
Overview

This standard is about providing specialised asylum advice and representation. This includes advising clients on the detail of specialised areas of asylum law and related areas of legislation.

**Performance
criteria**

You must be able to:

- P1 explain to clients the services that you can offer in line with their requirements
- P2 check that clients' understanding of legal advice services is consistent with information you have provided
- P3 agree with clients where situations require immediate action in line with their requirements, and:
 - P3.1 take steps to implement this
- P4 agree next steps with clients in line with their requirements
- P5 agree further actions with clients in line with their requirements, including:
 - P5.1 procedures
 - P5.2 responsibilities
 - P5.3 time limits
- P6 analyse available client information to assign relevance to their case in line with your professional judgement
- P7 review sources of information to assess applicability to clients situations
- P8 check that information obtained enables you to advise clients
- P9 analyse information received from clients and the research process to formulate options in line with clients' needs
- P10 present clients with information and possible options for action in line with organisational requirements
- P11 advise clients on the implications of possible options in line with organisational requirements
- P12 check clients' understanding of the advice offered in line with organisational requirements
- P13 open client case files in line with organisational procedures
- P14 design an action plan with clients in line with organisational processes, and:
 - P14.1 agree roles and responsibilities for progressing actions
- P15 progress actions on behalf of clients in line with agreed timescales
- P16 evaluate case progress against milestones and outcomes in line with organisational procedures

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- P17 progress case outcomes to conclusion in line with organisational requirements
- P18 record client details and agreed actions in line with organisational requirements

Knowledge and understanding

You need to know and understand:

- K1 the definition of a refugee under relevant legislation for people with a single nationality, the stateless and dual nationals
- K2 the issues that the Home Office routinely raise in relation to asylum
- K3 the consequences of making an application at a port of entry or after entry
- K4 accelerated procedures and who they apply to
- K5 the criteria and process for family reunion for refugees inside and outside the immigration rules
- K6 the criteria and process relating to travel documents, work, benefits and education for recognised refugees
- K7 the processes involved if the immigration authorities raise issues of national security
- K8 the role of special immigration appeals commissions
- K9 'safe third country' procedures
- K10 the rights protected by the human rights legislation
- K11 the difference between absolute, limited and qualified rights
- K12 the consequences of making an application with a human rights dimension within the currency of leave to remain, at any stage of the expulsion process or from abroad
- K13 the criteria and process for humanitarian protection and discretionary leave
- K14 when applications for bail can be made
- K15 remedies for detainees, including:
 - K15.1 temporary admission
 - K15.2 habeas corpus
 - K15.3 bail from an authorised person
- K16 the procedure for making bail applications to the Tribunals in relation to immigration and asylum
- K17 the main provisions relating to benefits and support for asylum seekers and their dependents

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Developed by	Skills for Justice
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Originating organisation	Skills for Justice
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Relevant occupations	Legal Advisers; Legal Associate Professionals
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Suite	Legal Advice
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Key words	complex areas of law; present cases in court; specialised asylum law
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