



Home Office

Asylum interviews

Version 7.0

Contents

Contents.....	2
About this guidance.....	5
Contacts	5
Clearance and publication	5
Changes from last version of this guidance	5
Purpose of guidance	6
Background	6
Policy objective	6
Asylum interviews: best interests of the child	7
Relevant legislation	8
The 1951 Refugee Convention	8
European legislation	8
The Immigration Rules.....	8
Other legislation.....	8
Personal conduct.....	10
Invitation to interview	10
Children and families	10
Childcare during asylum interviews	11
Non-suspensive appeal (NSA) cases	11
Non-attendance	11
Treat the claim as withdrawn because of non-attendance	12
Choice of language.....	12
Requests for a male or female interviewer or interpreter	13
Pregnancy	13
Friends or companions	13
Religious festivals	14
Health, safety and risk assessments	14
Interviews in prison	14
Recording interviews in prison	15
Detained Asylum Casework.....	15
Video conferencing.....	15
Submission of documents in video conference interviews	16
Safeguarding in video conference interviews	16
Interview recording policy.....	17

Recording interviews	17
Inform the claimant	17
Exemptions to interview recording	17
Refusal on non-compliance grounds	17
Failure of digital recording equipment.....	18
Provide a copy of the digital / audio recording	18
Interview: preparation and structure	19
Preparing for the interview	19
National Insurance Number (NINo) application	19
Biometric Residence Permit.....	19
Emergency Travel Document (ETD) application	19
Start the interview	19
Written statements.....	20
Documents and other evidence at interview	20
Breaks in the interview.....	21
Aggressive or threatening behaviour	22
Family Reunion.....	22
Gathering information.....	22
Investigating the asylum claim	24
Principles and standards	24
Individual factors.....	25
Interviewing techniques.....	27
Open and closed questions	27
Summarise and signposting	28
Listening out for the unspoken.....	28
Level of detail	28
Questions about the basis of the claim.....	30
Religion or belief	30
Sexual orientation or gender identity	31
Another person's actions or circumstances	32
Evidence of war crimes or other serious international crimes	33
Victims of torture or other trauma	34
Interviews with victims of torture or trauma.....	34
Victims of gender based persecution.....	35
Claimants with scars.....	35
Victims of modern slavery.....	35

Modern slavery: asylum interview and National Referral Mechanism (NRM) process	35
Modern slavery: interview for NRM	36
Mental illness	36
Threats of self-harm or suicide	37
Concluding the interview	38
Submission of further evidence	38
Concluding the interview.....	38
Interview transcript.....	39
Action after the interview	39
Legal representatives	41
Checking registration	41
Professional conduct of legal representatives	41
Interpreters.....	42
Conduct and professional standards: Home Office interpreters	42
Interpreters attending with legal representatives.....	42
Interpreters attending without legal representatives.....	43
Interpreter disagreements	43
Languages at interview.....	44
Complaints	45
Complaints made during an interview.....	45
Complaints about an interpreter	45
Complaints of discrimination	45

About this guidance

This guidance tells you how to carry out focused and probing asylum interviews to obtain relevant information to establish, as far as possible, whether the claimant meets the threshold 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, in particular, assessing credibility and refugee status, gender issues in the asylum claim, gender identity issues in the asylum claim, sexual orientation issues in the asylum claim, dependants and former dependants and in the case of children, processing children's asylum claims.

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 then 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 then you can email the Guidance Rules and Forms team.

Clearance and publication

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

- version **7.0**
- published for Home Office staff on **05 June 2019**

Changes from last version of this guidance

- updated in line with current drafting requirements
- [further detail on friends and companions attending asylum interviews](#)
- [changes to recording policy](#)
- [section on interpreters \(non-Home Office\) added](#)
- [section on questions relating to family reunion added](#)

Related content

[Contents](#)

Purpose of guidance

Background

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 try to create an environment in which claimants feel able to disclose all relevant information and for you to fully investigate the key issues through a focused, professional and sensitive approach to questioning. This is particularly relevant in asylum interviews as some evidence may relate to instances of persecution or serious harm, including sexual violence. 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.

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 in which the claimant feels able to disclose 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:
 - test 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, 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 and their decisions following the determination of refugee status must take account of the section 55 duty.

You must comply with the section 55 duty when carrying out the 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 under section 55, [Every Child Matters - Change for Children](#).

Where you are concerned about child welfare or protection issues that may involve safeguarding issues within the family unit you must immediately contact the local safeguarding team, who will refer the case to the relevant local authority in accordance with guidance in making safeguarding referrals. In an emergency, you must refer the case to the police. You can ask the Office of the Children's Champion for advice on issues relating to children, including family court proceedings and complex cases.

For further information on the important principles to take into account, see the Section 55 children's duty guidance. See also processing children's asylum claims.

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 made 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

You must keep this duty in mind throughout the process and refer to specific guidance available in [children and families](#) and [childcare during asylum interviews](#).

Related content

[Contents](#)

Relevant legislation

The 1951 Refugee Convention

The [Refugee Convention](#) is the primary source of the framework 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 human rights law.

European legislation

The UK remains bound by the [European Council Procedures Directive 2005/85/EC](#) which sets out the minimum standards on procedures in EU member states for granting and withdrawing refugee status. Articles 12 to 14 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. These provisions are reflected in the [Immigration Rules](#).

The Immigration Rules

[Paragraphs 339NA to 339ND of the Immigration Rules](#) set out the basic provisions for asylum interviews and reflect our international obligations under the Directive. 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.

[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.

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.

Related content
[Contents](#)

Interview arrangements

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

Personal conduct

In all interviews, 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 of both your verbal and non-verbal communication. Your body language should be open and relaxed and non-threatening to do all you can to create an environment in which the claimant feels able to disclose relevant and potentially highly personal and sensitive information.

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 invite to interview letter template (ASL.0062) on Doc Gen, adapted to include specific details for your office. You must copy this letter to the claimant's legal representative, if there is one on record. See [legal representatives](#).

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, this must be supported by relevant evidence that sets out why it is necessary to delay the interview. 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, so any report must also be necessary for a decision to be made. If the claimant is a child, you must refer to processing children's asylum claims.

Children and families

Follow the asylum instruction on dependants and family members 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 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 less than 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. 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 invite to interview letter must be issued to that dependant. The dependant may wish to obtain legal advice and arrange for a legal representative or appropriate 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, in their own interests and those of the child, bearing in mind the statutory duty to safeguard and promote the welfare of children. The Home Office arranges childcare provision in or near most offices in which asylum interviews take place. For a single parent, you should schedule an interview on a date when childcare is available at or near your office and provide information about this in the invitation letter. If your office does not offer childcare provision, you should offer to reschedule the interview if necessary, so the claimant can arrange their own childcare.

Non-suspensive appeal (NSA) cases

If you are a trained asylum caseworker you can conduct substantive interviews with claimants entitled to reside in the countries listed in [section 94\(4\) of the Nationality, Immigration and Asylum Act \(NIA\) Act 2002](#) (the 2002 Act) in line with the guidance on non-suspensive appeal (NSA) cases and certification under [section 94 of the 2002 Act](#). Only caseworkers, Technical Specialists and Senior Caseworkers who have received NSA training can authorise decisions on claims from nationals of those countries.

Non-attendance

You must normally require all asylum claimants to attend an interview, except in the situations 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, for example, a fit for work certificate, from a GP or hospital, 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. 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 the letter from the GP or consultant states 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](#).

Non-attendance for other reasons

If the claimant states 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 withdrawing asylum claims.

Choice of language

A claimant may have been screened in one language but expressed a preference for the substantive interview to be conducted in their first 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 same 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 and again in the invite to interview letter and they can also request this later. You should normally expect to meet this requirement and if it cannot be met on the scheduled day, the interview should normally be re-arranged.

When requested in advance of the interview, you should make every effort to meet the request for a male or female interpreter as far as operationally possible. 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

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, which must be supported by a letter from the GP or Consultant involved in their maternity care. For those who have given birth, you should not arrange interviews until at least 6 weeks afterwards. 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 to support any further delay.

Friends or companions

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 to be present to provide emotional or medical support. Claimants may also benefit from the presence of a supporter from their faith group or non-religious organisation before or during the interview, and this should normally be accommodated 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 or companion to be present during the interview.

A friend or companion must not be family members, seeking asylum themselves, have any obvious personal interest in the outcome or have engaged in providing legal advice to the claimant. Whilst it is important to keep the presence of friends or companions to a minimum, you must consider any request from the claimant and accommodate this as far as possible. Companions are admitted on condition that they are there solely to provide spiritual, medical or emotional support. They must not intervene during the interview and must observe complete confidentiality afterwards. You must explain this to the claimant and the companion, so 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 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 in this section 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 arranged. Any explanation for non-attendance must be considered in line with the [non-attendance policy](#).

You must notify a legal representative where an interview is taking place in prison with 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 the limitations 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 [recording policy](#). 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 Detained Asylum Casework must take place in accordance with the policy on asylum claims in detention.

Video conferencing

Where the interview is conducted by video conference (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. You must ensure that everyone has correctly positioned the headsets and or microphones and that all participants can be clearly seen and heard throughout the entire interview. If a legal representative is present with the claimant, use a microphone and ensure all parties can hear each other. You should inform the claimant that a transcript of the interview record and the audio recording will be sent to them by post following the completion of the interview. You should make it clear to the claimant that there is no video recording being made of the interview, only an audio recording. If the VC equipment fails and you can no longer hear or see the claimant or any other participants, you must suspend the interview. You must not continue with the interview until the equipment has been fixed. If the equipment cannot be fixed, the interview must be rearranged.

In some 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 factors that may prevent a claimant disclosing particularly sensitive information in a VC interview. 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.

Where it becomes clear during a VC interview that the claimant is unable to participate fully in the interview process, you must suspend the interview and establish the reason why, seeking advice from a Senior Case Worker or Technical Specialist as necessary. If the interview cannot continue as a VC interview, an interview must be rearranged as a face to face interview.

Submission of documents in video conference interviews

Claimants will have been advised of the need to submit any documents prior to the interview. If claimants ask how they can submit additional documentation to support their claim, you should advise them that they can either email this information, (you will need to provide a suitable email address) or submit the original documentation to a specified address, which you must provide. If VC interviews are taking place in Home Office premises you can arrange for documents to be submitted on the day of the interview. These should be scanned by administrative staff facilitating the interview and sent immediately to the Interviewing officer by email. You must still establish the relevance to the claim of any documents and ensure claimants have been given a suitable period to submit any relevant documentation. See [submission of documents at interview](#).

In all other respects, the interview must be conducted in line with the requirements set out in this policy.

Safeguarding in video conference interviews

Asylum administrative or reception staff will provide a single point of contact (SPOC) for caseworkers undertaking the interview in case safeguarding issues arise during the interview that requires immediate attention. This may include instances where the claimant is distressed and requires assistance in the room, 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 cases where it is not considered appropriate to continue you should suspend the interview and make alternative arrangements for a face-to-face interview.

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

[Contents](#)

Interview recording policy

This section tells you how to arrange and conduct an asylum interview in line with the policy of recording all interviews.

Recording interviews

Digital interviewing capability is being introduced across all asylum casework operational sites as part of the Home Office aim to become digital by default. This means that where the appropriate equipment has been installed, as a matter of policy, you must ensure that the substantive asylum interview is digitally recorded and that any audio copy made of the interview is provided to the claimant and or legal representative.

Inform the claimant

The point of claim leaflet, the screening interview form and the invite 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 interview recording

Wherever possible you must make a digital recording of the substantive asylum interview. However, in some cases claimants may request that the interview is not 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 person 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 General Medical Council 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 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 digital recording equipment

It is Home Office policy to digitally record asylum interviews unless the [exemptions policy](#) applies. However, if recording equipment fails or is temporarily not available, you should still proceed with the interview if the claimant agrees to the interview being conducted without a digital recording being made. You should offer to delay the start of the interview to enable the claimant to speak to their legal representative. If the claimant expresses a wish to have the interview audio or digitally recorded, you must either source an alternative means of recording or re-arrange the interview. If the equipment fails and the legal representative is present, you must continue with the interview.

You should only accept a request for a second interview so that a recording can be made if the first interview was not recorded or if there are serious grounds for complaint about the first interview.

Provide a copy of the digital / audio recording

You will usually provide the claimant with a copy of the digital audio recording of the interview on a USB storage device. In most cases, you will be able to do this immediately following the conclusion of the interview, upon receipt of the signed acknowledgment, [see interview transcript](#). However, if you cannot do this, you must provide a copy of the recording as soon as reasonably possible after the interview.

In addition to the digital recording, you must provide a full written verbatim record of the essential information regarding the asylum claim in all cases, [see interview transcript](#). You can give the claimant copies of the recording on receipt of a dated and signed acknowledgement. Write it in the comments section at the end of the interview record. You must not agree to any request to play back the recording.

You must not permit claimants or their representatives to use their own recording equipment during an asylum interview, but you should allow a 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

[Contents](#)

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.

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, 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:

- prepare broad lines of enquiry, to focus the interview on important issues and avoid wasting time on irrelevant questions
- consider any evidence already available and the brief information provided at screening about the individual and family
- 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 sensitively with that in mind
- pay particular attention to the situation of any children present in the UK
- 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

National Insurance Number (NINo) application

You should complete the NINO details before the start of the interview if this has not already been done.

Biometric Residence Permit

You should check CID before the interview to see if the claimant and any dependants have enrolled their biometrics. If 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 in the event that the claim is refused and appeals rights are exhausted, you must complete the application for an ETD, subject to the available documentation guidance on Horizon.

Start the interview

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 any other party anybody else in the room not known to the claimant
- be satisfied the claimant at the interview is the subject of the case file who has been requested to attend
- if the interview is being conducted by video conferencing, explain the process to the claimant and introduce everyone connected to the session
- 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
- confirm that the address provided 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 in 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 also 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
- ensure the claimant is feeling fit and well enough, both physically and mentally, to proceed with the interview

Written statements

If a written statement, asylum questionnaire or other 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 statement 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 should be clarified with the legal representative. You should indicate any response or explanation provided by the legal representative on the interview record.

During the interview, you must address any contradictions between the written statements or other evidence, including documentary evidence submitted in support of the claim, and statements during the interview. You must also address any evidence that the claimant does not understand what has been written on their behalf.

Documents and other evidence at interview

This section does not apply to interviews conducted by video conferencing where the applicant is not being interviewed in Home Office premises. See [submission of documents in video conferencing interviews](#).

If documents are submitted at interview you must list them on the interview record. You must ask the claimant when and how the document was obtained and its relevance to their claim. If you accept the submission of an 'original' document, this does not imply that its authenticity is accepted. When you consider the weight to attach to any overseas documents, for example, official certificates or arrest warrants, remember that it is for the claimant to show that the documents can be relied on. See [Tanveer Ahmed v Secretary of State for the Home Department \(Pakistan\) UKIAT 000439 \(19 February 2002\)](#).

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. 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. 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, note this on the interview record and that you have retained the originals. See also [submission of further evidence](#).

Breaks in the interview

An asylum interview 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 at your discretion, but also at the request of the claimant, or if you 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.

If the claimant is taken ill, you must call security to request medical help. You must suspend the interview and record the reasons on the interview transcript. You should not provide a copy of the record until the interview has been re-booked and finally 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

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.

See reducing the risk of violence at work – guidance for staff and reducing the risk of violence at work – guidance for managers.

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 that accident, injuries, assault, near miss, verbal abuse and threatening behaviour are reported and investigated.

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 applications under [Paragraph 352A](#) of the Immigration Rules. Those who apply for family reunion 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)
- 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
- partner's contact details, including telephone and email address
- details of any children, 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 Preliminary Information Questionnaire (PIQ) where this has been completed. However, not all asylum seekers 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 the evidence available on file 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.

Related content

[Contents](#)

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

The interview will involve:

- **shared responsibility** – whilst a claimant must substantiate their claim, 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 individual basis, and you must take into account:
 - the background and circumstances of the claimant
 - any fear relevant to their dependants in the context of the family unit or as individuals
 - any individual factors which may affect how a claimant responds, [see also 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 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, see assessing credibility and refugee status
- **focus on material facts** – you must:
 - 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, both the credibility of the account and the likelihood of future persecution will be assessed to a relatively low 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 over others, or the reasons for and the circumstances of their conversion to a particular religion or belief
- **establish nationality** – you must:
 - clearly establish the nationality of the claimant and if any doubts exist, refer to nationality: doubtful, disputed and other cases
 - confirm that the interpreter is translating questions regarding nationality correctly, 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 a claimant may identify with a nationality but not be legally accepted by the relevant country, see guidance on statelessness and applications for leave to remain for further guidance on statelessness issues
 - ask follow up questions to correctly ascertain and record a claimant's nationality
 - consider the need to conduct language analysis testing, see the asylum Instruction on language analysis
 - note that in most cases a person who has a passport or other identity document from a country is considered as 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 contradictions which become apparent in their answers
 - explain or clarify any significant inconsistency with information 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 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 issues
- 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

Related content

[Contents](#)

Interviewing techniques

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

Open and closed questions

Once you have established the outline of the claim, you should normally ask further questions to gather more detail about the events.

This would include:

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

You should avoid compound questions 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 questions one at a time and address the claimant directly, not the interpreter. If the response indicates that a question was not fully understood, you should ask again and make it as simple as you can. You should use both open and closed questions as both have a value in the interview. You will often need to ask follow-up questions to further probe exactly what happened and what the claimant thought or did.

Closed questions are useful to draw out a statement of fact that is strictly limited, for example:

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

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

- “what happened next?”
- “did anything else happen?”

You should ask questions which may go to the heart of the credibility of the claimant’s alleged fear, for example, by asking why they delayed leaving the country despite an apparently imminent danger to their life or liberty, or what arrangements

were made, if any, for the safety of their 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. 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 explain the consequences for the claimant of not correcting inaccuracies.

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

Listening out for the unspoken

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 the claimant is finding difficult to divulge, for example, "he hurt me" might mean "he raped me".

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 conditions, 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: "I understand it may be difficult to talk about, but can you help me understand what else happened to you in detention?"

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 a particular incident, the realisation of a particular sexual orientation, conversion to a different faith, or having undertaken particular 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, 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 their original language, or English language version if that is their normal title, translated if necessary, and printed. 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 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 this harm. 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](#).

Related content

[Contents](#)

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

In cases where religious or belief based conversion, for example, from Islam to Christianity, or to no religion, 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 appreciation 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 demonstrate a clear and coherent understanding of their own motivation for becoming an apostate.

You must ensure that the interpreter can translate the concepts and terminology of religious or non-religious groups in the country of origin and of asking questions in a way that encourages the claimant to elaborate on their personal journey.

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, normally the ordained ministers.

At interview, you should expect the claimant to be able to describe the encounters or contacts with their new religion or belief. This may include the people whose words or example inspired them, or the readings which struck a chord, and which contributed to the decision to accept and follow it. 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. This should always include a consideration of the principles set out by the Supreme Court in [HJ \(Iran\) v Secretary of State for the Home Department \[2010\] UKSC 31 \(07 July 2010\)](#) and [RT \(Zimbabwe\) and Others v Secretary of State for the Home Department \[2012\] UKSC 38 \(25 July 2012\)](#). 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. Refugee law does not require a person to express false support for an oppressive regime or require an agnostic to pretend to be a religious believer to avoid persecution.

Sexual orientation or gender identity

Where sexual orientation or gender identity is at issue, you should focus the interview on the claimant's experiences and relationships in family and society in the country of origin and in the UK, if appropriate. You must be familiar with the guidance on gender identity issues in the asylum claim and sexual orientation issues in the asylum claim.

Some lesbian, gay, bisexual, transgender or intersex (LGBTI) people may originate from countries in which they are made to feel ashamed, humiliated and stigmatised by their sexual or gender identification. Discussing matters such as sexual orientation may be unfamiliar to them and having to do so in an official context may be traumatic. You must ensure that the interview is a sensitive enquiry into the development and exploration of the claimant's sexual orientation, and must never be an enquiry into explicit sexual activity. You must also avoid asking questions about sexual preferences or physical attractiveness. LGB cases are distinct from gender identity cases. However, in gender identity cases, people may also identify as LGB.

You must not require the claimant to 'prove' their sexual orientation, simply to establish it to a reasonable degree of likelihood. For the purposes of the interview, self-identification as lesbian, gay or bisexual will be the normal starting point as an indication of a person's sexual orientation. 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.

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 must never ask 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 orientation 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 with 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
- confirmation that it does not contain sexually explicit material

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.

You must ensure that the interpreter is capable of translating terminology regarding sexual orientation and gender identity and of asking questions in a way that encourages the claimant to elaborate on their personal journey. See section on [interpreters](#).

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 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, the connection is dangerous. 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.

Evidence of war crimes or other serious international 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 which has committed such crimes. Guidance on exclusion under article 1F of the convention provides further details on the issues to be covered.

Official Sensitive: Start of section

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

Official Sensitive: End of section

Related content

[Contents](#)

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, taking care not to cause undue stress, you must ask when, where, how, and by whom the torture was inflicted. This is particularly important, since claimants are not required to 'prove' that they were tortured, simply to establish it to a reasonable degree of likelihood. 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 must also remember that medical reports 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, coherent, and plausible, allowing for underlying personal factors.

The following issues are suggested as a guide but you do not need to ask all questions in all cases. Avoid unnecessary distress to the victim and stop as soon as you think it is likely that the abuse has taken place. While taking due care, ask about issues including:

- 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

Also, 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.

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. See also medical reports from the foundations and medical evidence (non-medical foundation cases).

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.

Claimants with scars

If the claimant has scars, or bruising, 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, 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 relatively low standard of proof required. 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.

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 asylum and modern slavery 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 indicators of modern slavery first come to light whilst you are conducting the asylum interview, and if the potential victim consents to being entered into the National Referral Mechanism (NRM) process, you, as the first responder, must complete a NRM referral form. You do not need to gain consent from minors. The

completed referral form should be emailed to the Modern Slavery and Human Trafficking Unit (MSHTU) for allocation to a competent authority team. You should also note the duty to notify for adults who do not wish to enter the NRM and complete and submit Form MS1 in these cases.

Modern slavery: interview for NRM

Guidance is available for Home Office competent authority decision makers who are responsible for deciding whether someone referred to the NRM is a victim of modern slavery under the [Council of Europe Convention on Action against Trafficking in Human Beings](#). 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 invite to interview letter so that there are no references to asylum in the invitation to interview letter.

Official Sensitive: Start of section

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

Official Sensitive: End of section

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 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 that you may cancel or suspend the interview if the claimant is clearly unable to cope with an interview and where the validity of what they might say could be called into question.

If a GP's or consultant's letter is received confirming that the person is unable, for the foreseeable future, to cope with an interview, you should consider omitting the personal interview and take written evidence in accordance with [paragraph 339NA of the Immigration Rules](#). You should discuss this with the 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 safeguarding hub referral process.

Threats of self-harm or suicide

The safety of the claimant, interviewer and any other participants is paramount. You must call security immediately if a claimant threatens to 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 threatens suicide if their claim is refused, you must:

- note the threat in the interview record
- report the threat to management after the interview
- take any further action which you or your managers consider necessary in the circumstances of the case, this could include suggesting 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 the safeguarding team where appropriate, see also considering suicide threats.

Related content

[Contents](#)

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 except for interviews of children, when you must always give a minimum of 5 working days after the interview for any further representations to be made.

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 want to ask the claimant to submit 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. This does not prevent the claimant or the legal representatives from submitting a written request for an extension of the timescales after the interview.

The amount of time provided will depend on the circumstances of the case, including the content of the evidence and how easy you think it will be to obtain. You must record the agreed deadline on the interview record. You should consider the low 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. 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, this can include 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

Where the interview has been digitally recorded, you must normally provide the claimant with a digital audio copy of the interview record and a written verbatim record of the interview.

You must ask the claimant to sign the acknowledgement section on the original copy or in the case of video conference interviews, the acknowledgment proforma, to confirm receipt. This is not to agree to the accuracy of the contents but if they are unhappy and refuse to sign, you should make a note. The exception to this practice will be where close family members are being interviewed separately. In those instances, you must return the transcripts to the claimants or their legal representative when all the interviews have been completed. See also [children and families](#).

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.

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 relevant 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 a 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.

Related content
[Contents](#)

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 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 solicitor's 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 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 a senior officer at senior executive officer 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.

Related content

[Contents](#)

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 must conduct themselves in a professional and impartial manner, and respect confidentiality at all times. 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 is summarised below:

An interpreter must:

- treat everything heard or seen as confidential, whilst on an assignment
- ensure everything stated in another language is accurately and fully interpreted – they cannot attempt to summarise what has been said and you must challenge them if they try to do this
- spell out any foreign name or place said by the claimant
- inform the interviewer immediately if there is any difficulty in interpreting
- 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:

- offer an opinion, comment or declare any personal observations on truthfulness or ethnic origin of the claimant, nor their religious or political beliefs
- allow their personal political, religious, philosophical or other beliefs to influence their professional attitude or the quality provision of translation
- indulge in general conversation with the claimant, other than to establish both 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 UKVI interpreter (where an interpreter is needed). This will ensure the best interests of the child. 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

Home Office interpreters should not feel threatened by challenges from other interpreters, but with your assistance, and possibly the legal representative if they are familiar with the language, should try as far as possible to amicably resolve any differences of opinion during the interview or when comments are invited at the end of the interview. Providing the challenges are appropriate and necessary, there is no reason why the Home Office interpreter should not be asked to consider an alternative interpretation or to correct something they may have misunderstood.

If the disagreement cannot be resolved, 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](#).

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 the Interpreter Operations Unit (IOU) 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 senior executive officer level or above before arranging an alternative interpreter.

An interpreter monitoring form must be completed and sent to the Central Interpreters Unit (CIU) in all cases where you suspend or cancel an interview due to language difficulties or interpreter problems.

You can also complete the form if an interpreter has provided an exceptionally good service.

Related content

[Contents](#)

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 to respond to the complaint.

You should, if requested, 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 on line 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.

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.

Related content

[Contents](#)