



Preparing for Your Asylum Interview: Advice on Assessing the Quality of Legal Advice

Your asylum interview may be the most important conversation of your life. Whether the interview is with the Greece Asylum Service or at the embassy or consul of a country that might accept you for relocation, your application will be accepted or rejected based on this interview. RefuComm recommends that you prepare thoroughly for the interview(s) so that you have the best chance of getting the decision you want at the first instance.

The day of the interview itself is likely to be exhausting. Asylum interviews normally take around three hours per person, and everyone over 14 must have an individual interview. This means that each family member over the age of 14 will have a separate interview while the others wait. In some cases, people go for an interview in the morning, stay all day and still have more to say so are invited back the next day to continue the interview.

You must be given as much time as you need to tell the interviewer everything you consider relevant to your asylum claim in as much detail as you can, so that they can fairly assess whether you and your claim are credible. To prepare thoroughly for the interview, it is vital for every refugee to have detailed legal information about what to expect. You may also benefit from good quality legal aid to thoroughly prepare for your interviews, to give you the best chances of a fair decision the first time.

You have the right to free legal *information and assistance* throughout the procedures, but you only have a right to a *lawyer's representation* for free at appeal stage(s) if you need it and if you ask for it. In practice many legal aid NGOs are offering free legal representation and advice at earlier stages, too.

Getting early legal advice ****before**** eligibility interviews is much better than waiting to seek legal advice only after your claim has been rejected following an interview.¹ Most rejections happen because the person wasn't well prepared and didn't understand what was relevant so didn't tell the official interviewer their most important evidence.

How Do I Find an Asylum Lawyer?

Don't wait for someone to tell you where to find a lawyer--ask the local asylum authorities and NGOs for contact with an asylum lawyer to prepare for your interview or to prepare and file an appeal.

Here is a list of legal support agencies you can contact.

http://refucomm.com/infopacks/greece-mainland/living-in-greece/legal-help/en/greece-mainland_living-in-greece_legal-help_EN.pdf

If you do not get the free legal aid you are entitled to by law, please ask again and complain to the authorities. Please also tell RefuComm so that we can advocate for you to get the legal aid you are officially supposed to receive.

Please be smart and assess each lawyer as an individual - they are not all the same! Even the same organisation may not actually be the same for you if you get a different lawyer next time.

Seeking personal recommendations from people who don't actually know the quality of the work by a lawyer they're recommending is unreliable way of choosing a lawyer to trust with your life. Just because another refugee's case succeeded even if their lawyer's advice was not very good. It could be that the case was so clearly valid that the official interviewer recognised it properly, and the lawyer's advice may have made no critical difference either way.

Try the free legal aid services provided and funded by NGOs and the government funded legal aid services. Consider the lawyer(s) you meet individually and decide who to trust based on meeting them. Don't assume you can't trust them because they are associated with the official system. Most lawyers, as they're trained to, have a strong sense of professional duty to their clients, and they will do their best for you if they have said they're committing to take on your case. The lawyers who are not with any legal aid organisation are often actually less specialised in asylum legal practice, even if they pretend they are better in order to demand private fees.

In some areas such as Athens there are so many free legal aid services available you can try a few lawyers for consultations before you decide who you trust to advise and represent you. However, there is scarce legal aid available and very many asylum seekers needing it, so you should make sure that you make it clear when you are accepting their offer, or not, to take your case. Also, make sure the lawyer is clear with you whether and when they are committing to you or not. If a lawyer cannot take on your case, ask where else you can find legal help.

How Can I Understand Enough to Know If the Lawyer is Good?

An asylum interview preparation session with a lawyer should probably take around 1-2 hours per person, or per family if your cases are very similar. If it's a 10-30-minute session (or even less), the lawyer is may not be giving adequate time for preparation for an admissibility or eligibility interview. Of course, it depends on how complicated your story is. If you read or listen to RefuComm's materials, videos, and audio explanations of the procedures before you meet with a lawyer for the first time, you will be able to ask better questions when you discuss your case. If you are better informed about the law before you go to meet a lawyer you will recognise what you need to ask their advice about. You'll have more specific questions, and the lawyer will be able to give you clearer answers.

You're also more likely to remember better their advice for you individually if you have some structured basic knowledge about the asylum criteria, what credibility assessment means and what order the procedures go in before you go to meet them.

Here's what we recommend you read:

[Admissibility interview self help guide](#) **this guide tells you how to prepare for the 'admissibility' interview which determines whether your application will be examined in Turkey or Greece.**

[Preparing for Your Asylum Interview with the Greek Asylum Office](#) **This guide tells you how to prepare for the regular interview for an application to claim asylum in Greece.** This document will help you to understand what interview preparation entails. It describes the criteria for *eligibility* and how the interviewers will assess your *credibility*. It also provides specific suggestions about how to prepare for your interview by remembering and writing down the details of your story.

[Please see also our films and animations on our YouTube Channel or website.](#)

Your Right to Appeal

If you're seeking a lawyer to help you make an appeal, this document describes the possible grounds for appeal. Any evidence that you didn't mention in the first interview should go into your appeal application as significantly new evidence.

Guide to Preparation for Your Asylum Interview [link pending] not uploaded yet

Based on the "Preparing for Your Asylum Interview" material described above, this document provides detailed guidance and an "Asylum Interview Preparation Worksheet" to aid you in remembering the *where, when, who, how, and why* of your story.

Once you've read these materials, and watched the films you should have a good understanding of what interview preparation entails. The information will help you recognise if the lawyer is asking you questions to get into enough depth and detail of your story to give you adequate preparation for the interview.

The following checklist is a tool you can use to assess the quality of the legal advice you are being given.

**Preparing for Your Asylum Interview Checklist:
How to Assess the Quality of Legal Advice**

- When you first speak with the lawyer, does the lawyer *ask questions* to understand:
 - What stage you're at in the procedures?
 - Your situation now and your past history?
- Does the lawyer tell you clearly what they will do for you, whether it's:
 - Reviewing your case
 - Looking for a lawyer in their organisation to take your case
 - Committing to your case for just the next stage
 - Committing to your case for as long as your case takes
- Is the lawyer *familiar with the issues in your country* that can cause people to become refugees?
 - If not, does the lawyer do Country of Origin background research before doing a practice interview with you?
 - Does the lawyer consider submitting country-and-issue-specific reports to EASO or GAS on your behalf in advance of your interview date?
- Does the lawyer explain:
 - The *asylum criteria* so that you can recognise all the ways the criteria might apply to you and what happened to you, and so that you recognise what might be relevant and can tell that to the lawyer?
 - The *meaning of key terms*, such as what "substantiating your claim" means and how "credibility assessment" works?
 - That you should *tell your story in the most credible way*, by giving specific details about *who, where, what, and when* for all of the events in your story?
- Does the lawyer do a complete *practice interview* with you?

- Does the lawyer have you *tell your story in sufficient detail* to make sure that all the most important bits that are relevant to getting asylum XXX?
- Does the lawyer show you through the practice interview what it means to tell your story in the most detailed, specific and therefore *credible way*?
- Does the lawyer explain:
 - Why those bits of your story are or might be relevant to the *criteria for asylum* so that you're more likely to remember them when you are in the actual interview and might be nervous?
- Does the lawyer use only probing, *open questions*, without leading you too much to say anything in the real interview that might harm your perceived credibility?
 - Does the lawyer guide you in how to *tell everything that happened to you clearly and honestly*, without sounding as if you have rehearsed your story?
- Does the lawyer give you time to *write your own reminder notes* during the session?
- Does the lawyer discuss and ask you about *documents, photographs or other material evidence* to help you substantiate your claim? And help you to print those materials in advance of the interview?
- Does the lawyer:
 - Allow enough time to listen to everything you personally need to say?
 - Respect your personal feelings about traumatic experiences?
 - Help you to feel calm enough to tell your story clearly with the most specific who, where, what and when details you can possibly remember?
- Does the lawyer explain your procedural rights in the interview and afterwards?
- Does the lawyer explain:
 - That you have appeal rights?
 - What the deadline applicable to you will be if you get a rejection?
 - How to get legal help if you need to appeal?
- Before the session ends, does the lawyer:
 - Summarise and review again the most important points of legal advice for you and make sure you write them down or can remember them?
 - Give you their contact information in case you need a reminder or another question or other help later?

What If I Don't Like the Lawyer?

If you have a bad experience with one lawyer, please don't assume that all free legal services are bad or that an expensive lawyer will automatically be better. Paying a lawyer more does not make them more powerful! Power actually has almost nothing to do with it - precision, thorough attention to detail and patience are what make a good lawyer.

Most of the specialised asylum lawyers with the most legal knowledge and practical experience in the Greek system of asylum procedures were hired early on by NGOs or by the Greek and EU government agencies. They are free to you but paid a salary by an NGO or government agency.

There is so far no feedback mechanism for you and no independent monitoring and evaluation of the variation in quality of legal aid provided by different lawyers and legal aid organisations.

Some asylum seekers are getting poor quality legal aid and then over-generalising that all free legal aid services are going to be the same. Some asylum seekers also misinterpret unwanted or unpleasant but legally correct information as bad advice. Some lawyers are also exploiting people's fear and desperation, misrepresenting themselves as more specialist or expert in asylum legal practice than they really are, and some of them charge very high private fees.

Be cautious about private lawyers who are not engaged with the official legal aid system. There's no guarantee that a private lawyer will be any better than a lawyer engaged in the legal aid system.

And again, if you do not get the free legal aid you are entitled to by law, or are having trouble finding a lawyer you can work with, please also tell RefuComm so that we can advocate for you to get the legal aid you are officially supposed to receive.

¹www.irishrefugeecouncil.ie/wp-content/uploads/2014/09/Providing-Protection-Access-to-ELA-for-asylum-seekers.pdf)

Irish Refugee Council report on the importance of early stages legal advice for asylum seekers.