

IMMIGRATION & ASYLUM ACCREDITATION SCHEME

LEVEL 1 PROBATIONARY ASSESSMENT

MULTIPLE CHOICE TEST

INSTRUCTIONS TO CANDIDATES

The time allowed for this examination is **1½ hours**.

Using a **pencil** only, please select your answers in the answer booklet provided, **do not** mark this exam paper.

Note: This examination paper must not be removed from the examination room.

This examination consists of 30 questions. Candidates must answer **all** questions.

Total marks available: **100 marks**

To pass this assessment candidates must obtain at least 50% of the marks.

Permitted materials:

This Examination is “Open Book”. Candidates will be able to take into the examination room any material, including text books, other bound material, downloaded material, personally prepared notes and lecture notes. All documents may be annotated and underlined in as much detail as the candidate requires. Post – it notes are also allowed in this context.

1. Your duty of confidentiality to your client prevents you, in most circumstances, from revealing any information about their case without their consent to:
 - a. Any 3rd party
 - b. Any 3rd party except close family members
 - c. Any 3rd party except other professionals
 - d. Any 3rd party except the Home Office and NASS

2. Article 3 ECHR prohibits torture:
 - a. In all circumstances
 - b. Except where this is necessary
 - c. Except in circumstances where this is proportionate
 - d. Except in times of national emergency

3. A British man is married to a Ugandan woman. They decide she will apply to join him in the UK. In order to meet requirements of the Immigration Rules, she does not have to establish that:
 - a. There will be an income of £18,600 available to the couple
 - b. That they have met each other
 - c. They intend to live together permanently
 - d. She will be able to work in the UK

4. Article 8 of the ECHR protects which qualified right:
 - a. Right to freedom of thought
 - b. Right to freedom of religion
 - c. Right to family or private life
 - d. Right to freedom of expression

5. The representative of the Home Office in an immigration appeal (where

counsel is not instructed) is called:

- a. Counsellor
 - b. An inspector
 - c. The Home Office Presenting Officer
 - d. The Adjudicator
6. Which of the following category of individuals is not subject to immigration control?
- a. Australian sheep farmers
 - b. French workers
 - c. Indian plumbers
 - d. Turkish au-pairs
7. What form of leave to remain could be received by an individual whose application to the Home Office is accepted because they face a risk of torture due to a personal dispute with a powerful neighbour?
- a. Indefinite leave to remain
 - b. Discretionary leave to remain
 - c. Humanitarian protection
 - d. Temporary protection
8. Which of the following statements is incorrect?
- a. Either an Immigration Judge or a Chief Immigration Officer can grant bail to an immigration detainee
 - b. At least one surety must be provided for a bail application to be made to the First Tier Tribunal (Immigration & Asylum Chamber)
 - c. In most cases an application should be made for an immigration detainee to be released on Temporary Admission
 - d. An application for bail from an Immigration Judge is made by submitting a specified form to the FTT (IAC)
9. A person given permission to remain on the following basis can apply for state

assistance without endangering their immigration status:

- a. A person who is given permission to remain as the spouse of a student
 - b. A person who is given permission to remain as the spouse of a work permit holder
 - c. A person who is given permission to remain as the spouse of a refugee
 - d. A person who is given permission to remain as the spouse of a British citizen
10. A person who is charged by the police for overstaying will usually have the criminal proceedings heard:
- a. Before the Immigration Judge
 - b. Before the Tribunal
 - c. Before the Magistrates' Court
 - d. Before the High Court
11. In order to remain in the UK for more than three months, an EU citizen must be:
- a. A worker
 - b. A student
 - c. A jobseeker
 - d. Any of the above
12. The main form of financial support provided by the government to asylum seekers is called:
- a. National assistance
 - b. Income support
 - c. Asylum support
 - d. Community care
13. If an asylum seeker who is not detained, is not being dealt with by SIAC and is not subjected to an accelerated process is refused refugee status by the

Home Office he/she has the following number of days to appeal:

- a. 1 working day
- b. 5 working days
- c. 8 working days
- d. 10 working days

14. If you wished to apply for public funding for a client to be represented at an immigration appeal hearing you would complete the following form for representation at that appeal:

- a. Legal Help
- b. A certificate of entitlement
- c. CLR
- d. An APP1

15. A person has sufficient knowledge of the English language and sufficient knowledge about life in the UK for the purpose of an application for indefinite leave to remain if:

- a. He has a degree awarded by a UK University
- b. He has passed a Life in the UK Test
- c. He has an ordinary ESOL qualification and lived in the UK for two years
- d. He is married to a British citizen and lived in the UK for two years

16. A person's grant of asylum could be revoked under the Immigration Rules if:
- a. He has voluntarily re-availed himself of the protection of the country of nationality
 - b. He misrepresented or omitted facts which were decisive for the grant of asylum
 - c. He has acquired a new nationality, and enjoys the protection of the country of his new nationality.
 - d. In all of the above circumstances
17. A South African national in a durable relationship with an Italian national working in the UK is for the purposes of the UK immigration regulations on EEA nationals:
- a. A family member who has retained the right of residence
 - b. An extended family member
 - c. A family member
 - d. A qualified person
18. Under Article 5 of the European Convention on Human Rights you can only be deprived of your liberty in certain cases. Which of the following is not such a case?
- a. The detention of a person after conviction by a competent Court
 - b. The detention of a person to prevent his effecting an unauthorised entry in to the UK
 - c. The detention of a person to fast track their asylum claim
 - d. The detention of a minor for the purpose of corporal punishment

19. Which of the following would you rely upon to argue that Turkish nationals have rights to enter and remain in the UK for self employment?
- The Istanbul Protocol
 - The European Social Charter
 - The EC-Turkey Association Agreement
 - The Charter of Fundamental Rights of the European Union
20. An unaccompanied child who claims asylum can be interviewed about the substance of their asylum claim:
- In all circumstances regardless of their age
 - Only if aged over 16
 - If over the age of 12 and accompanied by an independent adult with responsibility for the child
 - Under no circumstances should a child be interviewed concerning an asylum claim
21. If your client's appeal to the First Tier Tribunal is successful then
- The Home Office cannot challenge the decision of the Tribunal
 - The Home Office can apply for a judicial review of the decision of the Tribunal
 - The Home Office can apply for permission to appeal to the Upper Tribunal
 - The Home Office can ask for the appeal to be reheard under fast track procedures
22. A Tier 4 student sponsored by a publicly funded further education college can work during term time for no more than:
- 5 hours per week
 - 10 hours per week
 - 20 hours per week
 - Employment is prohibited during term time
23. Nationals of which of the following countries automatically satisfy the English

language requirement for a spouse visa?

- a. Jamaica
- b. Nigeria
- c. India
- d. South Africa

24. Your client is a South African woman with Leave to Enter for two years as a spouse. She tells you her husband has been convicted of assaulting her and the marriage has broken down due to domestic violence. Which of the following would be the correct advice to give her?

- a. That she must leave the UK immediately, otherwise she will be committing a criminal offence
- b. That you, as her legal representative, will have to report the matter to the police otherwise you will be committing a criminal offence
- c. That she can now make an application to the Home Office for ILR under the Immigration Rules relating to Domestic Violence cases
- d. That she can claim public funds immediately, if she is not working

25. An asylum seeker attending a Home Office interview should be advised:

- a. To answer all the questions they are asked truthfully
- b. To answer the questions consistently with their SEF, even if their SEF contains errors
- c. To say they are feeling ill if they cannot remember important information about their claim
- d. To refuse to answer questions about other members of their family, since this information is confidential and must not be given to the Home Office

26. Which of the following is a requirement for a person with refugee status who

wishes to apply for a Home Office travel document?

- a. Paying a fee
- b. Having a very good reason to travel, for e.g. related to their employment
- c. Being of good character
- d. To have held their refugee status for a year

27. A woman who wishes to join her husband in the UK, where he has refugee status, is required under Immigration Rules to:

- a. Pay a fee for the application
- b. Show she can be supported and accommodated without recourse to public funds
- c. Show that the marriage took place before he left the country of his former habitual residence to seek asylum
- d. Be accompanied by her husband when she attends the British Embassy for an interview

28. When a person is "settled in the United Kingdom" this means that the person concerned:

- a. Has been a resident in the UK for ten years
- b. Is free from any restriction on the period for which she may remain and is ordinarily resident in the UK
- c. Has successfully applied for naturalisation
- d. Is physically present in the UK and intends to remain permanently

29. To qualify as a refugee according to Article 1A(2) of the 1951 Convention a person must:
- a. Face a real risk of prosecution in their home country
 - b. Have a well founded fear of persecution in their home country
 - c. Have been tortured or detained in their home country
 - d. Be unable or unwilling to live in a safe part of their home country
30. A naturalisation application for a foreign national who is married to a British Citizen and who has been resident in the UK for the past five years:
- a. Must always be refused by the Secretary of State
 - b. Must always be granted by the Secretary of State
 - c. Can be granted on a discretionary basis by the Secretary of State
 - d. Should never have been made because the applicant is not eligible to apply