



Human Rights Law

Advanced human rights law for immigration and asylum practitioners *

One day 10am - 5pm

CPD: 6 hours

Level: Advanced/LSC level 2/OISC Level 3

Trainer: Navtej Singh Ahluwalia

Dates:

16 Feb 12 12HR1602 London

02 May 12 12HR3005 London

This is an advanced course designed to coincide with the requirements of accreditation at Senior Caseworker - Level 2. It requires legal knowledge and experience of the domestic immigration legal framework.

Course content

- human rights instruments – the effect of incorporation and the difference between domestic application of a) ECHR b) other international instruments
- the principles of interpretation which apply to the ECHR, intensity of scrutiny by the courts
- remedies under the HRA 1998 and domestic immigration/asylum legislation
- what is meant by 'extra-territoriality' – the scope of protection from (i) removal and (ii) exclusion permits
- Article 3 ECHR –
 - absolute protection, Strasbourg principles
 - domestic principles – medical treatment, mental illness, rape victims, prison conditions, absolute protection versus the 'extension to an extension' approach
 - in-country breaches
 - Article 8 ECHR –
 - qualified protection, Strasbourg principles, domestic caselaw a) family life; b) private life
 - scope of remaining Articles in removal/ exclusion context
 - update on human rights case law in Europe and UK
 - case studies.

Objectives

At the end of the course participants should be able to:

- understand the scope of protection under the ECHR and which Articles can avail clients in context of removal and exclusion
- understand the difference between absolute and qualified rights and the scope of the court's jurisdiction in respect of each
- understand principles and rules of interpretation derived from Strasbourg
- understand the way that human rights principles are applied in the UK in an immigration and asylum context
- be up to date with current case law
- be aware of the consequences of the grant of humanitarian protection or discretionary leave
- understand how to apply the principles to the facts in their clients' cases

* Accredited by the Bar Standards Board.

Booking form

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