

Section 1

How we decide
who needs
sanctuary

CHAPTER 1

How asylum decisions are made

I was persecuted in my country for my journalism and it was not safe for me there. But claiming asylum in the UK was like jumping out of the frying pan and into the fire.”

1. Initial determination of asylum applications to the UK



Commissioner Jacqueline Parlevliet

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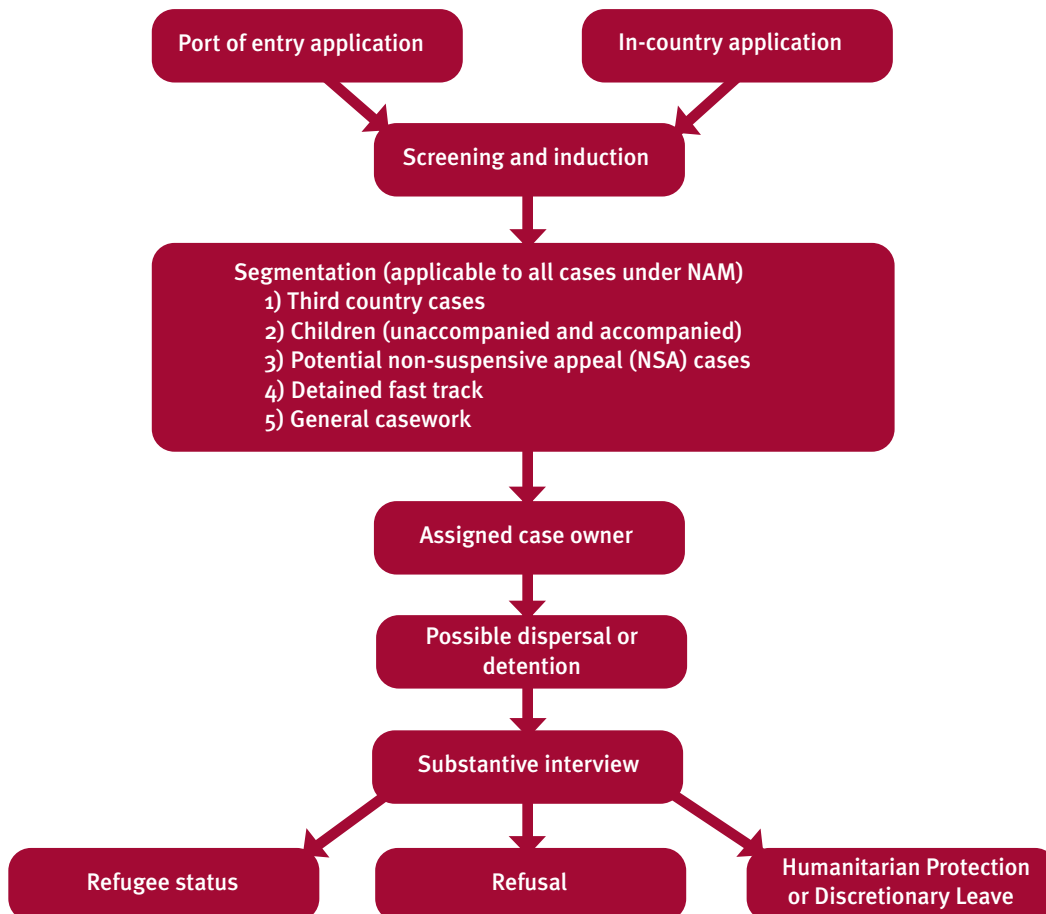
1.1 Responsibility

In a formal sense, the Home Secretary is responsible for the determination of asylum claims. However, it is the Asylum Directorate, part of the Border and Immigration Agency at the Home Office, which has the practical task of actually administering the asylum process. A person is not officially described as a refugee in the UK until they have been awarded refugee status as a result of the determination of their case. However, technically speaking, the state does not make someone a refugee; rather it recognises them to be one by declaring that their circumstances meet the criteria of Article 1(A) of the Refugee Convention. Article 1(A) defines a refugee as someone who has a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion.

1.2 Process

The following diagram shows the processes involved from asylum application to initial decision:

Diagram A – From entry to initial decision



2. Factors influencing initial decisions

There are three possible outcomes of a claim for asylum: the applicant will be recognised as a refugee and given five years limited leave to remain, be granted an alternative form of protection – Humanitarian Protection or Discretionary Leave – or their claim will be refused. An initial decision is made by caseworkers or immigration officers. Key factors influencing their decision are:

- The initial application
- Contents of the substantive interview
- Country of origin information
- Expert witness evidence

2.1 Making an initial application

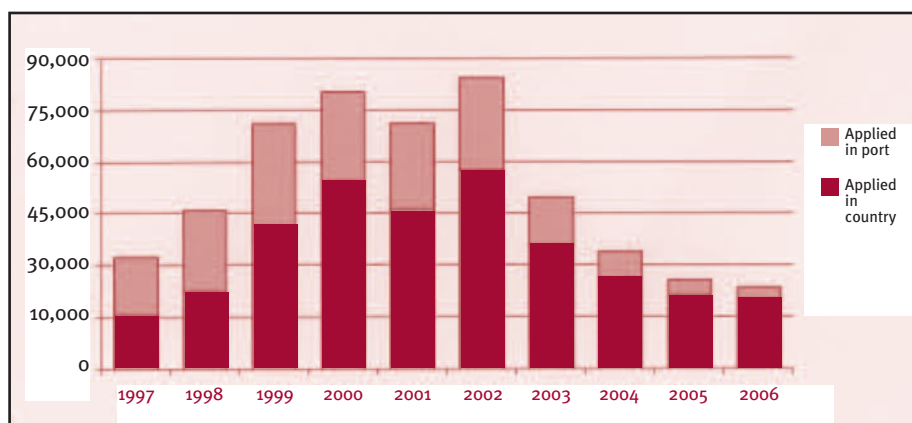
Asylum applications can be made either at a ‘port of entry’, for example at an air/sea port or ‘in-country’ at an Asylum Screening Unit (ASU) in Croydon or Liverpool.

If an asylum seeker makes a ‘port of entry’ application then they will usually be given an asylum screening interview by an immigration officer shortly after arrival or asked to return for one at a later date. The purpose of this interview is to establish the identity and nationality of the asylum seeker, their travel route to the UK, the documentation used to travel to the UK and to take the fingerprints and photographs of the principal applicant and his/her dependants. If an asylum seeker enters the country legally (i.e. by being granted leave on another basis, for example as a visitor or a student) or irregularly (by evading immigration control on arrival, for example being concealed in a lorry) and then makes an application for asylum then they are making their claim ‘in-country’. Applications must be submitted in person at the Asylum Screening Unit of the Home Office in Croydon or Liverpool. In-country applicants are also given a screening interview by the Home Office. Asylum

“There is a sense in which the UK authorities assume, and wrongly so, that, when one flees persecution, they have all the time in the world to organise legal travel documents.”

Submission: Zimbabwe Action Group

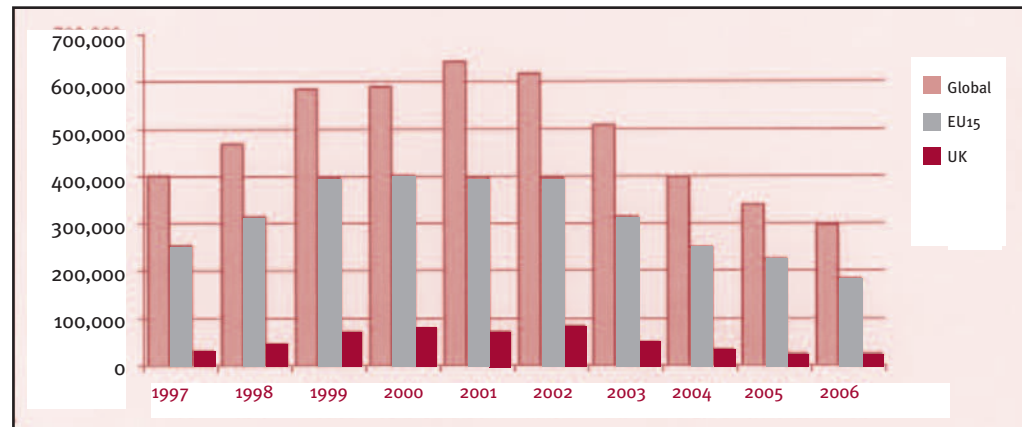
Graph A: UK Asylum Application 1997-2006



“Her description of the interpreter she was provided with was ‘rude, loud and scary’. She was afraid that everyone could hear what was being said, and worst of all, it was a Tamil instead of a Sinhalese interpreter. She felt unable to complain as ‘it was difficult to express dissatisfaction on my first day.’”

Submission: North Glasgow Framework for Dialogue

Graph B: UK, EU and Global asylum applications, 1997-2006



applicants are required to submit any other grounds for permission to remain in the UK at the same time as submitting their asylum application. This is part of the ‘one-stop procedure’ and ensures that any human rights grounds are considered alongside a claim for asylum.

2.2 Substantive interview

The purpose of the asylum interview is to establish whether or not an applicant is at risk of persecution for one of the five reasons outlined in the Refugee Convention and to assess their credibility. The interviewing officer will ask a range of questions relating to the applicant’s history and reasons for flight. It is only in exceptional circumstances that legal representatives are funded by the Legal Services Commission (LSC) to attend interviews.¹ Applicants who are not entitled to have a funded representative at their interview can request to have the interview taped. This interview forms part of the evidence for the application and any subsequent appeals.

The interviewing skills of caseworkers have been criticised by both the Medical Foundation and UNHCR.² Of particular concern is the lack of preparation by caseworkers before they interview applicants including an insufficient knowledge of country information, lack of familiarity with the key issues and facts of the case or those of related cases.³ There are also issues around the accuracy of transcription in interviews. A submission received from a qualified nurse and midwife details the experience of a Zimbabwean friend:

“A Zimbabwean friend, a fluent English speaker, read the transcription of his screening interview on the return journey to Manchester. In 5 instances, the case worker had written the exact opposite of what he had said. He challenged the statement, and these errors were corrected” Cath Maffia

1 The NAM pilot project in Solihull is funded by the LSC and makes provision for lawyers to be present at the asylum interview.
 2 Smith, E. (2004) *Right first time?* London: The Medical Foundation for the Care of Victims of Torture.
 3 UNHCR, (March 2006) *Quality Initiative Project – Third report to the Minister*

The importance of interpreters in interviews has also been emphasised and in around half of the interviews observed by UNHCR the interpreter engaged in exchanges with the applicant that were not translated. In addition, the Commission has received evidence on several cases where interpreters have been present but have not been adequate. A submission from the Nottingham and Nottinghamshire Refugee Forum details their clients' experiences:

“I didn’t understand the interpreter and because I didn’t speak English I couldn’t tell anyone. The interpreter wrote down that I was Ethiopian but I’m Eritrean. This has caused me a lot of problems” Submission: Nottingham and Nottinghamshire Refugee Forum

A number of instances were also observed by the UNHCR where the interviewer’s disruptive behaviour had a negative impact on the interview.⁴ One submission from a Zimbabwean man, travelling with his family, who due to visa restrictions travelled using a valid South African passport, describes how the immigration officer interviewing him responded to this:

“She just threw all the documents onto her desk and shouted to the rest of her colleagues ‘ This one is carrying South African passports and he says he is from Zimbabwe, he wants to seek asylum. Can you believe it? The bastard!’ ” Submission: Anonymous

2.3 Country information

This information is assessed in light of country reports and other documentation compiled by the Country of Origin Information Service (COI Service) in the Research, Development and Statistics (RDS) section of the Home Office. The Home Office also produce brief summaries – known as Operational Guidance Notes (OGNs) – of the political and human rights situation of a particular country. An independent Advisory Panel on Country Information (APCI) was established with a remit to consider and make recommendations to the Secretary of State about the content of country information.

Medical Foundation research identified frequent inconsistencies between the country of origin reports and the reasons for refusal given on a case⁵ and the Independent Race Monitor has observed examples of an overly rigid interpretation of country information being used to refuse claims.⁶ These findings have been corroborated by UNHCR’s assessment of the application of country information by decision makers and the agency makes a recommendation that caseworkers should be given proper training in research methodology so that they can learn how to apply country evidence properly.⁷ It has also been observed that there is an over-reliance on



Commissioner Nick Sagovsky

“TM was refused despite being a teacher, an MDC member with a letter from Tendai Biti (Secretary General of MDC Morgan Tsvangirai faction) confirming her membership and medical evidence because the interviewing officer wrongly thought that only Welshman Ncube was able to write MDC letters.”

Submission: Zimbabwe Association

4

Ibid

5

Smith, E. (2004) *Right first time?* London: The Medical Foundation for the Care of Victims of Torture.

6

Coussey, M. (2006) *Annual Report 2005/6 of the Independent Race Monitor*

7

UNHCR, Quality Initiative Project – Second report to the Minister



Manchester Hearing

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standard paragraphs (both in relation to country information and legal principles), rather than tailoring the reasoning of a decision to individual cases.⁸

Objective country evidence plays an important role in the determination of asylum claims and particularly in the assessment of credibility as it can provide context and understanding to a claim.⁹ However, a number of concerns have been raised in recent years over the quality and bias of country information. As a result of debates during the progression of the Nationality, Immigration and Asylum Act 2002 the Advisory Panel on Country Information (APCI) was established to revise and make recommendations to the Home Secretary on the content of Home Office produced country of origin information. The Advisory Panel prepares detailed comments on the content of country information reports. Particular attention is paid to how accurate, balanced, impartial and up-to-date the reports are. The Research and Information Unit of the Immigration Advisory Service, in its submission to the Commission, suggests that under the present arrangement:

“Particular sources become the only ‘truth’ and anything at odds with them and the conditions they portray is disbelieved”

Submission: Research and Information Unit of the Immigration Advisory Service

There is an ongoing debate about the establishment of an independent documentation centre for the provision of country of origin information. Many NGO observers feel that such a centre would increase the actual (and perceived) objectivity of the country information made available to decision makers. They have also argued that there would be fewer disputes at the appeal stage about the reliability and accuracy of information between the appellant and the respondent.

2.4 Use of expert evidence

Failure to give expert evidence (such as medical and country expert reports) due consideration has also been noted as an important issue impacting the quality of decision making.¹⁰ UNHCR found that one in five of the initial decisions made by caseworkers during Phase 4 of the Quality Initiative Project failed to take into account relevant evidence presented by the applicant, or their representative, before a decision on the case was made.¹¹

The Research and Information Unit of the Immigration Advisory Service, in its submission to the Commission, highlights the difficulties in obtaining expert evidence:

“As the amount of time which legal representatives can receive funding during case preparation diminishes, so does the possibility of them providing detailed, case-specific COI.”

Submission: Research and Information Unit of the Immigration Advisory Service

8 <http://www.ind.homeoffice.gov.uk/6353/aboutus/unhcrreport2.pdf> and Smith, E. (2004) *Right first time?* London: The Medical Foundation for the Care of Victims of Torture.

9 Thomas, R. (2006) *Assessing the credibility of asylum claims: EU and UK approaches examined*. European Journal of Migration and Law 8: 79-96.

10 Smith, E. (2004) *Right first time?* London: The Medical Foundation for the Care of Victims of Torture.
11 http://www.ind.homeoffice.gov.uk/6353/aboutus/QI_Third_Report.pdf

3. Quality of initial decisions

Three main issues with the quality of initial decisions have been identified:

- Credibility and plausibility issues
- Inconsistency in decision making
- Lack of access to initial legal advice

3.1 Credibility and plausibility issues

The way in which Home Office caseworkers determine credibility has been subject to much criticism. It has been observed that there are three main ways in which an asylum claim can be found to be lacking in credibility. The first is through the identification of internal inconsistencies in the account of the claimant, the second involves the observation of contradictions between objective evidence and the claimant's factual account and thirdly, the plausibility, reasonableness or truthfulness of the claim may be doubted.¹²

Legislators have also increasingly sought to guide the decision maker's assessment of credibility¹³ and under Section 8 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 decision makers are required to take into account certain circumstances when deciding upon the credibility of an applicant. The circumstances include: failure to claim before being notified of an immigration decision; concealing information, providing misleading information or causing delay (including failure to produce a valid travel document); failure to claim asylum in a safe country and failure to claim before arrest.

Research by the Immigration Advisory Service into the assumptions that underpin Section 8 has found that there are a number of 'reasonable explanations' for the behaviour described above.¹⁴ For example, applicants who have been victims of torture, rape, sexual violence or persecution may be reluctant to disclose their experiences at the earliest opportunity.¹⁵

The use of speculative arguments in Home Office Reasons for Refusal letters often involves the caseworker trying to guess the thought processes of the asylum applicant and deem what is plausible. However, these decisions are usually made on the basis of little or no evidence and without taking into consideration the impact of different political, social and cultural contexts.¹⁶

Research into the recall in the testimony of asylum seekers has questioned what can be regarded as a reasonable degree of error or omission and explored the impact of sleep loss, depression,

"I was persecuted in my country for my journalism and it was not safe for me there. But claiming asylum in the UK was like jumping out of the frying pan and into the fire. Refugee status is no good to a corpse – we need it while we are alive."

Cisse. Hearing: Birmingham.
For full testimonies please visit www.humanrightstv.com

12 **Thomas, R.** (2006) *Assessing the credibility of asylum claims: EU and UK approaches examined*. European Journal of Migration and Law 8: 79-96.

13 *Ibid*

14 **Ensor, J.** (2006) *Credibility under the 2004 Immigration Act*, Abstracts from a paper given at the Conference 'On Asylum, Migration and Human Rights' of the University of Durham & The Medical Foundation for the Care of Victims of Torture

15 **Refugee Women's Resource Project, Asylum Aid** (March 2006) *'Lip Service' or Implementation? The Home Office Gender Guidance and women's asylum claims in the UK*, p.84

16 **UNHCR**, Quality Initiative Project – Second report to the Minister

pain, post traumatic stress disorder and other factors on accurate recall.¹⁷ The Zimbabwe Association raise one such example in their submission:

“In one case a documented torture victim was interviewed while still traumatised and with little understanding of the legal ramifications of his comments.” Submission: Zimbabwe Association

It has been observed that the decision maker is faced with a difficult task when determining whether inconsistencies in the accounts of claimants are the result of misrepresentation and exaggeration or whether they can be explained by other factors.¹⁸

The use of speculative arguments are not only a reflection of flawed credibility assessments but may also result from the application of an incorrect standard of proof, a failure to use country of origin information correctly and the adoption of a ‘refusal mindset’.¹⁹ Observers have commented on a ‘culture of disbelief’ or ‘culture of refusal’ that is perceived as prevalent in the Home Office decision making environment and encouraged by legislation such as Section 8 of the 2004 Act.²⁰ The Independent Race Monitor has noted that negative public discourse on immigration and asylum can impact decision makers by encouraging caution and suspicion.²¹

A submission to the Commission from ASIRT, on behalf of the Refugee Strategy Network, which offers immigration representation and advice up to level 3, suggests:

“[interviews] are routinely used as opportunities to seek out and highlight alleged discrepancies in the accounts of individuals who are frequently traumatised and bewildered by their experiences, rather than to enable applicants to impart full and relevant information.” Submission: ASIRT

West Midlands solicitor Margaret Finch testified at the Commission’s Birmingham Hearing that there was a deep cynicism at the heart of the Home Office asylum decision-making process that encouraged a culture of disbelief of asylum seekers’ claims:

“There is a lack of open-mindedness. Solicitors find themselves fighting a guerilla war with the government to ensure the basic human rights of asylum seekers are protected”.

17 **Cohen, J** (2002) Questions of credibility: Omissions, discrepancies and errors of recall in the testimony of asylum seekers. *International Journal of Refugee Law* 13:3 293-309.

18 **Thomas, R.** (2006) *Assessing the credibility of asylum claims: EU and UK approaches examined.* *European Journal of Migration and Law* 8: 79-96.

19 **UNHCR,** (March 2006) Quality Initiative Project – Third report to the Minister

20 **Ensor, J.** (2006) *Credibility under the 2004 Immigration Act*, Abstracts from a paper given at the Conference ‘On Asylum, Migration and Human Rights’ of the University of Durham & The Medical Foundation for the Care of Victims of Torture

21 **Coussey, M.** (2005) *Annual Report 2004/5 of the Independent Race Monitor*

3.2 Inconsistency in decision making

A report by the National Audit Office in 2004 observed that the rate of successful appeals is much higher for some nationalities than for others. Reasons for this discrepancy offered by the Home Office are that ‘appeal rates are influenced by a complex interplay of factors, including: the country situation; case law; resourcefulness of applicants (for example in producing expert reports); and the ease with which caseworkers can disprove the key issues of claims’. An additional factor has been identified by the National Audit Office who question how reliably caseworkers are able to assess the credibility of applicants where, on the face of it, their claim is well-founded. The submission from ASIRT, states:

“In our own agency’s experience, refusals are frequently made purely on the basis of a caseworker’s subjective opinion of what is or is not believable, and this is equally frequently done with regard to matters which have little subjective bearing on the core of an applicant’s claim.”

The Independent Race Monitor notes that there continues to be a high appeal success rate for applicants originating from African countries. There is some evidence that caseworkers believe that applicants from the same region give similar stories because they have been coached and refusals of initial claims are based on relatively small discrepancies or plausibility issues.²² However, the Home Office has responded to these criticisms by observing that there is not always a direct correlation between the quality of an initial decision and the outcome of an appeal as changing case law and country situations can have an impact.²³

3.3 Access to legal advice

Concerns have been expressed over asylum seekers’ lack of access to good quality legal advice and representation for a number of reasons. It has been observed in evidence to the Joint Committee on Human Rights that the dispersal of asylum seekers to various parts of the UK can impact their case because they are unable to locate quality advisers in the area that they are dispersed to and their representation is interrupted.²⁴ Asylum seekers may also have difficulties determining which firms are reliable and have the expertise to help prepare a good case. Poor – or no – representation will obviously place an applicant at a disadvantage and can result in a case being refused. A Home Office publication²⁵ on the role of early legal advice in asylum applications found that competent legal representation in the initial stages can contribute to good quality decision making.

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The Legal Services Commission funds legal aid

22 **Coussey, M.** (2006) Annual Report 2005/6 of the Independent Race Monitor
 23 **Home Office** (November 2006) *Response to Race Monitor’s Annual Report 2005-2006*
 24 **Hansard** (20 November 2006) *Uncorrected transcript of oral evidence for Joint Committee on Human Rights on the Treatment of Asylum Seekers*
 25 **Home Office** (June 2005) *The role of early legal advice in asylum applications*, Immigration Research and Statistics Service.



Commissioner Katie Ghose

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4 Current initiatives and alternative approaches

4.1 Current initiatives

In 2003, UNHCR was invited to assist the Home Office in improving the overall quality of initial decision making, by auditing the Home Office's procedures and providing recommendations. The first phase of the Quality Initiative Project was implemented in spring 2004 and a needs assessment was carried out which focused on training programmes and the interpretation and application of the Convention. The second phase of the project involved the sampling of around 50 first instance decisions per month. The third phase saw the establishment of three Working Groups to look at the use of 'standard paragraphs' in decision making, the use of testable evidence and establishing the facts of a claim. In Phase 4 of the project the main focus of the work was an audit of interviews, primarily in Croydon and Liverpool.

In addition to participation in the UNHCR project the Home Office continues to carry out internal quality assurance checks on first decisions and the Treasury Solicitor also carries out an external assessment of the quality of decisions. Feedback is given to caseworkers on the outcomes of sampling and monitoring takes place when it is noted that a 'significant gap' exists between the decisions made by caseworkers and the outcome of appeals.²⁶

4.2 Alternative approaches

Recommendations have been made for the introduction of a determination process that follows an exploratory approach to evidence rather than the more adversarial approach that defines the current system; the Canadian approach of using an independent board to determine asylum applications has been cited as an alternative model.²⁷ UNHCR has argued that the process of asylum decision making should be fact-finding and inquisitorial rather than adversarial so that the applicant is given the opportunity to address inconsistencies and contradictions.²⁸

5 The New Asylum Model and emerging issues

In examining asylum determination, this report must consider relatively recent changes to the way decisions are made. Since 5 March 2007 the Home Office has been processing all new asylum claims under the New Asylum Model (NAM).

26 **Coussey, M.** (2006) *Annual Report 2005/6 of the Independent Race Monitor*
 27 **South London Citizens** (2005) 'A humane service for global citizens', Report on the Enquiry into the service provision by the Immigration and Nationality Directorate at Lunar House.
 28 **UNHCR**, (March 2006) *Quality Initiative Project – Third report to the Minister*

Table A – Segmentation under NAM

Segment	Description
1. Third country	Applicants who claimed or could have claimed asylum in another EU country before arriving in the UK.
2. Children	Unaccompanied or accompanied applicants under the age of 18.
3. Potential 'non-suspensive appeal' (NSA)	Applications from one of the designated 'safe countries'. The applicant's right of appeal has to be exercised from outside the UK. Such cases are certified as 'non-suspensive appeal' cases.
4. Detained fast track	Following initial screening, any asylum seeker regardless of nationality can be detained in the fast track process if their case appears to be one that can be decided quickly. Exceptions include torture victims, age disputed minors, pregnant women and those with severe health problems.
5. General casework	Covers all remaining asylum cases.

5.1 Description of the New Asylum Model

The aim of NAM is to produce a faster and more streamlined asylum process.²⁹ Under NAM a single case owner has responsibility for a claimant throughout the asylum process from their application to the consequent granting of status or removal. This means more face-to-face contact with the applicant and includes an individually tailored 'case management plan'. The Home Office has set up 25 Asylum Teams to cover the major dispersal areas. There are eight teams in London (covering the South East), four in Solihull (Midlands), five in Leeds (North East), four in Liverpool (North West), and two teams each in Glasgow and Cardiff.

Another feature of NAM is the segmentation of cases. Upon an initial screening interview, asylum applicants are assigned to one of five 'segments' that determine the future pathway of their claim. The following segments are in operation:

● Segment 1 – Third country cases

Applicants identified as 'third country cases' are likely to be detained and, where possible, removed to the appropriate country. As a result of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, a new third country regime came into force in October 2004. Under this regime the Home Office does not have to determine the substance of a claim if they are removing an individual to an EU member state (including the twelve accession countries) or Norway and Iceland. In such situations there is no in-country right of appeal and these countries are deemed safe under the Refugee Convention and European Convention on Human Rights. The Home Office is also able to remove applicants to other third countries that are identified as safe in relation to the Refugee Convention, although this is open to challenge by Judicial Review.

● Segment 2 – Children

The segment responsible for asylum applications from children came into operation in April 2007 following an intensive training programme for case workers. It is expected that under NAM unaccompanied asylum seeking children will, for the first time, undergo a similar application

The New Asylum Model has ameliorated the situation a little, but some asylum decisions are still shocking – such as the rejection of a Somali woman's claim on the basis that her skin looked too dark for the ethnic group of which she claimed to be a member. The Home Office's interpretation of the 1951 Convention on the Status of Refugees is inhumane and in breach of pretty much all human rights standards."

Dr Jill Rutter, Senior Research Fellow, Institute for Public Policy Research (ippr)

Hearing: South London. For full testimonies please visit www.humanrightstv.com

process to asylum seeking adults. For example they will be interviewed by a case owner about the substance of their claim if they are 12 years old or over.

● Segment 3 – Potential non-suspensive appeals

Applicants who are nationals of one of the countries designated ‘safe’³⁰ do not have the right to appeal a negative decision on their case from within the UK if it is certified as ‘clearly unfounded’. Such cases are known as ‘non-suspensive appeals’, or NSA cases. Applicants under this segment are either detained or processed by NAM teams.

● Segment 4 – Detained fast track

If the Home Office decides that a claim can be processed quickly then the applicant can be detained at either Harmondsworth or Yarl’s Wood Immigration Removal Centres. The time scale for this segment is significantly faster than for potential NSA cases, with initial decisions being made within 3-4 working days.

● Segment 5 – General casework

All remaining asylum cases under NAM are interviewed within two weeks of an application, with the initial decision served in person within thirty working days.

5.2 Emerging issues under NAM

Some aspects of the New Asylum Model have been welcomed by refugee organisations.³¹ The introduction of single caseowners, for example, it is argued will foster better levels of contact between applicants and the Home Office. It is also believed that accountability for decision making will improve if caseowners are responsible for asylum cases throughout the process and with the establishment of a formal programme of staff training and accreditation.³²

The introduction of a pilot legal project in Solihull is regarded an additional positive aspect of the NAM. Implemented in October 2006 and funded by the Legal Services Commission, the legal pilot project offers an asylum applicant pre-interview legal advice and allows a designated solicitor to be present during the asylum interview. This helps to ensure that all the case details and evidence are provided. Refugee advocacy groups would like the Solihull pilot to be replicated and expanded to all NAM teams across the UK.

Despite these positive aspects, refugee organisations have also expressed a number of concerns in relation to the new model.³³ For example, that the implementation of segments will result in claims being pre-determined before they have been given substantive consideration. In addition, reporting arrangements under the NAM are particularly strict for some segments. Non-detained applicants under the ‘non-suspensive appeal’ segment are for example required to report daily to their case owners. If applicants are accommodated within three miles of a reporting centre, they are not given funds for transport. This has proved difficult for some claimants including the elderly,

30 There are currently 14 designated NSA countries: Albania, Bolivia, Brazil, Ecuador, India, Jamaica, Macedonia, Moldova, Mongolia, South Africa, Serbia and Ukraine. The following countries apply to male applicants only: Ghana and Nigeria. A draft order to add 10 more countries – Bosnia-Herzegovina, Mauritius, Montenegro and Peru; and, in respect of men only, Gambia, Kenya, Liberia, Malawi, Mali and Sierra Leone – to the list of designated countries is currently before Parliament for approval.

31 **Refugee Council** (2007) *Briefing: New Asylum Model*

32 **UNHCR** (March 2006) *Quality Initiative Project – Third report to the Minister*

33 **Refugee Council (2008)** *Asylum seekers’ experiences of the New Asylum Model: Findings from a survey with clients at Refugee Council One Stop Services*

disabled and pregnant women. Additionally, while most welcome the formal programme of staff training and accreditation, issues with individual case workers remain. Giving testimony at our Birmingham Hearing in February 2007, Claudette, an asylum seeker from the Ivory Coast, broke down in tears as she recounted how the Home Office interpreter and an officer from the New Asylum Model – piloted in the West Midlands – laughed at her during her asylum interview.

The faster timescales under NAM has added implications for some groups, in particular women and victims of torture. The Medical Foundation has expressed concern that the speed of the fast track process under the NAM may mean that allegations of torture are not dealt with appropriately.³⁴ Similarly, it has been argued that asylum seeking women in particular may find it hard to fully express the details of their case within the short timescales. They may also not have adequate time to seek advice about making an application independently of their husband.

A survey of asylum seekers at the Refugee Council's One Stop Services who had experienced the New Asylum Model revealed that issues remained with:

- case ownership, where people were not always able to name their case owner and some had trouble contacting them;
- speed of processing of cases: 25% of respondents said that did not feel they had had adequate time to get information to present their case, and did not feel they had had an adequate hearing;
- access to legal advice: 29% of respondents only saw their legal representative after their substantive interview rather than before;
- reporting requirements: some requirements appeared onerous in terms of both cost and time;
- child care provision: lack of child care provision prevented people from concentrating on the process of being interviewed.