

Clarification for legal aid advice in Immigration Removal Centres

Advice given under the Detained Duty Advice Scheme (DDAS) is provided under an exclusive Schedule authorisation whereby Providers are allocated Immigration Removal Centre (IRC) rota slots with Client appointments arranged by the relevant IRC. Only Providers with an exclusive DDAS Schedule authorisation that attend an IRC during their allocated IRC rota slot to provide advice under the DDAS are able to:

- (a) provide a maximum of 30 minutes advice to Clients without reference to the Client's financial eligibility; and
- (b) following on from the 30 minutes of advice, provide immigration advice (subject to relevant means and merits testing in the usual way) and claim Hourly Rates for this immigration advice.

What does this mean for clients?

Clients detained at an IRC can choose between providers who:

- hold an exclusive DDAS schedule authorisation
- do not hold an exclusive DDAS schedule authorisation

Any Provider that attends Clients at an IRC that does not hold an exclusive DDAS Schedule (or holds an exclusive DDAS Schedule but attends an IRC not during their allocated IRC rota slot and/or provides advice not under the DDAS), will not be permitted to provide the advice at (a) and (b) above under the DDAS but can provide immigration advice, including advice which follows 30 minutes of advice under DDAS, and claim Standard Fees. The usual Contract rules and Regulations apply.