

Core Activity Sheet 3.2

Possible Outcomes from Applying for Refugee Status in the UK

An asylum seeker is a person who has arrived in the UK and is claiming refugee status. This means they are claiming their Universal Human Right to asylum – to find safety in the UK. Not every asylum seeker is a genuine refugee and so the government employs immigration officers to decide who is genuine and who is not.

When you look at the case-studies you will have to think clearly about what decision is appropriate. In the UK the following decisions can be made:

1. Refugee Status

Refugees have the same rights as citizens of the UK. For example they can claim the same benefits and can attend higher education. Once it has been decided that someone is a genuine refugee they are free to travel in and out of the UK but they cannot return to their home country.

In 1998 less than 20% of asylum seekers were given refugee status.

2. Exceptional Leave to Remain (ELR)

In some cases the asylum seeker is not sent back home because there may be some danger but they are not recognised as being a genuine refugee. Instead they can stay in the UK with less rights than other citizens. For example, they may not have a right to be reunited with their family. This has to be renewed after a few years and eventually people can claim Indefinite Leave to Remain and then apply to become a British citizen.

In 1998 nearly 15% of asylum seekers were given ELR.

3. Refusal

If an asylum seeker has their application rejected this means it is illegal to stay in the UK. In theory they could be sent home; in practice many stay in the UK and work illegally to keep themselves and their families.

In 1998 66% of all asylum seekers had their application turned down.

4. Further investigation

If an officer thinks an asylum seeker may have a case but needs more evidence, they can delay making a decision to allow more evidence to be gathered. If you think this would be the correct course to follow in any of the case-studies, you may delay a decision.

At the peak there were 100,000 asylum seekers waiting for a decision; some of them were waiting for further evidence to use in their case.