

Getting the most from your Home Office Review

Time line

2016 HMCTS Reform Programme

2018: FtTIAC Stakeholder feed back

2019: pilot

2020: inital role out

COVID lock down

[June 2020 \(PRESIDENTIAL PRACTICE STATEMENT No 1 2021\)](#)

ANNEX

NOTICE AND DIRECTIONS TO APPELLANTS (PRESIDENTIAL PRACTICE STATEMENT No 1 2021)

5.2 The ASA must contain three sections:

*(1) a **brief** summary of the appellant's factual case;*

(2) a schedule of issues;

*(3) the appellant's **brief submissions on those issues** which should state*

***why** the appellant **disagrees** with the **respondent' s decision** with sufficient detail to enable the reasons for the challenge to be understood.*

5.3 The ASA must: ²

- be concise; ²
- be set out in numbered paragraphs; ²
- **Engage with the decision letter under challenge;** ²
- **not include extensive quotations from documents or authorities;** ²

Identify but not quote from **any evidence** or principle of law that **will enable** the basis of **challenge** to be **understood**.

7. Respondent's Response.

7.1 Within fourteen days of the ASA being provided the respondent must undertake a meaningful review of the appellant's case, **taking into account the ASA and Appellant's bundle and provide the result of that review and particularise any additional grounds of refusal.** Pro-forma or standardised responses will not be accepted by the Tribunal. **The Review must engage with the submissions made and the evidence provided.**

Facts and figures

NAO

16,634

4657

43%

17%

17%

HMCTS 30%

Home OFFICE 15%

Pre-Appeal Review unit

- Staffing: 60/40

Grades:

- Target/workload

Scope:

INTERNATIONAL CASES:

INCOUNTRY CASES: EO grade:

INCOUNTRY CASES: HEO grade:

ASYLUM:

TIPS

1. Know your audience.
2. LONGER is not always better:
3. Home Office Guidance
4. Show your cards
5. Exceptional issues and Gen 3.2(2)
6. All or nothing*

MY OWN APPROACH

- 1) itemise the specific reasons in the refusal letter:

a) **ALWAYS DOUBLE CHECK ANY SOURCE RELIED ON by THE RESPONDENT****

2) bullet point why each reason is flawed

3) isolate the SUPPORTING evidence be it objective, subjective, HOMF OFFICE

policy ETC

4) make a note of the reference and hyper-link a source if possible

5) ADVANCE additional points AFTER responding to RFRL/REFUSAL NOTICE reasons

6) put it all together :