to their new faith during the interview. You must try to establish whether the claimant has genuinely moved towards a firm decision to leave the faith of their upbringing or culture in favour of another faith or to holding no specific religious belief. To be credible, something so potentially life-changing should not be perfunctory, vague, or ill-thought out. In the case of conversion to Christianity, you should expect the claimant's experience normally to include being baptised using water, a fundamental rite of initiation common to most Christian traditions or being instructed and prepared for baptism. You should also normally expect their experience to include attending worship, association with fellow-believers, and being known to their local church's leadership, usually the ordained ministers. You should bear in mind that exposure to these experiences will depend on where the claimant is in their conversion journey, which country they have left, what possibilities they have encountered to practice a new religion and how recently they have come to the UK.

The claimant should be able to describe their personal experience in the faith they grew up in and were expected to adhere, and of the encounters or contacts with their new faith, for example, the people who inspired them or the readings which attracted them, and which contributed to their decision to accept and follow the faith. You should also expect them to be able to describe how far this occurred in the home country or in the UK. You should ask the claimant to describe their church experiences, for example, whether this has been within small house groups or in congregational worship, including the languages in use at those groups or services. This will help frame questions about their experience of the Bible and church services.

Alternatively, someone who has seen films and heard the Christian message at house groups, for example, rather than from the Bible, should be able to describe their feelings and reactions to what they have seen and heard, as well as the attraction of what they have learned.

All these issues should feed into a discussion of the risks their personal experiences and practice of their faith or belief expose them to in their home country. A more detailed discussion of this is contained in the relevant version of the assessing credibility and refugee status guidance.

Under both international and European human rights law, the right to freedom of thought, opinion and expression extends to the freedom not to hold and not to express opinions. A claimant is not required to express false support for an oppressive regime or if agnostic, to pretend to be a religious believer to avoid persecution.

Christian converts

In practice, it is a conversion from Islam to Christianity which is most often encountered. Their understanding and practice of their new faith may have begun privately or clandestinely in their home country. However, it is also likely that the practise of their faith in the UK will reflect the particular Christian tradition, for example, Baptist, Church of England, Orthodox, Pentecostal, or Catholic, that the person now claims to follow. Be aware that there are some important nuances of belief and practice between different Christian denominations and how faith may be expressed both in the country of nationality (or former habitual residence) and in the UK and be sensitive to this.

The questions you ask during the interview will primarily enable an assessment to be made as to whether the claimant has genuinely moved towards a firm decision to leave the faith of their upbringing and become a Christian. Although the person's understanding of the faith and of the particular Christian tradition the claimant has joined (if any) is relevant, you are not expected to be qualified to assess the accuracy or relevance of answers to more than the most basic knowledge questions and so this should not be the main line of questioning at interview. For more information refer to the relevant version of the guidance on assessing credibility and refugee status for the date that the asylum claim was made.

Sexual orientation or gender identity

Where sexual orientation or gender identity is the basis of a claimant's claim, you should focus the interview on establishing claimant's current sexual orientation or gender identity, how they define and express it and how this is relevant to their fear of harm in their home country.

You must be familiar with the guidance on gender identity issues in the asylum claim and sexual orientation issues in the asylum claim. For further information on asylum claims based on membership of a Particular Social Group (PSG) see the Assessing Credibility and refugee status guidance and refer to the relevant [country information](#) published by CPIT.

Some lesbian, gay, bisexual, transgender or intersex (LGBTI) claimants may originate from countries which are conservative and where behaviour may be regulated by reference to strict religious values endorsed by the state. Any LGBTI expressions of affection may well be considered intolerable and unacceptable. Against these backgrounds, discussing matters such as sexual or gender identity and feelings and emotions relevant to that will therefore for some, in the official context of an asylum interview, be extremely daunting.

You must ensure that the interview is a sensitive enquiry exploring the claimant's identity and must never be an enquiry into any explicit sexual activity. You are forbidden in law from asking questions about sexual preferences or activity.

LGB cases are distinct from gender identity cases. However, in gender identity cases, people may also identify as LGB.

The claimant is not required to prove their sexual orientation or gender identity, but simply to establish to the correct standard as set out in the Assessing Credibility and Refugee Status guidance, that they are so or will be perceived to be.

For the purposes of the interview, self-identification as lesbian, gay or bisexual will be the normal starting point as an indication of a claimant's sexual identity. However, although self-identification is the starting point, this does not mean that a claim will be accepted; it must still be subject to proper assessment of the facts and circumstances when all the evidence is considered in the round to the required standard of proof.

You should carefully phrase questions to comply with Home Office policies on sexual orientation and gender identity. For example, your questions must not imply that a claimant is expected to have attended a gay nightclub or attended a gay pride event, or used dating websites, unless such activities are part of their claim. Your questions must not suggest that it is incompatible to be of a particular sexual orientation or gender identity and have a particular religious faith.

While all other evidence must be explored, you are forbidden from asking a claimant to supply documentary, video or photographic evidence of sexually intimate acts. Any such evidence is not in and of itself evidence of sexual identity and has no evidential value. In December 2014, in the linked cases of [A, B, C v. Staatssecretaris van Veiligheid en Justitie, C-148/13 to C-150/13, European Union: Court of Justice of the European Union \(CJEU\), 2 December 2014](#) the court ruled that sexually explicit material must not be accepted, even if voluntarily provided by the claimant. See also [submission of further evidence](#). In summary, the CJEU ruled that:

- questions based solely on stereotypical behaviour cannot be relied on in order to assess evidence put forward by a claimant
- detailed questioning about sexual practices must not be asked
- sexually explicit evidence, even if provided voluntarily by the claimant, must not in any circumstances be accepted
- an adverse credibility finding cannot be made merely because a claimant did not raise issues of sexual orientation on the first occasion that they claimed asylum

If a claimant enquires about the submission of audio-visual material or recordings, you must tell them that any evidence must not contain sexually explicit material. Any material or images must be accompanied by confirmation that it does not contain sexually explicit material and an explanation of:

- precisely where, when, and by whom the material was recorded
- who and what is being depicted

- how it is relevant to the asylum claim

If audio-visual material is submitted without this explanation, or if it is apparent that the material contains images of a sexually explicit nature, you must return it to the claimant or their legal representative and you must not view it.

If possible, it is good practice to brief the interpreter on the case before the interview, especially in situations where particular sensitivity may be required. Where a case is known to be about sexual or gender identity you must establish with the interpreter (in advance of the interview), the available words in the language of origin which may be used to reference the concepts of trans and hetero, homo or bi-sexuality identities. You must also establish whether they carry any derogatory connotations.

The interviewer must be asked to establish with the claimant what words they are comfortable with to reference these things, including the way in which the claimant is comfortable in explaining any partners, encounters or relationships.

In these circumstances, you must explain to the claimant that the interpreter will not allow their beliefs to influence their professional attitude, so they should feel free to say what they want to say without worrying about upsetting the interpreter (or, indeed the interviewing officer). See section on [interpreters](#) and [Interpreter's Code of Conduct](#) for further information.

Another person's actions or circumstances

Some claims depend on the actions of another individual, for example, a family member or close associate, and the risk is posed by that person's activities. You must be aware that there could be limits to the claimant's knowledge of that person's activities, for cultural or other reasons. You must obtain as much information about that person as the claimant can give and explore why, in the country concerned, their connection to that person is dangerous to the claimant. Where a claimant indicates that other family members, who are dependent on the claim, could provide evidence on an important issue, you should consider interviewing them before reaching credibility findings about that issue.

You should remember that it is inappropriate to ask questions which require individuals to speculate beyond what they know, for example the motivations of their family members or the authorities in their country. Also bear in mind that gender and age will impact on how much information has been transmitted between family members: children, younger siblings and partners might have been told very little about what is going on.

Evidence of war crimes or other serious crimes

You must investigate any evidence or claim to have committed or assisted in the commission of war crimes, crimes against humanity, or other serious crimes, including terrorism, or to have been involved with a group that has committed such crimes. Guidance on exclusion under article 1F of the Convention provides further details on the issues to be covered.

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Victims of torture or other trauma

This section tells you how you must deal with interviews with victims of torture or other trauma, and how to treat claimants with scars.

Interviews with victims of torture or trauma

You must be aware that victims of torture or other forms of violence may have difficulties in recounting the details because of the sensitive nature of those experiences or the effect of traumatic events on their memory. However, where a claimant claims to have been tortured or subjected to serious harm, you must ask when, where, how, and by whom the torture was inflicted, whilst taking care not to cause them undue stress.

In line with earlier guidance in this document, claimants may find it difficult to give some of this detail, especially dates and locations, and may not know the identity of their torturers, or may use words such as police and army interchangeably. This is particularly important, since claimants are not required to 'prove' that they were tortured, but simply to establish it to the correct standard as set out in the Assessing Credibility and Refugee Status guidance. This means that evidence at interview may be sufficient to accept a claim to have been tortured without the need for specific medical evidence.

You may need to ask about the following, although you may not need to ask all these questions in all cases and you should stop as soon as you think it is likely that the abuse has taken place, to avoid unnecessary distress to the victim:

- the method of torture used
- any equipment employed
- the place where the torture took place
- the duration of the ill-treatment
- the frequency of abuse
- the purpose of the torture or abuse, if known
- the number and sex of the individuals involved
- which agency of the state, if known, carried out the torture
- the immediate effects of the torture on the individual
- what physical scars there are, if any, [see claimants with scars](#)
- any ongoing physical or mental effects of torture

You may also need to ask the claimant if they received medical or non-governmental organisation (NGO) assistance in the country of origin at any point following the torture or other forms of violence, and about any continuing treatment in the UK for the physical or psychological effects. How far such assistance will have been available or accessible will depend upon conditions in the country of origin.

Potential survivors of torture should be allowed to determine the level of disclosure they are able or want to make. If the interviewer has stopped asking questions because the claimant is too distressed to continue and it hasn't been possible to

return to the topic after a break or later in the interview, this should be noted on the interview record. If, bearing in mind the standard of proof required that applies, further detail is needed to ascertain whether the abuse is likely to have taken place, you should consider proactively seeking further information through other channels such as the legal representative.

Claimants are not required to submit medical evidence. They may not need to if you accept the oral evidence on this point, taking other evidence into account. They should be informed that it is open to them to consult a medical professional for treatment and, if they wish, speak to their legal representative about instructing for and submitting medical evidence. Further information on dealing with torture claims at interview can be found in the medical evidence in asylum claims guidance.

You must also remember that a medical report of torture will only be available in a minority of cases and its absence does not undermine the credibility of an account which is detailed, and plausible, allowing for underlying personal factors.

Claimants who have experienced torture are entitled to access support services in the UK. If they would like to access these services, they can ask their legal representative, GP, or other organisation they are receiving support from to refer them, or they can refer themselves.

Victims of gender based persecution

In cases involving victims of gender-based persecution, for example, rape and other forms of sexual violence, domestic violence, crimes in the name of honour, female genital mutilation (FGM), forced abortion and sterilisation, it would be inappropriate for you to obtain details of the act itself. However, it is important that you obtain information regarding the events leading up to, and after, the act, together with the surrounding circumstances at the time it took place, as well as the motivation of the perpetrator, if known. Refer to the guidance on gender issues in asylum claims for more information.

Claimants with scars

If the claimant informs you that they have scars, you must ask how it occurred and you must then give this account due weight in the totality of the evidence available. You may accept an offer made by the claimant to see scars only if they are on a visible part of the body, for example the lower arms or legs. If you see the scars, you must note on the interview record where they are on the body and the approximate shape and size. You must also record if you do not consider that it would be appropriate to look at the scars.

As you are not qualified to judge, you must not form your own opinion as to how the scars were obtained and whether they are consistent with the claimed causes. You may be able to accept the claimant's own evidence, taken as a whole with other available evidence, bearing in mind the standard of proof required. You should advise the claimant that a medical report can be sought to assess the scars. It may be appropriate to refer the claimant to the safeguarding lead or suggest that they

contact a GP or other medical professional for assistance. It is important to note that many forms of torture do not lead to scarring, and the absence of scarring cannot be taken to indicate that torture did not occur. For more information see: considering medical evidence in asylum claims.

Victims of modern slavery

Modern slavery: asylum interview and National Referral Mechanism (NRM) process

You must interview asylum claimants whose accounts include details of modern slavery in the same way as other asylum claimants in terms of establishing the material facts of the claim and testing the credibility of the claim. People in these situations may well have had traumatic experiences and you must always ask questions about what happened with sensitivity, respect, cultural awareness and gender awareness. As with [victims of sexual violence](#) in other circumstances, obtaining precise details of such abuses is not appropriate.

If at any stage of the process there are indicators to suggest an adult could be a potential victim of modern slavery, you must consider making a referral into the National Referral Mechanism (NRM) in accordance with the UK's obligations under the Council of Europe Convention on Action against trafficking in Human Beings. Modern slavery includes human trafficking and slavery, servitude and forced or compulsory labour. The decision as to whether to refer a potential victim into the NRM is one of professional judgment based on the evidence available to you. If you are unsure whether indicators are present and a referral into the NRM is needed, you must refer to a SCW or technical specialist.

Where indicators are present, and the adult individual has given their informed consent, you must discharge the [Duty to Notify](#) by making a referral to the NRM via the [Modern Slavery Portal](#). Where informed consent has not been given, the 'Duty to Notify' is discharged by sending notification through the same Portal.

For informed consent to be given, the adult potential victim must understand what they are consenting to. You should ensure that potential victims understand that by entering the NRM they are consenting to a Reasonable Grounds and Conclusive Grounds decision being made. You should inform the potential victim of the support that they may be able to receive. You should also ensure that the person is informed how their data will be processed by the Home Office for the purpose of determining if they are a victim of modern slavery and to provide them with support. You should make the potential victim aware of the [NRM Privacy Information Notice](#).

All potential child victims of modern slavery must be referred into the NRM. Their consent is not required, although every effort should be made to ensure the child understands what is happening. A referral must be made using the Modern Slavery Portal, and as the first responder, you must ensure the Local Authority children's services are contacted immediately.

You must be vigilant and aware that indicators can present themselves at any stage of the process: pre asylum interview, during the interview or post interview. For more information see Modern Slavery Guidance.

Modern slavery: interview for NRM

Guidance on Modern Slavery is available for Home Office decision-makers who are responsible for deciding whether someone referred to the NRM is a victim of modern slavery. They will gather all available information before taking a decision under the NRM and may authorise you to ask questions on their behalf within the asylum interview or in a standalone NRM interview.

If you are asked to carry out an NRM only interview you must use a modified version of the ASL.0062 invitation to interview letter so that there are no references to asylum in the letter.

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Particular interview needs

Claimants are advised to tell us as soon as possible about any special needs or requirements for an interview so that we can factor these into the interview process. These may include but are not limited to; physical issues that may require reasonable adjustments, needs arising from mental ill health, needs arising from hidden disability or difficulty. Examples of reasonable adjustments may include enabling the claimant to bring a friend, companion or supporter to the interview for emotional, medical or spiritual support, arranging a female interviewing officer and interpreter on request, offering additional breaks in the interview to those that require it, signposting to appropriate support services, and considering the circumstances of each case before deciding whether to invite for VC or face to face interview.

Learning difficulty or disability

Any learning difficulty or disability that the claimant has told us about should also be evident on their case file following their screening interview. It may also be raised before the asylum interview if they ask to bring a friend or other companion for support or make any other requests. If you are aware of the claimant's learning difficulty or disability prior to interview, you may wish to engage with the legal representative to ascertain whether the claimant is fit to interview, and whether they may require additional support during the interview.

However, there may be situations where potential learning difficulties or disabilities only come to light during the substantive asylum interview.

If the claimant tells you directly, you should respond sensitively, check they are content with the format of the interview so far and ask them if there is anything additional that you can do as a reasonable adjustment so that the interview best meets their needs or requirements. If the claimant has not mentioned any learning difficulty or disability, you can enquire in general terms how they are feeling and check they are content with the format of the interview so far.

If the claimant is legally represented, you may think it best to discuss the matter with the legal representative before or after the interview. In the interests of fairness, you should not normally cancel or suspend an interview because you suspect they may have a learning difficulty or disability. However, if the claimant's issues are impacting on their ability to give their best account, you must check if they would like you to stop and rearrange the interview so that they can organise to bring a friend or companion to assist them. If the claimant is clearly unable to cope or engage with an interview, it should be stopped. If you have any concerns about the claimant's mental capacity to cope or engage with an interview, you must speak to a Senior Caseworker and contact the Asylum Safeguarding Hub.

If a letter from a GP, consultant or other appropriately qualified relevant healthcare professional regulated by the [GMC](#), [HCPC](#) or [NMC](#) is received confirming that the claimant is unable, for the foreseeable future, to cope with an interview, you should consider omitting the personal interview and taking written evidence in accordance

with [paragraph 339NA of the Immigration Rules](#). You should discuss this with the claimant's legal representative if possible, and record on the case file the arrangements for the submission of written evidence within an agreed timescale. See also guidance on Article 3 and Article 8 ECHR medical claims and the Safeguarding Hub referral process.

Mental illness

Claimants may state during an asylum interview or show by the manner of their replies, that they are, or have been, affected by mental illness. There may also be evidence on their case file to suggest that the claimant has been affected by mental illness and has sought medical advice or treatment.

If the claimant appears unaware of their condition, do not suggest seeking medical advice, but enquire in general terms about how the claimant has engaged with medical services. If the claimant is legally represented, you may think it best to discuss the matter with the legal representative before or after the interview. In the interests of fairness, you should not normally cancel or suspend an interview because of past or present mental illness. The exception to this is if the claimant is clearly unable to cope or engage with an interview and where the reliability of what they say could be called into question.

If a letter from a GP, consultant or other appropriately qualified relevant healthcare professional regulated by the [GMC](#), [HCPC](#) or [NMC](#) is received confirming that the claimant is unable, for the foreseeable future, to cope with an interview, you should consider omitting the personal interview and taking written evidence in accordance with [paragraph 339NA of the Immigration Rules](#). You should discuss this with the claimant's legal representative if possible, and record on the case file the arrangements for the submission of written evidence within an agreed timescale. See also guidance on Article 3 and Article 8 ECHR medical claims and the Safeguarding Hub referral process.

Considering self-harm and suicide risk

The safety of the claimant, interviewer and any other participants in the interview is paramount. You must call security immediately if a claimant states they will self-harm in the interview room. Both you and the office managers have a responsibility for health and safety issues at interviews. If the claimant states that they will try to kill themselves if their claim is refused, you must:

- contact the Asylum Safeguarding Hub as soon as possible
- note the statement in the interview record
- report the statement to management after the interview
- take any further action which you or your managers consider necessary in the circumstances of the case, which could include suggesting that the claimant talk to their GP or treating clinician about these feelings
- record what these actions are in the interview record and the case file and flag that the case may potentially need to be served in person if it is a refusal - see drafting, implementing and serving decisions for service in person guidance

Referrals must be made to, and in line with, the relevant safeguarding teams and their operational mandates.

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Concluding the interview

Submission of further evidence

Claimants can submit further evidence following the asylum interview. There is no set period after an interview for this submission.

If you decide to ask for further evidence or if the claimant requests additional time in which to submit information that you consider is likely to be both readily available and material to the claim, you should give the claimant a reasonable amount of time in which to provide it.

You may ask the claimant to submit further supporting evidence if this would inform the decision, for example, a letter from the claimant's minister of religion in the UK in cases of religious conversion, or internet evidence which a journalist claimant could reasonably be expected to obtain. You should consider the standard of proof required and must not put claimants under pressure to produce further 'evidence' which they are unlikely to be able to obtain, or where attempting to do so could place themselves or other family members at risk.

Any request you make for the claimant to provide additional evidence, does not prevent the claimant or their legal representatives from submitting a written request for an extension of the time in order to themselves submit further evidence after the interview.

The length of any extension of time will depend on the circumstances of the case, including the content of the evidence and how easy you think it might be to obtain. You must record the agreed deadline on the interview record. If the claimant does not submit further evidence in the timescale agreed, you should make a decision based on the evidence already available.

If a claimant asks about the submission of audio-visual material or recordings (see also [sexual orientation or gender identity](#)), you must, when appropriate, tell the claimant that sexually explicit content has no evidential value, will not be accepted and must not be submitted as evidence. See also the guidance on sexual orientation issues in the asylum claim.

It may be appropriate to suggest to survivors of torture that they speak to their legal representative about the submission of medical evidence, if it is necessary to reach an informed decision on the claim. See also [victims of torture and other trauma](#).

Concluding the interview

At the end of the interview, you must ask the claimant:

- is there anything you would like to add to what you have told me today?

- are there any other reasons not previously mentioned why you wish to remain in the UK, including personal circumstances that you would like to be taken into consideration?
- have you understood the questions and is there anything we have discussed today which you would like clarified?
- will you submit the further evidence as agreed within a defined timescale?

If the claimant states that they did not understand any questions, you should record this and rephrase, or divide into simpler questions, any questions which were not understood. If present, the legal representative should be asked if they have any comments. See also [professional conduct of legal representatives](#). You should then conclude the interview by briefly explaining the next steps in the process in the event of a positive or negative decision.

Interview transcript and audio recording

On completion of the interview, you must provide the claimant with a copy of the interview transcript. You must also provide a copy of the audio recording when appropriate. For detailed advice on how and when to provide transcripts and recordings refer to the Interview Recording Policy section.

Action after the interview

Subject to a check of the relevant country reports or other research, you may take a decision on the asylum claim after the interview, unless the claimant or legal representative asks for time to provide further information and you agree a reasonable time for them to provide it. Legal representatives must notify the Home Office of the availability of further information and are expected to provide all information relevant to their client's case at the earliest opportunity.

Although the interview is the primary opportunity to clarify unclear statements or inconsistencies within statements or other evidence or with country information material to the claim, you have the discretion to seek explanations in writing or by telephone after the interview. For example, where country information research finds information which directly contradicts the claimant's statements or appears to do so, it would be good practice for both the claimant and the Home Office to clarify the matter in further correspondence, rather than defer the issue to the appeal stage. Where the claimant is represented, all contact must normally be made through their nominated legal representative, except where there are safeguarding concerns.

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Legal representatives

This section tells you how to work effectively with legal representatives, their role in the interview process and how to check that a legal representative is qualified to attend the interview.

An asylum claimant has the right to consult a legal representative at their own expense or at public expense in line with provisions made by the [Legal Aid Agency](#), [the Scottish Legal Aid Board](#), or the [Legal Services Agency Northern Ireland](#).

Legal representatives from qualified solicitors or advisers regulated by the [Office of the Immigration Services Commissioner](#) (OISC) are welcome to attend a client's interview. If possible, their availability should therefore be accommodated when arranging the interview.

Checking registration

Access to interviews should be denied to legal representatives who are not qualified to provide immigration advice and are not exempted from regulation. As part of interview preparation, you can confirm with the [OISC](#) whether an adviser is registered. You may need to call them, as their website lists some, but not all, the registered advisers.

Law Society Immigration and Asylum Accredited Level 2 advisers who generally work within qualified solicitors' firms but are not qualified solicitors themselves may not be OISC regulated advisers. You may also need to contact the [Law Society](#).

Professional conduct of legal representatives

Legal representatives are normally invited to add any comments at the end of the interview, rather than during questioning, but you must not apply this rigidly, particularly when interviewing children. The interview should be conducted in a constructive spirit of cooperation between you, the claimant and their legal representative. Interventions by the legal representative may be justified for a variety of reasons. A legal representative can, for example, assist the interview process by drawing attention to a misunderstanding.

There is, however, a difference between helpful interventions and unnecessary interruptions. If you consider that an adviser or legal representative is acting unreasonably by making repeated interruptions that are disrupting the flow of the interview, you must raise this with the legal representative. You should try to resolve the difficulties by agreement if possible. If it cannot be resolved, the conduct of the interview should be discussed with an officer at SEO level or above and appropriate action taken. In the rare instance of serious misconduct, this must be reported to senior management and Asylum Policy to consider referral to the relevant professional body.

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Interpreters

This section tells you how to work effectively with Home Office interpreters and interpreters who attend with legal representatives.

Conduct and professional standards: Home Office interpreters

The Home Office will provide an interpreter at public expense whenever necessary. Interpreters are required to interpret to a high standard on a range of protection-based and human rights topics including (though not limited to) religious conversion, Female Genital Mutilation (FGM), sexuality-and gender-based claims, all types and forms of persecution, medical (physical and mental health) and political activity.

If possible, it is good practice to brief the interpreter on the case before the interview, especially in situations where particular sensitivity may be required, for example where torture, sexual violence or other kinds of abuse are likely to be discussed. The interviewer should affirm the role of the interpreter at the outset of the interview emphasising their impartiality, professionalism and the confidentiality of the process.

Interpreters must conduct themselves in a professional and impartial manner, and respect confidentiality at all times irrespective of whether they are attending an interview in-person, remotely via VC, or audio only.

However, you are responsible for the overall conduct of the interview. You must ensure that the interpreter behaves in line with, and not ask any interpreter to act outside, the professional standards set out in the [Interpreters Code of Conduct](#).

The Code of Conduct helps to maintain the integrity of the profession and provides advice on what action can be taken if there are any concerns. The Code is summarised below:

An interpreter must:

- treat everything heard or seen as confidential, whilst on an assignment
- confirm they are interpreting the correct language and/or dialect at the beginning of the interview, any differences in language or dialect being interpreted must be raised with the interviewer at the earliest opportunity
- be in a fit state to interpret effectively throughout the interview
- speak slowly and clearly
- be aware that they will be interpreting for vulnerable customers and must behave accordingly
- retain every element of information that was contained in the original message and interpret in as close to verbatim as English allows – they cannot attempt to summarise what has been said and you must challenge them if they try to do this
- spell out names or unusual words said by the interviewer or claimant
- inform the interviewer immediately if they have any difficulty in interpreting

- remain calm, especially if they hear unpleasant or controversial evidence - their duty is to remain professionally detached from what they are interpreting
- interpret language which may be offensive - for cultural reasons, obscenities may be difficult to translate - in this case they must look for the closest equivalent
- use direct speech when interpreting, for example, the interpreter must say, "I attended a demonstration ...", not, "he said he attended a demonstration ..."
- hand over any notes taken during the interview

An interpreter must not:

- question the content of the interview, offer an opinion, comment or declare any personal observations on truthfulness or ethnic origin of the claimant, nor their [religious or political beliefs](#), or [sexual orientation or gender identity](#)
- allow their personal political, religious, philosophical or other beliefs to influence their professional attitude or the quality provision of translation
- try to anticipate what the interviewer or customer is trying to say or give an answer different from the one being provided
- interrupt the progress of the interview other than to make a correction to the interpretation, request clarification, resolve a misunderstanding or draw attention to any distractions
- interpreters must not ask the customer what they mean by a particular answer - they must ask the interviewer's permission to ask the customer to repeat or clarify
- interpreters must not show emotions - the only reactions they must express are those of the customer
- indulge in general conversation with the claimant, other than to establish that they speak the same language or dialect, before, during or after an assignment
- be acquainted with or related to the claimant or anyone associated with their case
- accept an assignment if they have previously acted as the interpreter for the legal representative on the same case - it is inappropriate for the same person to interpret in the same case

Interpreters attending with legal representatives

Legal representatives may engage the services of their own interpreter to attend the asylum interview and, as with legal representatives, they are welcome to attend. The legal representative is responsible for ensuring that the interpreter is suitably qualified, there are no conflicts of interest and that they are aware of their role in the interview. Unless you have good reason to consider otherwise, you should assume that the legal representative has met their responsibilities in regard to engaging their interpreter.

In most cases, legal representatives should notify the Home Office in advance that an interpreter is attending. If they do not give notice, you should not refuse to allow the interpreter to attend solely for that reason. You should refer the names of legal representatives who fail to provide notice to Asylum Policy. Legal representatives must ensure that their interpreter has the correct identity documents to enable

access to Home Office buildings. If an interpreter arrives and is denied entry to Home Office premises by security officers, you must not re-arrange the interview for that reason.

Interpreters are professional individuals and can be expected to conduct themselves to the same professional standards as legal representatives. See section [professional conduct of legal representatives](#), which applies equally to the conduct expected of interpreters.

In some interviews, such as those involving children, care must be taken to ensure that the child is not overwhelmed by the presence of several people attending the interview. The number of individuals attending or observing a child's interview should be kept to the minimum required. The minimum requirement for those attending interviews with children are the claimant, responsible adult, interviewing officer, legal representative, and the Home Office interpreter (where an interpreter is needed). See processing children's asylum claims.

Interpreters attending without legal representatives

Where an interpreter attends without the instructing legal representative, they must provide written confirmation in advance of the interview from the instructing legal representative that they have been instructed to attend the interview. The legal representative must inform the Home Office as soon as reasonably possible that they will not be attending the interview in person and provide details of the interpreter they have instructed. They must confirm that they have met their responsibilities with regard to instructing the interpreter. You must check with the legal representative's office if you are not sure about the interpreter. If you are unable to obtain confirmation from their office in a reasonable period of time, you should continue without the interpreter rather than delay the interview. As soon as possible after the interview, you should inform the legal representative that their interpreter was prevented from attending the interview and provide them with the reasons for this.

Interpreter disagreements

As interviewer, you are responsible for the overall conduct of the interview and that includes ensuring the discussion between all parties remains professional.

Home Office interpreters should not feel pressured by challenges from other interpreters. With your assistance, and possibly that of the legal representative if they are familiar with the language, Home Office interpreters should try as far as possible to professionally resolve any differences of opinion. They can do this during the interview if there are immediate or significant concerns. Otherwise, they should wait until comments are invited at the end of the interview.

Providing the challenges are appropriate and necessary, there is no reason why elements called into question should not be revisited with the claimant to clarify understanding and there is no reason why the Home Office interpreter should not be asked to consider an alternative interpretation if appropriate.

If the disagreement cannot be resolved following a professional and cordial discussion at the end of the interview, make a note of the details on the interview record. Home Office interpreters are required to attain a minimum level of competence before they will be engaged by the Home Office. Therefore, in the event of a disagreement with another interpreter who is unable to provide evidence of a similar level of expertise, you must rely on the interpretation of the Home Office interpreter. It may be appropriate for you to agree with the legal representative a suitable period of time for them to submit further evidence after the interview to assist in clarifying any issues. See also [submission of further evidence](#).

If you believe that the discussion is starting to become unprofessional, you should remind interpreters of the standards expected of them. You should reiterate that opportunity is provided to submit further evidence after the interview. If the situation cannot be controlled, you must consider suspending the interview and sending a monitoring form to the Interpreter & Language Services Unit (ILSU) Interpreter Management Team for investigation.

Languages at interview

You will have already confirmed that the claimant is content to be interviewed in the language or dialect for which the interview has been booked and that they understand the interpreter. If the claimant begins to speak another language or dialect, the interpreter must alert the interviewer immediately.

If the interpreter has been provided in the correct dialect or language but the claimant does not understand the interpreter or objects to the interpreter for reasons unrelated to the language in use, for example, on grounds of their view of the interpreter's ethnic origin or religion, you should find out the nature of the difficulties. If the claimant is genuinely having difficulty with the language, you must call ILSU to see if another interpreter can be found to allow the interview to continue on the same day. If, however, the claimant's objection is to the individual interpreter rather than the language in use, you should take steps to assure the claimant of the interpreter's impartiality and professionalism and continue with the interview.

However, if you have concerns over the interpreter's conduct or ability, you should call a break and discuss the concerns with the interpreter outside the interview room. If it is not possible to resolve the problem, you must suspend the interview, and discuss the issue with a manager at SEO level or above before arranging an alternative interpreter. An interpreter monitoring form must be completed and sent to the ILSU in all cases where you suspend or cancel an interview due to language difficulties or interpreter problems.

The ILSU Interpreter Management Team welcomes all feedback, and you are encouraged to complete an ILSU monitoring form to provide feedback on the interpreter's performance following each interview. Completing this helps to ensure the highest standards are maintained.

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Complaints

Complaints made during an interview

If the claimant or legal representative makes a complaint or other expression of dissatisfaction during the interview you must first try to resolve the difficulty at the time, consulting a senior officer if advice is needed. You must record all relevant information fully in the interview record and in the file minutes. In the event of a formal complaint being lodged, the investigating officer should be able to judge what happened at the interview in order to respond to the complaint.

You should, if requested by the claimant or their legal representative, provide the name and address of your line manager, so that any complaint made after the interview can be quickly dealt with. Alternatively, a complaint may be made online via the [GOV.UK website](#).

Complaints about an interpreter

If, during the interview, there is a complaint about the interpreter, note this in the interview record and try to resolve it at the time, seeking advice from a senior officer if necessary. If it is not possible to resolve the complaint, suspend the interview while an alternative interpreter is found. You should also complete the interpreter monitoring form. You can also complete the form if an interpreter has provided an exceptionally good service.

Any complaints made about the interpreter by the claimant after the interview will be investigated by ILSU on a case-by-case basis, and you will be notified if that impacts on considering and deciding the claim.

Complaints of discrimination

The [Equality Act 2010](#) prohibits discrimination in public authority functions on grounds of:

- disability
- race
- religion or belief
- sex
- marriage and civil partnership
- pregnancy and maternity
- sexual orientation
- gender reassignment
- age

If a claimant states that they have been discriminated against unfairly, you should ask for full details and record them on the interview record. You should try to resolve the issues at the time if at all possible. If they cannot be resolved the interview record

can later be considered to identify whether the problem is one of discrimination within the meaning of the Equality Act 2010.

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