

# **IMMIGRATION & ASYLUM ACCREDITATION SCHEME**

## **SUPERVISORS' ASSESSMENT**

**DATE: 28<sup>th</sup> June 2016**

## INSTRUCTIONS TO CANDIDATES

**THE INVIGILATORS ARE UNABLE TO ANSWER ANY QUESTIONS ABOUT THE EXAM PAPER. IF YOU ARE UNSURE ABOUT A QUESTION, EXPLAIN THE APPROACH YOU HAVE ADOPTED IN ANSWERING IT.**

This examination paper contains **10 pages**. Please check that you have all pages.

The time allowed for this examination is **3 hours plus 45 minutes reading time**.

Write in blue or black ink.

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

### **Permitted Materials**

This is an open book examination. This means that candidates can 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.

### **Electronic Devices**

Use of **any form** of electronic devices, e.g. tablets, phones etc. is not permitted during this examination.

## **Question 1 – A Client Case File**

**[40 marks]**

For the purposes of this exercise, assume that the date today is Tuesday, 28<sup>th</sup> June 2016 and that your name is Rose Chaudhury. You are the Head of the Immigration Department at Blacks Solicitors, a small firm that specialises in Immigration and Family work. You are accredited as a Supervisor and a Senior Caseworker (Level 2), and have 10 years' experience of Immigration and Asylum work. The firm is owned by Maria Black, who is a Solicitor. The firm holds a contract with the Legal Aid Agency (LAA) in Immigration and Asylum.

One of your supervisees is Shelley Palmer, a Senior Caseworker (Level 2), with 2 years' experience of Immigration and Asylum work. She deals with most of the firm's unaccompanied asylum-seeking children's cases. You also supervise Susan Mills, who is the Receptionist/Administrator for the Immigration Department.

When you arrive at work on 28<sup>th</sup> June 2016 you are handed a message by Susan about one of Shelley's clients, Ali Nasir. Shelley went on holiday yesterday for 3 weeks; she is due to return on 18<sup>th</sup> July 2016. In her absence, her cases are normally dealt with by Richard Plant, who is also accredited at Level 2. He is at court this morning.

The message is from Carlton Olewale, who is Ali's Support Worker from the Children's Society. He has asked for an urgent call back. You don't know much about this case, so you go and get Ali's file from Shelley's filing cabinet so that you can look at it before ringing Carlton back.

You now have before you Ali Nasir's file. It includes a CW1 form and a correspondence section. The client file accompanies this paper and is marked 'Documents Question 1'.

Please note that any time-recording for work on the client's file, and any disbursements incurred, are recorded electronically on the case management system and you do not have sight of this now.

Please assume that everything recorded on the file is to be claimed from the Legal Aid Agency (LAA).

- (a) Giving reasons, identify the key issues that fall short of good practice in the following areas, taking note of the marks available for each area:
- (i) Taking instructions **[6 marks]**
  - (ii) Client care **[8 marks]**
  - (iii) Funding of the case **[4 marks]**
  - (iv) Provision of advice **[6 marks]**
  - (v) Progress of the case **[6 marks]**
- (b) What corrective action is needed on this file? **[7 marks]**
- (c) What action are you going to take in relation to your supervisee Shelley Palmer when she returns from leave? **[3 marks]**

## **Question 2 – A Case Study**

**[10 marks]**

You are John Grove and you are an accredited Immigration and Asylum Advanced Caseworker (Level 3). You have been working in the area of Immigration and Asylum law for 10 years, and have been accredited as a Supervisor for the last 5 years. You have just joined TRG Solicitors as the new Head of the Immigration Department. Prior to you joining, there had been no permanent Immigration Supervisor for 6 months, and you have been told that the previous Supervisor 'left under a cloud'. The firm is due to have a Specialist Quality Mark (SQM) audit in the near future, and you have been asked by the Senior Partner to make sure that the Immigration Department is ready for the audit. In particular, you have been asked to look at file review procedures and staff training and development.

- (a) You look at the file review form that TRG solicitors has been using and decide that it is inadequate, and that you will design a new one. What questions/headings will you include on the new file review form to ensure that the file reviews meet SQM requirements?

**[6 marks]**

- (b) You speak to staff in the Department, and they tell you that none of them have training and development plans and they have not kept training records. You decide to prepare a template for a combined training and development plan and training record, to be used by each member of staff. What should be included?

**[4 marks]**

### Question 3 & 4 IN-TRAY EXERCISE

[50 marks]

You are Kate Jones a Solicitor and partner at JCO Solicitors, a high street firm doing publicly-funded Immigration, Family and Criminal work. You are an accredited Level 3 Advanced Caseworker as well as an accredited Supervisor for the Legal Aid Agency (LAA). You have 15 years experience of Immigration and Asylum work and you are Head of the Immigration Department.

Attached are 10 items (marked as 'Documents Question 3 & 4) which form the firm's in-tray for the purpose of this exercise. Today is **9am on Tuesday, 28<sup>th</sup> June 2016** and you are responsible for dealing with the items in the in-tray.

There are 6 members of staff in the Immigration Team including you. The following table provides brief details of them: their name, job title, level of experience and availability today.

Name	Job Title	Experience	Availability according to the office diary for 28.06.16
Kate Jones	Head of Department and Partner	Qualified as a Solicitor 20 years ago. 15 years experience in Immigration and Asylum work. Accredited at Level 3 and as a Supervisor. Responsible for supervising Julia Evans and Alberto Feliz.	AM: In a Partners' meeting PM: Available
Nadim Sala	Caseworker	3 years experience in Immigration and Asylum work. Accredited at Level 2.	AM: With clients PM: Supervision meeting with Julia Evans
Julia Evans	Caseworker	5 years experience in Immigration and Asylum work. Accredited at Level 2 and as a Supervisor. Responsible for supervising Nadim Sala and Leonie Martin.	AM: With clients PM: Supervision meeting with Nadim Sala

Alberto Feliz	Solicitor	6 years experience in Immigration and Asylum work. Accredited at Level 2.	AM: At court PM: Available
Leonie Martin	Caseworker	2 years experience in Immigration and Asylum work. Accredited at Level 1.	AM: On annual leave until 04.07.16 PM: On annual leave
Chitt Sharma	Receptionist and Administrator for Immigration Team	Employed as Receptionist/Administrator for 3 years. No legal training.	AM: On reception PM: On reception

### Question 3

[10 marks]

You must prioritise the items you are to tackle in today's in-tray.

You must decide whether each item is Urgent and Important, Important, or neither Urgent nor Important, and use the letters below to classify the prioritisation you give:

A = Urgent and Important requiring action within 24 hours

B = Important

C = Neither Urgent nor Important

You must briefly state the reason why you have given each item the prioritisation that you have.

Marks for this question will be awarded for the reason you give for prioritising the items and not the letter alone.

Item Number	Description of Item	Priority Given (A, B or C)	Brief reasons for Priority
1	Home Office letter with SEF attached for client to complete.		
2	Telephone message taken by Chitt Sharma.		
3	Home Office letter with copy of letter inviting client to attend an Asylum Interview.		
4	Government Legal Service letter inviting client to stay his judicial review application pending a Country Guidance determination.		
5	Royal Mail notice – unable to deliver an item of post as a fee due.		
6	Home Office letter informing client of decision to grant Asylum.		



7	Tribunal notice of adjourned appeal hearing.		
8	Home Office letter requesting documents for consideration of a leave to remain application.		
9	Home Office letter informing re. rejection of application for leave to remain owing to non-acceptance of fee waiver		
10	Home Office letter informing re. rejection of asylum claim.		

## Question 4

**[40 marks]**

For each of the 10 items in the in-tray, please state:

- a) What action should be taken in respect of the document; and
  - b) Who should deal with the document and why.
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1. Letter with SEF questionnaire form attached **[3 marks]**
  2. Telephone message taken by Chitt Sharma **[5 marks]**
  3. Letter with asylum interview invitation **[4 marks]**
  4. Government Legal Service letter inviting a stay of judicial review **[5 marks]**
  5. Royal Mail undeliverable item because fee owing **[2 marks]**
  6. Letter informing of decision to grant asylum **[4 marks]**
  7. Tribunal notice of adjourned appeal hearing **[4 marks]**
  8. Home Office letter requesting documents for leave to remain application **[4 marks]**
  9. Letter informing of decision to reject application due to fee waiver **[5 marks]**
  10. Letter informing of decision to reject fresh asylum application **[4 marks]**