

### Produced by Southwark Law Centre on behalf of South East London Immigration Advice Forum

The information contained in this leaflet is correct at the time of printing January 2008. Southwark Law Centre cannot accept responsibility for any subsequent changes.

Southwark Law Centre does not take any responsibility for advice received. In case of complaint about advice received, please ask the advice provider for details of their complaints procedure. In the event that services

are not available as advertised by the advice provider, or to order further copies of the leaflet, please contact the Southwark Law Centre on:

**Tel: 020 7732 2008.**  
**Hanover Park House,**  
**14 -16 Hanover Park,**  
**Peckham, London**  
**SE15 5HG**

LEVEL 1 advisors that have participated regularly in SELIAF:

#### **Southwark Refugee Project**

161 Sumner Road  
Peckham, London SE15 6JL  
Tel: 020 7703 4046

(This organisation has some expertise in nationality applications complicated by mental illness or incapacity)

#### **Multi Lingual Community Rights Shop**

213 Camberwell Road,  
London SE5 0HG  
Tel: 020 7703 4442  
Email: mlcrs213@yahoo.co.uk

#### **Southwark Day Centre for Asylum Seekers**

The Copleston Centre  
Copleston Road,  
London SE15 4AN  
Tel: 020 7732 0505  
Email: office@sdcas.org.uk

#### **Bromley Citizens Advice Bureau**

Community House  
South Street  
Bromley, Kent BR1 1RH  
Tel: 020 8315 1940  
Email: advice@bromleycab.org.uk

#### **Beckenham and Penge Citizens Advice Bureau**

20 Snowdown Close  
Avenue Road  
Penge, London SE20 7RU  
Tel: 020 8778 0921

LEVEL 2 LSC (Level 3 OISC) immigration advisors that have participated regularly in SELIAF:

#### **Afro Asian Advice Centre**

53 Addington Square, London SE5 7LB  
Tel: 020 7701 0141

#### **Southwark Law Centre**

Hanover Park House  
14-16 Hanover Park, Peckham,  
London SE15 5HG  
Tel: 020 7732 2008

(Also offers housing/asylum support/community care advice)

#### **Other local immigration /asylum advisors at LEVEL 2 LSC (LEVEL 3 OISC)**

Not For Profit Organisations

#### **Bermondsey Citizens Advice Bureau**

8 Market Place, London SE16 3UQ  
Tel: 020 7740 2328

#### **Southwark Human Rights and Race and Equalities Bureau**

8th Floor Hannibal House  
Elephant and Castle Shopping Centre  
London SE1 6TE  
Tel: 020 7708 4864

#### **Immigration Advisory Service**

190 Great Dover Street  
London SE1 4YB  
Tel: 020 7967 1200

#### **Drop in:**

Monday: 10.00-10.30am  
Tuesday: 13.00-13.30pm  
Thursday: 10.00-10.30am

#### **Refugee Legal Centre CROYDON**

Alberminster House,  
38-40 Sydenham Road,  
Croydon CR0 2EF  
Tel: 020 8603 0750

#### **Telephone advice:**

Monday - Friday: 9.00am-5.00pm

#### **Drop in:**

Monday -Thursday: 9.00am-5.00pm  
(Only asylum and not immigration cases)

#### **Asylum Aid**

Club Union House  
253-254 Upper Street  
London N1 1RY  
Tel: 020 7354 9631  
Email: info@asylumaid.org.uk

Advice Line: 020 7354 9264

#### **Telephone advice:**

Monday: 2.00pm-4.30pm  
Thursday: 10.00am-12.30pm

(Has a special project to assist female asylum seekers to prepare their cases)

#### **Local immigration solicitors who provide fee paying and LSC funded immigration advice**

#### **Glazer Delmar Solicitors**

223-229 Rye Lane  
London SE15 4TZ  
Tel: 020 7639 8801

#### **Fisher Meredith Solicitors**

Blue Sky House  
405 Kennington Road, London SE11 4PT  
Tel: 020 7091 2700

Local organisations providing asylum support and community care advice

#### **The Asylum Support Appeals Project**

18 Barclay Road, Croydon CR0 1JN  
Tel: 020 8686 1888  
Email: advice@asaproject.org.uk

Project provides advice and some free representation at NASS appeals and training to community groups

#### **Cambridge House Law Centre**

137 Camberwell Road, London SE5 0HF  
Tel: 020 7358 7025

(Represents in community care, asylum support and housing cases)

#### **Pierce Glynn Solicitors**

8 Union Street, London SE1 1SZ  
Tel: 020 7407 0007

(Provides fee paying and LSC funded advice on community care, asylum support and housing)

#### **Free Representation Unit (FRU)**

6th Floor, 289-293 High Holborn  
London WC1V 7HZ  
Tel : 020 7611 9555  
Email: admin@freerepresentationunit.org.uk

(Provides pro bono appeal representation for asylum appeals but not immigration appeals. FRU will not accept referrals from individuals and will only accept referrals from organisations giving advice (who can join as members if not already affiliated).

# Immigration advice in Southwark

The agencies listed are a mixture of not for profit and private advice providers. As information details are subject to frequent change, you may wish to contact the agency directly for up to date details such as opening times.

### Guidelines for Immigration Referral

#### What to establish when someone seeks immigration/asylum advice:

Is the enquiry urgent?

Here are some examples:

- The person is in a detention centre and tells you they are being removed from the UK.
- The person has recently arrived and is expressing a fear of return.
- S/he has received a letter from the Home Office [HO] or Border and Immigration Agency [BIA] that requires a reply or a form that requires completion within a deadline.
- The Home Office or Embassy/High Commission has refused an application and provided a right of appeal – the deadline for appeal is 10 working days \*, or 28 days \* if the decision was made abroad.

● A person needs representation for an appeal and a hearing date has been set.

● An appeal determination has been received – the deadline for reconsideration is 5 working days. \*

● The Asylum and Immigration Tribunal (AIT) has refused to make an order on a reconsideration application – the deadline for further review is 5 working days. \*

- The person is destitute/homeless.

\* These deadlines apply as at January 2008. The time limits run from the date of the decision notice plus two working days if posted in the UK. There are shorter time limits for persons in detention in the UK. There may be possibilities for late applications/appeal if these time limits have passed and no unjustified further delay is incurred.

#### Is the case complex or not?

Is the person seeking advice regarding a potential visitor application or about nationality or travel documentation? These may be less complex matters - the person may require advice and not a case worker and may be referred to a Level 1 advisor. (See overleaf for more information about the different levels of advisors.)

#### What type of case is it?

Is it an asylum, immigration, human rights (eg medical or family life case) or nationality and/or asylum support/community care case? Some advisors are expert in different areas - some service users would benefit from referral to an organisation that provides both immigration/asylum and also asylum support/housing/community care.

#### If the person is a failed asylum seeker then additionally it is worthwhile to establish:

- If there have been any changes in his/her circumstances since the Home Office last refused their application eg a significant deterioration in health or a new relationship.
- Whether there is any fresh evidence of risk on return eg documents from the country of origin or deterioration in conditions in the country of origin.
- Whether the person is able to identify errors in the consideration/presentation of the previous claim.

#### Is the advisor appropriately accredited?

If the organisation has a Legal Services Commission (LSC) \* Contract, the advisor should be accredited to Level 1 for basic casework and Level 2 for appeals. If the organisation is not a solicitors' firm then the advisor should be accredited by the Office of the Immigration Services Commissioner (OISC). Again, straightforward advice could be provided by a Level 1 OISC accredited advisor. Applications and casework including the lodging of appeals may be conducted by a Level 2 OISC advisor and appeals case work by a Level 3 OISC accredited advisor. It is a

criminal offence for an organisation to provide immigration advice without accreditation.

\* The LSC is the funding body for legal aid.

#### Is the person currently poorly represented?

If there are suspicions that advice has been inadequate then the advisor should assist the person to request copies of correspondence or applications and most importantly obtain copies of any advice letters. (See below)

#### What to expect from an advisor

1. The advisor should take detailed instructions (with the assistance of an interpreter, if necessary) and advise on:

- what options are available to the person
- whether the application is likely to succeed
- whether the application should be made at all and if so, what evidence would assist and whether there is a Home Office fee to pay
- any deadline
- how long the application is likely to take.

2. If legal aid forms are signed, the advisor should not request any money unless a particular Home

Office application requires a fee to be paid. (A person may be requested by the LSC to pay a contribution towards his/her legal costs where a public funding certificate is issued and where his/her level of income is above the relevant financial limit)

3. Instructions and the advice should be confirmed in writing within two weeks. If it is an asylum case then the advisor should draft a statement for approval, provide the person with a copy of the final draft and consider what background information might support the case.

4. The covering letter and representations in support of any application made to the Home Office/Immigration Service and any response should be copied to the person.

5. A written update should be sent to the person at least every three months.

6. Any significant new instructions or advice should be confirmed in writing by the advisor.

7. A request can be made 24 hours in advance of any interview with the Home Office for the interview to be tape recorded. The advisor should read through the written record and advise regarding any difficulties that arise as a consequence of the

interview and take instructions on these.

8. If the application is refused then the advisor should:

- explain why
- take instructions on the reasons for refusal letter
- assess and advise on the merits of any appeal
- if appropriate, assist with appealing against the decision, if there is an appeal right
- advise regarding any alternative remedy eg judicial review, if there is no appeal right.

9. If legal aid forms have been signed and the advisor says s/he is unable to represent at appeal without payment then this is probably because a decision has been made by him/her or the LSC that the case has insufficient merit. The person should be advised that s/he can apply for review of that decision and be assisted to complete a form for the LSC. The person should consider carefully whether it is worthwhile to pay for private representation if the prospects for success are poor. The advisor may request pro bono representation eg from the Free Representation Unit [FRU] – details below.

10. If the person is being represented at appeal then the advisor should:

- take an appeal statement which should be checked carefully
- advise as to the appeal procedure and time scales
- interview and prepare statements for any witnesses
- advise further as to any evidence or potential experts and consider any evidence that the person provides
- collate any helpful background country evidence, if appropriate
- send these documents to the Tribunal and the Home Office
- advise on what to expect at the Tribunal and the possible outcomes.

11. The outcome should be confirmed promptly in writing together with the deadline for review. If the appeal is unsuccessful and there are insufficient grounds for review, the person should be advised in good time to seek alternative advice (although in practise this may be difficult to find).

12. Again the outcome of any review should be confirmed promptly in writing with advice as to renewal and the deadline.

13. If the application is ultimately unsuccessful then the person should be advised as to any alternative application.

14. If the application is successful, then the person should be advised as to:

- the documentation that will be received
- eligibility for any travel document and entitlement to welfare benefits
- what application, if any, to make at the expiry of the leave
- any steps that may need to be taken before the expiry of the leave in order for the person to be eligible to apply for an extension or indefinite leave, as appropriate.

#### South East London Immigration Advice Forum [SELIAF]

This is a local advice forum for not for profit organisations that provides training, occasional networking meetings and a google group to post questions, updates and potential referrals.

Please mail [seliarf@yahoo.groups.com](mailto:seliarf@yahoo.groups.com) if your organisation would like to join the group.