

## Unit Title

**LA60                      First Line Asylum Legal Advice**

## Summary

This Unit is designed to equip you with a broad understanding of the knowledge required to provide clients seeking asylum with permitted advice and support at the point of initial contact with the service and to decide when to refer a client on to more specialist sources of advice.

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) This Unit is designed to equip you with a broad understanding of the knowledge required to provide clients seeking asylum with permitted advice and support at the point of initial contact with the service and to decide when to refer a client on to more specialist sources of advice.
- b) Describe the definition of refugee status and the outline of legislation and procedures relating to asylum in the UK
- c) Describe the particular advice requirements that asylum seekers might have and the relevant local and national resources for referral
- d) Explain how to provide permitted 'one-off' assistance to asylum seekers
- e) Explain how to identify unaccompanied minors and describe the statutory rights and entitlements available
- f) Describe the options available to failed asylum seekers
- g) Describe the grounds and procedures for appeals to the Asylum Support Adjudicator
- h) Explain in general terms how European and UK human rights legislation impacts on immigration and nationality
- i) Describe the rights and entitlements of asylum seekers to the National Asylum Support Service (NASS)
- j) Describe clients' rights to public funding and public services in relation to client status and explain how to access them
- k) Describe good practice relating to the use of interpreters and how to source them

## Knowledge and Understanding

You must show that you know and understand:

1. The Office of the Immigration Service Commissioner (OISC) Code of Standards and the Commissioner's Rules governing immigration and asylum advice and the specific advice and action permissible to your role
2. The definition of refugee status under the 1951 UN Refugee Convention and the individual's entitlement to seek asylum
3. The outline of asylum legislation and procedures in the UK and when the procedure is exhausted, including:
  - The basic asylum processes, together with the relevant time limits and urgent situations
  - The rules relating to detention in sufficient detail to refer clients appropriately
4. Asylum seekers with particular advice requirements and the local and national resources for referral, including where and how to refer victims of trafficking or torture and those involved in disputed age and mental health issues
5. How to provide permitted 'one-off' assistance to asylum seekers together with the relevant forms and procedures that apply; in particular, notifying the Immigration and Nationality Department (IND) of changes of address
6. How to identify an unaccompanied minor and the statutory rights and entitlements that go with that status
7. The options available to failed asylum seekers, e.g. application for voluntary return
8. The grounds for appeals to the Asylum Support Adjudicator and the relevant procedures
9. The European Economic Area (EEA) and European Union (EU) accession countries
10. In general terms, how the European Convention on Human Rights (ECHR) and human rights legislation impacts on immigration and nationality in order to identify cases for referral
11. Eligibility for National Asylum Support Service (NASS)
12. The rights and entitlements of asylum seekers under NASS and how this is affected by client's circumstances
13. Entitlement to public funding and its dependence on means and merit testing

14. Entitlement to public services in relation to client status and how to access rights and entitlements for different categories of client, including:
  - Health care
  - Education and training
  - Housing
15. The procedure for referral to social services for assessment where health needs impact on daily living
16. Good practice relating to the use of interpreters and how to source them