

Helping Christian converts with their asylum claim

These are not prescriptive, merely suggestions as to how you may be able to help with the asylum case of a Christian who may face persecution if returned to their country of origin.

Caveat

Asylum Seekers are first and foremost human beings, with feelings, phobias, shortcomings and individual idiosyncrasies, like all of us. Some talk easily, some are reserved, even defensive. Some demand help, and some hate accepting help. So, it is important to

- Deal gently with them: they may be damaged and hurting, or just very cautious.
- Be especially careful if you talk about family, as some close family may be thousands of miles away, in prison or dead.
- Respect their views, even if you disagree: there is a fine line between helping and meddling.

Having said that....

1. Find out their status and basic details.

- Are they still in the asylum system, or do they have leave to remain?
- If they have leave to remain, is it indefinite, or time limited? Refugee status, Humanitarian Protection or Discretionary Leave?
- If still in the system, have they had an initial decision? Was it refused?
- Have they had an appeal decision? Was it refused?
- If the appeal was refused, have they already moved out of asylum accommodation?

2. Check if they have a solicitor

- If they have a solicitor, is it a Legal Aid solicitor or are they paying? (How?)
- If they no longer have a solicitor, it will be essential to find out what happened to cause a refusal and subsequent withdrawal of the solicitor.
- Your friend may have copies of their asylum papers. If they are willing to let you see them, it will give you a good overview of what has happened so far, and any reasons for refusal. It may be wise to make copies of important papers (like the determination of the claim).
- If they do not have their papers, you could talk to their solicitor (or former solicitor), if they give permission. Often solicitors are difficult to get hold of, but sometimes there are big differences between what the solicitor says and what their client has understood!
- Ask the solicitor where they are up to with the claim: you will probably need your friend there when you do that, to give the solicitor permission to speak to you. If the solicitor no longer represents your friend, he or she can ask for the asylum papers to be returned. There is usually a small cost for this – often around £30.

3. Establish the basis of their claim

- Is the claim based on their Christian belief?
- If not, is the solicitor aware of their Christianity / recent conversion? Especially if they have converted whilst in the UK, it could be the basis of a fresh claim.

- Does the solicitor understand why it would be dangerous for them to return?
- Be aware that some solicitors of other faiths, especially Muslims, may not be sympathetic towards a Christian convert. If you suspect this is the case, it may be best to find another solicitor.

4. If the solicitor is not confident that the appeal fresh claim will succeed, it may be worth talking to your friend about mounting a personal campaign.

- It is essential that the asylum seeker owns the campaign, and is pro-active.
- You can act as their support, and help with things they cannot do.
- Full details can be found on the [Right to Remain website](#)

5. Further submissions may be made at any stage, but after refusal you need evidence that is substantially new.

This could include

- Testimony from a church leader (see point 6).
- Other testimony confirming their faith or conversion.
- Evidence of persecution of Christians / Christian converts in their home country. This can be obtained from various sources, including [Barnabas Fund](#), [Christian Solidarity Worldwide](#), [Release International](#) and [Open Doors](#)
- Evidence of laws from their country which punish apostasy.

6. Written evidence from a pastor / church leader is important. It should address

- What makes them a genuine Christian – e.g their love of Jesus, evidence of their conversion, love of the Bible, regular attendance at meetings (not just Sundays)
- Evidence of their commitment and zeal, especially public baptism and evangelism: photographs of the baptism / baptismal certificate. If converts have not had photos taken for fear of spies, this should be explained.
- Change in behaviour since conversion.
- The letter should be detailed, written on headed paper, dated and signed.

7. Support at tribunal (appeals) is also really important.

- The more support, the better: anyone can come to court, and supporters demonstrate integration, community support and ties to the UK.
- If there is no solicitor present, one person can be a Mc.Kenzie's friend (see separate briefing). This is a vital role.
- Hearings can be any time from 10-4, so be prepared to wait! At 10am the order of proceedings in court will be displayed, so it will be clearer when the hearing is likely to be.
- Make sure the church leader who wrote the letter is there to give testimony, or at the very least an appointed deputy. Often judges will doubt the credibility of the letter if the minister is not present, or his absence is not fully explained.