

# **ILPA** information sheet

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## **Asylum Operating Model**

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The Home Office has introduced a new asylum process called the Asylum Operating Model. From 1 April 2013, all new asylum claims will be assessed using this model. The stated aim of the model is to speed up decision-making and make decision-making more consistent.

We have been told that the model will not change dramatically what a person seeking asylum sees but that it is the 'wiring' behind the scenes that is changing. However the changes in wiring may have important implications for persons seeking asylum and for lawyers and it is therefore important to understand these changes.

The Asylum Operating Model took effect on 1 April 2013, however certain aspects are not yet in place and will be put in place over the next year.

### **The Asylum Operating Model**

The Home Office believes that the Asylum Operating Model will make decision-making more uniform and efficient because of the introduction of 'triage' and 'routing' stages.

#### **Triage**

Triage is the first stage of the Asylum Operating Model process. It is expected that triage will take place at the screening interview when the applicant first claims asylum. The purpose of 'triage' is to identify 'types' of cases and assess them based on the length of time it is likely to take to decide the claim and to finally resolve the case i.e. to grant leave or to remove the applicant in the case if s/he is refused. Factors such as gender, nationality, age and whether the applicant is a member of a family or a single person will form part of the 'triage' in determining to which 'track' the case is allocated.

The current guidance and policy on screening will be retained. Screening will continue to be done either at the screening unit, at port or after a person is encountered by Local Immigration, Crime and Enforcement teams (formerly local immigration teams).

It is envisaged that certain claimants will be offered the option of an early substantive interview at the screening stage, for example on the same day.

#### **Routing**

At screening, triage will work first by gathering information and secondly by 'routing' a case on the basis of that information. There are three places ('casework hubs') at which consideration of asylum claims and decision making will be undertaken. The 'hubs' will be in the South, Midlands

and the North of England. It is anticipated that the hubs will remain in the same locations as at present: Croydon, Solihull and Liverpool. Each hub will have teams that specialise in each of the 'routes'. The 'routes' are:

- **Expedited Case:** Expedited cases cover detained fast-track cases and cases where a person will be sent to a European country through which they passed en route to the UK to have the case decided there ('third country cases'). The first question that will be asked in every case is whether it is suitable for the detained fast-track process or third country unit. If so, these cases will be processed at a separate 'fast-track hub'. Locations for such hubs have not yet been finalised.
- **Non expedited case: 3 sub categories**
  - Green
  - Amber
  - Red

Classification as green, amber or red will depend on three things: the length of time a claim is likely to need to be decided; the likelihood that the claim will be granted; and, thirdly, if refused, the speed at which removal can take place. The criteria for the three tracks are as follows:

- *Green:*
  - Claims that have at least a 47% likelihood of being granted and can be decided quickly. The Home Office believes that assessing the prospects of success can be based on checklists which have been devised from analysing the circumstances and outcomes of previous cases.
  - Cases that are very likely to be refused and, if refused, where the person can be removed quickly, but are not suitable for expedited track (e.g. because the person is in a category of persons who are not normally detained).
- *Amber:*
  - This track includes minors and others with special circumstances because it is recognised that these claims will need a longer time to 'process' given the involvement of other agencies (e.g. Social Services/National Referral Mechanism).
  - Cases that have a medium prospect of success. We do not have a 'definition' for medium prospects of success.
  - If refused, the claimant can be removed quickly.
- *Red:*
  - Claims that are unsuitable for expedited tracks due to the need for more time or resources.
  - Cases that have a medium prospects of a grant but less than 47%.
  - If refused, it is likely that removal would be slow/impossible.

It will be possible for cases to be moved from one track to another, although we do not yet know how this will be done or the implications of this. Indeed, there is still much that we do not know about this new process and many of the envisaged changes have yet to take place.