

2017 No. 192

LEGAL AID AND ADVICE, ENGLAND AND WALES

**The Civil Legal Aid (Immigration Interviews) (Exceptions)
(Amendment) Regulations 2017**

Made - - - - - *20th February 2017*

Laid before Parliament *23rd February 2017*

Coming into force in accordance with regulation 1

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by section 41(1)(b) and (2)(c) of, and paragraph 30(3) of Part 1 of Schedule 1 to, the Legal Aid, Sentencing and Punishment of Offenders Act 2012(a).

Citation and commencement

1. These Regulations may be cited as the Civil Legal Aid (Immigration Interviews) (Exceptions) (Amendment) Regulations 2017 and come into force on the twenty-first day after the day on which these Regulations are laid before Parliament.

Amendment to the Civil Legal Aid (Immigration Interviews) (Exceptions) Regulations 2012

2. For regulation 4(a)(i) of the Civil Legal Aid (Immigration Interviews) (Exceptions) Regulations 2012(b) substitute—

“(i) is detained at any of the following—

- (aa) Colnbrook House Immigration Removal Centre, Harmondsworth, Middlesex;
 - (bb) Harmondsworth Immigration Removal Centre, Harmondsworth, Middlesex;
 - (cc) Yarl’s Wood Immigration Removal Centre, Clapham, Bedfordshire; or
- ”.

Oliver Heald
Minister of State
Ministry of Justice

20th February 2017

(a) 2012 c. 10. Section 42(1) provides that in Part 1 of that Act, “regulations” means regulations made by the Lord Chancellor.
(b) S.I. 2012/2683.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Paragraph 30 of Part 1 of Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“the Schedule”) describes the civil legal services that may be made available in relation to an individual’s rights to enter and remain in the United Kingdom under certain specified provisions. Paragraph 30(3) of Part 1 of the Schedule provides that such services do not include attendance at an immigration interview conducted on behalf of the Secretary of State with a view to reaching a decision on a claim, except where regulations provide otherwise.

Regulation 2 amends regulation 4 of the Civil Legal Aid (Immigration Interviews) (Exceptions) Regulations 2012 (S.I. 2012/2683), which make provision for exceptions to paragraph 30(3). It has the effect that civil legal services are to be available for an individual aged 18 or over at an immigration interview (other than a screening interview) where the individual is detained in one of the three specified immigration removal centres.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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