



چايلد فيرست

رِی نیشاندهرهك ئا داخوازیکرنا مانی ل ههریّما ویٚڵز ژبوٚ زاروٚکیّن پهنابهریّن بی مالبات و ییّن پیّتقی

Child first - A Guide to Applying to Stay in Wales for Unaccompanied Asylum Seeking Children

ئاگەھى دەربارەى داخوازكرنا پەنابەرىن و مانى ل ھەريٚما وێڵز ژبۆ كەسێن كۆ تەمەنىٚ وان ژ ١٨ ساڵيىٚ بچۆكترن و كەسەكێن بتەنىٚ و بىٚ ماڵباتن

Information about claiming asylum and staying in Wales without your family if you're under 18

ئەۋە يێك ژ سێ ڕێ نيشاندەرێت ھاتينە چێكرن ژبو ئاليكاريا وه• پێويسته ھون ھەر سێ ڕێ نيشاندەرا بخوينن•

This is one of three guides designed to help you. You should read all three of them.

Canolfan Gyfreithiol y Plant

Children's Legal Centre



هەرێما وێڵڒ بەشەكە ژ وەڵاتێ بەریتانیا. مافێ مانا تە ل ھەرێما وێڵڒ لگۆري یاسایێن کۆچبەریێ ل وەڵاتێ بەریتانیا دبه.

Wales is part of the UK. Your right to stay in Wales depends on the UK's immigration rules.

مافێن من دناڤا پرۆسەيێن كۆچبەري و نرخاندنا تەمەنى دا

گەر تۆ ژ ۱۸ ساڵیێ بچۆکتر بِی، تۆ ‹وەك زاڕوك› تێۑ بەرچاڨكرن و لگوري پەيمانا نەتەوێن يەكبۆيى ئا ماڧێن زاڕۆكا (UNCRC) . ئەڨ واتە:

- 🖊 ئەو بريارێن تێنە دان ژ ئاليێ مەزنا ڤە پێويستە ‹ژبوي بەرۣژەوەنديا تە بن›
 - پنویسته پیشنیارین ته بهین بیستن و بهرچافکرن دهمی بریار تین دان
 - پيويسته ريز ل زمان و چاند و ئۆلى ته بهين گرتن
 - پٽويسته تۆ ژ زيانێ بهێيه پاراستن
 - ابیت تو بهنیه بن چاڤکرن 🗲

گەر **كاربەدەستێن كۆچبەرىێ** يان **دەستھەڵاتداريا ھەرێمي ك**ۆ تێ ناسكرن وەكۆ **جڤات** ھەستكر كۆ تۆ پڕ ژ ژيێ ۱۷ ساڵيێ مەزنتري، وي چاخي ‹نرخاندنا تەمەني› وێ ژتەڕا تێ ئەنحامدان.

بريارا كۆ ‹د باشترين بەرژەوەنديا تە دا› ئەو بريارە ژ ئالين كەسين مەزن قە تى دان كۆ تەق پەوشين تىكەلىدار تىن بەرچاقكرن، دىسا نىپىنىن تەژى تىن بەرچاقكرن. بەلكى ئەو بريارە ھەردەم د خواستا تەدا نەبە.

My rights through the Immigration and Age Assessment processes

If you are under 18, you are treated 'as a child', and in accordance with the United Nations Convention on the Rights of the Child (UNCRC). This means:

- Decisions taken by adults about you should always be made in your best interests
- Your views should be listened to and taken into account when decisions are made
- ➤ Your language, culture and religion should be respected
- ► You should be kept safe from harm
- ► You shouldn't be detained

If immigration officials or the local authority, also known as the council, think you look a lot older than 17, you may have to have an 'age assessment'.

A decision that is 'in your best interests' is a decision taken by adults which takes into account all the relevant circumstances, including your views. It may not always be the decision you want.





داخوازكرنا مافي ماني ل وهلاتي بهريتانيا

تۆ دكاري داخوازا پەنابەريێ ل وەڵاتێ بەريتانيا بكەي گەر تۆ ژوەلاتێ خۆ دەرچۆبي ژبەر كۆ رەفتارا چەۆت تەڭ تە ھاتيە كرن يان ژبەر ئەگەرا نەحەقيێ بەرامبەر وەك ھەڤيا تە، ئۆلێ تە و نەتەوا تە و تايبەتيا گرێدايي ب گرۆپەكا جڤاكي ڤە يان ژبەر تێكەليا تە تەڤ ھزرەكا سياسي (يان تۆ دترسى كۆ نەدادپەروەرى بەرامبەر تە بهێتە كرن ژبەر يێك ژوان ئەگەرا)

- دڤێ تۆ داخوازا خۆ ئا پەنابەرىێ بزۆترىن وەخت تۆماركەي ئێكسەر پشتي ھاتنا تە بۆ ناڤا بەرىتانيا. دبە كۆ پێويست بىت ژڨانەكێ تەڨ دەزگەھێ ڨىزێ و كۆچبەريا بەرتانيا (UKVI) پا چێكەي، كۆ ئەڨ كارە لجەم خزمەتكاريا كۆچبەريا بەرىتاني تێ ئەنجام دان كاركەرێ تە ئێ جڨاكي دكارە بڨێ يەكێ را ئالىكاريا تەبكەت.
- - پيويسته وەرگيّپوەكى زمان ژتەپ بھى دەستنىشانكرن، ئەگەر تە پيّويستى پىّ ھەبە ژبۆ جقينا چاقپيّكەفتنىّ كۆ ھۆن ژھەڤ دوو فيّمكەن دەمىّ ھەقپەيقىن تىّ ئەنجام دان.
- گەر داخوازیا تە ئا پەنابەرین سەركەفتي بە، وئ مافئ پەنابەریا سیاسي ژتەڕ بن دان و
 تۆ دكاري ل بریتانیا بمیني. پشتي ٥ سالا پن داچۆن وئ بهئ كرن لسەر مافئ پەنابەریا
 تە. ل وئ چاخي تۆ دكاري داخوازیا مافئ مانا بەردەوام ل بریتانیا بكەي
- گەر داخوازناما تە ئا پەنابەرىي سەرنەكەت، دبە مافى پەنابەريا ‹پاراستنا مرۆڤي› ژتەر بى دان. تۆ دكاري ل بريتانيا بميني بۆ دەمى ٥ سالا. دويرا تۆ دكاري داخوازا مافى مانا بەردەوام ل بريتانيا بكەي.
- ◄ گەر مافێ پەنابەريا سياسي يان ئا پاراستنا مرۆڤي ژتەڕ نەھا دان وگەر تە مافێ پەنابەريا ٢٧.5 ژي ژتەڕ نەدا، مافێ (پەنابەريا) مانا زاڕۏٚػێن پەنابەرێن بێ سەميان (UASC) وێ ژتەڕ وه دان. وي چاخي تۆ دكاري ل ھەرێما وێڵز يان ھەرێمێن دن ئێ بريتانيا بميني بۆ دەمێ ٣٠ مەھا ئانكو حەتا تەمەنێ تە دبه ١٧,٥ ساڵ. دۆيڕا تۆ دكاري داخوازا درێژكرنا مافێ مانا خۆ بكەي، ئەگەر تە ھينا خواست ھەبە تۆ ل بريتانيا بميني.
- د هن پهوشا دا گهر تۆ ژوه لاتێ دن ئێ ئهۆپۆپي هاتیه بهریتانیا ل گۆر مادا ٦٧.۶ ئا یاسا كۆچبهریي و مافێ پهنابهریی ژتهپ نههاتبه داین، دبه مافێ مانێ ئا مادێ ٦٧.۶ ژتهپ بێ دان، كۆ واته تۆ دكاري بۆ دەمێ ٥ سالا ل بریتانیا بمیني، و دكاري ئالیكاریا ئابۆري ژ حكۆمهتا بهریتانیا بگري و دیسا دكاري خزمهتێن گشتي د وي دهمي دا بگري. پشتى ٥ سالا تۆ دكارى داخوازا مافێ نیشتهجێ ئا درێژ دهم ل بریتانیا بكهی.

گەر تۆ رازي نەبى تەڤ بريارا تى دان ژبۆي داخوازيا تە، تۆ دكاري دژي بريارى دەركەڤي. تۆ دكاي ئالىكايا ياسايي پەيداكەي ژبۆ خەرجيا شيۆەرداريا ياسايي ئا ژتەرا پيويست ژبۆي رەوشا كۆچبەربا تە بدەن.

Applying to stay in the UK

You can **claim asylum** in the UK if you've left your own country because you were treated unfairly or cruelly for a reason including your race, your religion, your nationality, belonging to a particular social group or holding a political opinion (or you're scared that you will be treated unfairly or cruelly for one of these reasons). 'A particular social group' could include child soldiers or trafficked children.

- ➤ You need to make your asylum claim as soon as possible after you arrive in the UK. You may need to make an appointment with United Kingdom Visas and Immigration (UKVI), the UK's immigration service, to do this – your social worker can help you with this.
- You will need legal advice to help with your claim. Your local authority (the organisation which will be looking after you where you live in Wales) should make sure you receive this.
- A translator or interpreter should be available, if you need one, for any interviews you have to attend so you can understand what's happening and make sure you are understood.
- If your asylum claim is successful, you will be given refugee status and can stay in the UK. After 5 years, this is reviewed. You can apply for indefinite leave to remain in the UK at this point.
- If your claim for asylum is unsuccessful you may be given 'humanitarian protection'. You can usually stay in the UK for up to 5 years. You can then apply for indefinite leave to remain in the UK.
- ▶ In some circumstances, if you came to the UK from somewhere else in the EU under s.67 of the Immigration Act and you are not granted asylum, you may get s.67 leave which means you will be able to stay in the UK for 5 years, receive financial support from the UK Government and access public services during that time. After 5 years you will be able to apply for Indefinite Leave to Remain in the UK but there is no guarantee you will receive this.
- ► If you aren't given asylum or humanitarian protection, and are not entitled to s.67 leave, you will get Unaccompanied Asylum Seeker (UASC) leave to remain. You can usually stay in Wales/the UK for 30 months or until you are 17.5. You can apply to extend this, if you'd like to stay longer in the UK

If you don't agree with the decision that is made about your application you can appeal. You will be able to get Legal Aid to pay for any legal advice you need about your immigration status.

گەر ئەز نكارم ل بريتانيا بمينم

دبه پروِّسا داخوازکرنا پهنابهریێ چهند دهمهکي بکشینه، و دبه دهستوٚر ژ تهڕ نههێ دان کوٚ بکاري ل بریتانیا بمیني. ئهگهر ئهڤ چهند چێ بوٚ، دێ ئامادهکاري هێن بهرههڤکرن ژبوٚ زڤڕاندنا ته ئا ب سهلامهت بوٚ وهلاتێ ته.

داخوازکرن بۆ درێژکرنا مافێ مانا ته

ئەگەر تۆ بخوازي داخوازيا مافى مانا بەردەوام ل بريتانيا بكەي، يان تۆ بخوازي مافى پەنابەريا خۆ ئا دەمكى (UASC) درێژكەي، پێويستە داخوازناما خۆ بشيني بەري مافى مانا تە ئا نۆها ب داوي بهێت.

مالباتا من

- دیسا گەر مافێ پەنابەریا سیاسي ژتهڕ هاته دان ل بریتانیا، تۆ نکاري داخوازایا تەق
 لێهەڤبۆنا تەڤ خۆشك و برا و دیوباڨێ خۆ بکەي كۆ بکارن بهێن بۆ بریتانیا. گەر تۆ
 هاتیه هەرێما وێڵز ل دەما دیوباڨێ ته ل وەڵاتەكێ دنێ ئەوڕۆپا بن، دەستههڵاتدار وێ
 بریارێ بدەن كۆ ژبۆ بەڕژەوەندیا ته ئا باش تەڨ مالباتا تە تەڨ لێههڨ بکەن ل وەلاتێ
 ئەو دژین.
 - گەر تۆ ھاتيە بريتانيا ژبۆ بگەھيە ئەندامێت مالباتا خۆ، ديسا پێويستە چارەسەريا
 ستاتۆيا پەنابەريا خۆ بكەي.

نرخاندنا تهمهني

گەر دەستھەڵاتا (حكۆمەتێ) گۆمان ھەبۆ ژبۆ تەمەنێ تە كۆ ھزردكەن تۆ پڕ ب تەمەن تربي (يان پڕ بچۆكتر بي) ژ تەمەنێ كۆ تۆ دبێژي، وي چاخي بەلكي نرخاندنا تەمەني ژتەڕ بھێ ئەنجام دان.

پر پرس وێ ژته بێن کرن – دبه هن ژوان پرسا تايبهت و کهسي بن و ئالوٚگاريا پر لايهنا دێ هێته قالکرن ژبوٚ نرخاندنا تهمهنێ ته. تو دکاري کهسهکێ مهزن کوٚ باوهريا ته پێ ههبه ئامادهي جڤينا تايبهت ژبوٚ نرخاندنا تهمهنێ ته بکهي حهتا مافێن ته بهێنه بهرچاڤکرن. ديسا وێ داخواز ژتهر بێ کرن ئهگهر بهلگهنامێ ته ههبن کوٚ دوٚپاتا تهمهنێ ته بکهن.

پێویسته سەرەدەریا گۆنجاو وەك زاڕۆكەك تەڨ تە بێ كرن حەتا بریار لسەر تەمەنێ تە بێ دان.

- گەر بريار ھاتە دان كۆ تەمەنى تە ژ ۱۸ ساڵيى بچۆكترە، وى بەردەوام سەرەدەري وەكۆ زارۇك تەق تە ھىتە كرن
- 🖊 گەر بريار ھات دان كۆ تەمەنىّ تە ژ ۱۸ ساڵيىّ مەزنترە، وىّ سەرەدەريا مەزنا تەڤ تە بىّ كرن.

If I can't stay in the UK

The process of applying for asylum can take a long time and it might be decided that you cannot stay in the UK. The UK Government has to consider its own rules about returning people to countries that it judges to be unsafe. Your lawyer will advise you. If you do have to return home, travel arrangements will be made by the UK Government.

Applying to stay for longer

If you want to apply for **indefinite leave to remain** in the UK, OR want to extend your leave to remain in the UK, you must make your application **before** your existing leave runs out.

My family

- ▶ If you have been granted refugee status and can stay in the UK, there are very limited situations where you can apply for parents and siblings to join you, but it is very unlikely that they will be able to. Your lawyer will advise you. If you've come to Wales but your parents are in another EU country, the authorities may decide that it is in your best interests for you to be reunited with your family in that other country.
- If you have come to the UK to join family members here, you will still need to sort out your immigration status. Your lawyer will advise you.

Age assessment

If the authorities think you look older (or younger) than the age you say you are, you may have to have an age assessment.

You will be asked lots of questions – some may be quite personal and will cover lots of things to try and establish your age. You can have an adult that you trust with you through this process to make sure your rights are respected. You'll be asked if you have any documents with you that confirm who you are and your age.

You should be treated as a child until the decision is made about your age.

- If the decision is that you are under 18, you will continue to be treated as a child
- If the decision is that you are 18 or older, you will be treated as an adult and a different asylum system applies.

ريْخستنيّن كۆ دكارن ئاليكاريا تە بكەن:

کارکەری تە ئی کاروبارین جڤاکی و چاڤدیری ته (ئەگەر تە ينك ھەبىت)

جڤاتا بەنابەرا ئا وێڵز

welshrefugeecouncil.org.uk

كۆ غارا تىلەفۇنا وان 11. 673.4. 14

TGP Cymru

www.trosgynnal.org.uk

6974 2039 029

تيها يشتەڤانيا جوانيّن تەڤ نەتەوەيي

(EYST)

eyst.org.uk

كۆ غارا تىلەفۇنا وان

1/277910 . 1197

خزمهتگهها ياريزهريا جوانين نيشتيماني

www.nyas.net/services/our-services-in-wales

كۆ غارا تىلەفۇنا وان ١٠٠١ ٨٠٨ ٠٨٠٨

سانكتوريا باژاري كاريف

cardiff.cityofsanctuary.org

كۆ غارا تىلەفۇنا وان 75 73 4 7 4 7 3 7

سانكتۆريا باژيرێ سوانزي

swansea.cityofsanctuary.org

كۆ غارا تىلەفۇنا وان

17740 . 7597

كۆمىسيونا زارۆكين ويلز

www.childcomwales.org.uk

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داديەروەريا پەنابەرا

كو نمارا تيلهفونا وان

asylumjustice.org.uk

كو نمارا تيلهفونا وان

9871 7.89 .79

باوەربكە كۆ يۆلىسى ھەرىما وىلزى ژبۆ ئالىكاريا تە ئامادەيە. ھىقىدكەين نەترسە گەر تە خواست تېكەلىن تەڭ وان بكەي. گەر تە يپويستى ب يۆلىس ھەبە د دەمەكى بلەزدا، ژكەرەما خۆ تىلەفۇنا غارە ٩٩٩ بكە، تۆ دىسا دكارى تىلەفۇنا غارە ١٠١ بكەي، تۆ دكارى تىلەفۇنا غارە ١٠١ بكەي گەر تە خواست تەڤ يۆلىسى بيەيڤى.

Organisations that can help you:

Your social worker and your foster carer (if you have one)

Welsh Refugee Council

welshrefugeecouncil.org.uk

029 20489 800

TGP Cymru

www.trosgynnal.org.uk

029 2039 6974

National Youth Advocacy Service

www.nyas.net/services/our-services-in-wales

0808 808 1001

Ethnic Youth Support Team (EYST)

01792 466980/1

Cardiff City of Sanctuary

cardiff.cityofsanctuary.org 029 2048 2478

Swansea City of Sanctuary

swansea.cityofsanctuary.org 07496 172895

Children's Commissioner for Wales www.childcomwales.org.uk

0808 801 1000

Asylum Justice

asylumjustice.org.uk 029 2049 9421

Remember that the police in Wales are here to help you. Don't be afraid to contact them. If it is an emergency, call 999. Otherwise, you can call 101 to speak to the police.





لايهرين دن كۆ دناف ڤان ريزا ههنه

- ◄ چايلد فێڕست (Child First) رێ نيشاندهرهك ژبو ههبونا چاڤدێڔيا
 زاړۆكێن پهنابهرێن بێ مالبات و يێن پێتڨي
- ◄ چايڵد فێڕست (Child First) ڕێ نیشادهرهك ژبۆ داخازكرنا ماناێ ل ههرێما وێڵز ژبۆ زاڕۆكێن پهنابهرێن بێ مالبات و یێن پێتڨي

ژبۆ ئاگەھىين پتر دۆر مافيّن زارۆكا و ياسايى كۆ كارتىّكرن لسەر زارۆكا ل ھەريّما ويّلْزىّ تىّكرن، ئەو ئاگەھيە ل سەر مالپەرىّ ناڤەندا ياسايى ئا زارۆكان ل ھەريّما ويّلْز تىّن پەيداكرن www.childrenslegalcentre.wales

Other guides in this series:

- ► Child First A Guide to Rights and Entitlements for Unaccompanied Asylum Seeking Children
- Child First A Guide to Being Looked After for Unaccompanied Asylum Seeking Children

Find out more about children's rights and the law as it affects children in Wales on the Children's Legal Centre Wales Website www.childrenslegalcentre.wales







J 01792 295399

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