

**\*OFFICE OF SALARIED JUDGE OF THE FIRST-TIER TRIBUNAL (IMMIGRATION AND ASYLUM CHAMBER) – formerly IMMIGRATION JUDGE OF THE ASYLUM AND IMMIGRATION TRIBUNAL**

**JOB DESCRIPTION [and Notes on Jurisdiction]**

**1. Office & Jurisdiction**

Immigration Judges will be appointed under paragraph 1 of Schedule 4 to the Nationality, Immigration and Asylum Act 2002, as amended by Schedule 1 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.

Immigration Judges may be appointed on a salaried or fee-paid basis. Fee-paid judges are expected to sit for a minimum of 15 sitting days per year. All Immigration Judges, whether salaried or fee-paid, have the same powers and will generally preside as single judges to determine first instance appeals against asylum and immigration decisions made by the Government. However, salaried and fee-paid Immigration Judges may also be invited to sit on panels of judges. Writing days must be at the allocated hearing center. The current sitting pattern is such that you will have a one-day hearing and one-day writing up the determination, alternating. Also, the requirement is that writing days must be at the allocated hearing centre. This working pattern is currently under active review.

Immigration Judges will be expected to promote a collegiate environment across the organisation and to participate in the drive towards maintaining and promoting the quality and consistency of the Tribunal's decisions.

**2. Main Activities**

**a. Judicial**

**Keeping abreast of legal developments**

- To have sound knowledge of the law, Procedure Rules and Practice Directions and to keep abreast of legal developments.

**Preparing for hearings and case management**

- To prepare for hearings by reading and assimilating papers in an appeal or application before it commences, including the study of written documents and reports.
- Case management
  - To conduct Case Management Reviews, identifying the key issues of the appeal or application and issuing appropriate directions to the parties, specifying where further evidential documents are required.
  - To deal with any other interlocutory matters, as required.

**Presiding over hearings**

- To control (in accordance with the relevant law and practice) the manner in which appeals or applications are conducted.

- To ensure that parties, whether present or represented or not, are enabled to have their appeal or application presented, and have them considered, as fully and as fairly as possible, including, where appropriate, taking the initiative at the hearing in order to ensure that all relevant matters are covered, whether specifically raised by the parties or not.
- To promote the most expeditious dispatch of business compatible with the interests of justice.
- To maintain the authority and dignity of the Tribunal.
- To take a full and accurate note of the evidence.
- To decide issues of law and procedure which may arise during an appeal or application.

#### **Sitting as a member of a panel**

- To sit as a member of a panel, as required.

#### **Determination of Appeals**

- To decide appeals or applications by finding facts, applying the relevant law to them and giving a reasoned written determination, referring to established law and guidance, and stating the decision and the reasons for the decision.
- To give any directions necessary to give effect to the determination.
- To finalise decisions for promulgation by Administrative Staff expeditiously and within timetables laid down in Procedure Rules and/or by the President.

#### **b. Miscellaneous**

- To participate in the performance appraisal and mentoring schemes and identify training and development needs with the Designated Immigration Judge.
- If required and in accordance with the Appraisal Scheme, to conduct appraisals of other Immigration Judges and provide appropriate feedback.
- To attend internal and external training courses and attend other training as appropriate.
- To participate, as required, in an out-of-office hours scheme which will provide cover for urgent Tribunal business.

\* On 15 February 2010 the functions of the Asylum and Immigration Tribunal were transferred to the First-tier Tribunal, after which the post became known as Salaried Judge of the First-tier Tribunal (Immigration and Asylum Chamber).