

Unit Title

LA59 Specialised Immigration Legal Advice and Casework

Summary

This Unit is designed for you if you are involved in the provision of specialised immigration advice and representation. This includes advising clients on the detail of specialised areas of immigration law and related areas of legislation.

This is a new Knowledge Unit that has been developed for the independent Legal Advice sector. This Knowledge Unit supports the generic National Occupational Standards for Legal Advice.



To meet the National Standard, you must be able to:

- a) Describe the primary and secondary legislation relating to immigration in the UK
- b) Describe the terms used in immigration control and explain who is subject to immigration control
- c) Describe the concessions and policies that operate outside the Immigration Rules and explain how to apply these to individual cases
- d) Explain how to make applications to the Home Office or other relevant bodies
- e) Describe current leading cases relating to the interpretation of immigration law by the courts
- f) Describe the status of European Community (EC) law treaties and explain the European Economic Area (EEA) regulations relating to EC free movement, including rights of appeal and restrictions thereon, updated as necessary
- g) Describe current leading cases relating to interpretation of EC free movement law by relevant European and UK courts
- h) Explain the impact of European Union (EU) law on third-country nationals
- i) Identify and explain the EU treaties that impact on reciprocal rights to benefits/health care
- j) Describe the structure and operation of permitted business-related entry to the UK and explain the managed migration programme

Knowledge and Understanding

You must show that you know and understand:

1. The primary and secondary legislation relating to immigration in the UK
2. Who is subject to immigration control
3. The terms used in immigration control
4. The concessions and policies that operate outside the rules and how to use and apply these to individual cases
5. The procedures in relation to applications to the Home Office and Entry Clearance Officers
6. Leading cases relating to the interpretation of immigration law by the courts
7. The status of European Community (EC) law treaties, and of the operation of EC free movement law in the UK context in so far as it is set out in the Immigration (EEA) Regulations 2000, including rights of appeal and restrictions thereon
8. The leading cases relating to the interpretation of EC free movement law by the European Court of Justice and the domestic courts
9. The impact of European Union (EU) law on third-country nationals
10. The EU treaties that impact on reciprocal rights to benefits/health care
11. The structure and operation of business-related entry to the UK, including the managed migration programme
12. Other categories of business-related entry to the UK