

Asylum Applications and Christian Belief

A briefing for ministers called to give evidence in support of asylum applications

Many people seek asylum in the UK on the grounds that they fear persecution as Christians or as converts to Christianity in their country of origin. Some may have entered the UK as Christians or have experienced a conversion to Christianity after they have arrived. Some of these worship in our local churches and participate in the life of the congregation. As a result, ministers and members of our congregations are confronted, possibly for the first time, with the complexities of the asylum process.

Some ministers are called to testify at hearings as to the genuineness of an applicant's Christian faith. This briefing offers some general guidance. Although the scenario refers to a URC congregation, this guidance is intended to be used by all denominations – please adapt it to your individual circumstance.

THE ASYLUM PROCESS

It is of prime importance that the person the church is supporting should be served by a reputable immigration lawyer.

This is complex and subject to frequent change. Right to Remain are a charity working on asylum issues and have produced a Toolkit which explains the system. <http://righttoremain.org.uk/toolkit/>

You will also find a good, regularly updated guide at: www.asylumaid.org.uk/the-asylum-process-made-simple/#Application

It is of prime importance that the person the church is supporting should be served by a reputable immigration lawyer. It may fall to you to help them find one. Approach a local organisation that offers advice and support to refugees for guidance. Contact us (details below) if you aren't sure who is best placed in your local area or region. It is difficult but still not impossible to find a practice that operates Legal Aid. Some congregations crowd-fund to pay the costs of a good solicitor.

THE MINISTER AS WITNESS

Are there other churches, faith or community groups that you can work in partnership with?

If the person who is seeking asylum states that they were Christian at the time they fled or subsequently became Christian, and this is part of their case to explain why it is unsafe for them to return to their country of origin, then the minister will be required to produce a written statement and testify at the hearing. If the claimant does not have a solicitor, you should prepare a statement all the same and send it, signed and dated, to the Tribunal. This is evidence of the credibility of the claimant's claim to be Christian. (*As a rough general guide, see below. But it is vitally important to write this in your own words*). This should not be too long – a maximum of two pages A4 is about right.

The statement should cover the following areas:

The claimant's attendance at worship.

General involvement in Church life. Ideally this will be supported by letters to the solicitor from members of the congregation.

Willingness to and demonstration of seeking to deepen their understanding of Christian faith, for example by attending Bible Study groups, personal reading and prayer, times when they have evangelised or witnessed to others about their faith..

Baptism. If the person has been baptised, you should say so – if not, then you will want to explain your church's policy on Baptism (eg you do not baptise automatically everyone who asks for it and you require a person to attend several weeks of preparation classes).

ADDITIONAL CONSIDERATIONS

You must assume no knowledge of religious matters by the Home Office.

- You must be prepared for the hearing to be adversarial. The claimant has to convince the Tribunal of his/her credibility as a Christian and prove that he/she has a well-founded fear of persecution in the country of origin.
- You must assume no knowledge of religious matters by the Home Office. This may lead to some quite unreasonable assumptions being made about Christianity and the Christian Church (see <https://ctbi.org.uk/asylum-and-refugees-resources/> CRN document on *Testing the genuineness of conversion to Christianity*).



- You should explain the worship pattern of the Church so that the Home Office officials do not allow their own preconceptions to misjudge the claimant. Because the culture of Christianity varies from one branch of the church to another, a person who has come to worship in a congregation belonging to a particular church tradition may not be “informed” about aspects of Christianity which are important to another. It is unsound to assume knowledge of Anglican practices such as set prayers or the liturgical use of Psalms, or Catholic practices such as confession and regular masses in the case of a person who worships in a congregation of the United Reformed Church, which will typically use free prayer, hymns and Christian songs.
- It is helpful to avoid using phrases which may be meaningful within church circles but not outside – eg, the person “knows Jesus.”
- The Home Office frequently argue that a Christian may safely return to their country of origin if they do not announce their faith or try to convert others. They will often contend that members of the United Reformed Church, for example, do not evangelise. You will want to affirm that to evangelise is essential to what it means to be Christian. All are called to evangelise, though not all are called to be preachers.

THE HEARING

Answer the questions calmly and firmly – keep in mind that you are the expert.

Re-read your statement carefully before the hearing.

After the tribunal preliminaries, you will be asked to leave the court – this is to ensure that you do not hear what is said by other witnesses. When you are called in to give evidence, you should be prepared to respond to questions by the claimant’s representative, the Home Office Presenting Officer and the adjudicator.

If necessary, ask the questioner to repeat what they have said, or allow you to complete your answer. Answer the questions calmly and firmly – keep in mind that you are the expert.

For further information, contact:

Joint Public Issues Team enquiries@jointpublicissues.org.uk

**STATEMENT OF
REVD HILARY JONES**

I, **The Revd Hilary Jones BA**, of *(home address)* state as follows:

Declaration

I make this statement in connection with XX's asylum appeal. Its contents are true to the best of my knowledge and belief.

1. I am a minister of the United Reformed Church. I was ordained in 1990 and have served as minister of PP since 2008.
2. The United Reformed Church is a mainstream denomination in the UK with about 1500 local congregations. It is part of the World Communion of Reformed Churches, the fifth largest Christian tradition world-wide. We believe that we are called to join in God's mission to spread the gospel. All are called to share their faith by their lives and by doing so, to evangelise. We celebrate two sacraments, Baptism and Communion. In our services of worship, we do not use a prescribed liturgy but typically structure the service around Bible readings and sermon. The worship leader will normally use free prayer and the congregation will sing hymns, Christian songs and choruses. Our congregations reflect a rich diversity of Church backgrounds and theologies, of cultures and life experiences.
3. I first met XX in *(month, year)* when he began to attend services at PP. He told me that he had fled his home country because it had become too dangerous for him to remain and was seeking refugee status in the UK.
4. He has attended services regularly since then and as we are a small congregation, is well known and liked. We gave him a Bible in his own language. As his English improved, his confidence increased; now he regularly serves coffee after the service, helps with the Fair Trade stall and attends a weekly Bible Study group.
5. Although nominally a Muslim, he does not seem to have had a close identification with Islam. Seven weeks ago, he asked me whether he might explore further what it means to be Christian. I suggested he attend a membership group with four other people, with a view to deepening their faith and broadening their awareness of the Church. At the end of the course, which consists of eight weekly sessions, participants are challenged to consider the next step in their journey of faith.
6. XX has participated in these with enthusiasm. The next step for him is Baptism. We believe that Baptism is part of the journey of faith and that, particularly in the case of a convert, this is not to be taken lightly. Conversion is a gradual process. We are not required to baptise anyone who asks for it. But once a person begins to grasp the deeper meaning of Christianity, and shows commitment, then we will offer Baptism - XX is to be baptised in three weeks' time.
7. There is a real risk that as XX professes himself to be a Christian and is conducting himself as one, that he will be regarded as apostate if he were to return to his country of origin. He has a well-founded fear of persecution.

(signed and dated)

