



HJT Training Limited  
1 Liverpool Street  
London  
EC2M 7QD  
Tel: 02079562506  
E-mail: [enquiries@hjt-training.co.uk](mailto:enquiries@hjt-training.co.uk)

**HJT Training Limited**  
Professional Legal Training  
Specialising in the field of Asylum, Immigration and Human Rights

HJT Training Limited specialise in delivering high quality training in the field of Immigration, Asylum and Human Rights Law. We aim to ensure that our clients gain the maximum professional and commercial advantage from training with us.

We present this complimentary checklist to assist practitioners with recurring issues at Case Management Review Hearings.

Don't forget that our [Immigration Manual](#) (9<sup>th</sup> Edition) is the only publication available that is targeted at providing an up-to-date review of material that falls within the Competence Standards for the Accreditation exams for publicly funded practitioners and for OISC Accreditation - and it is now the publication of choice for most teachers of immigration law in the UK.

We also publish a [compilation of historic policies](#) used by the Home Office which is vital for the practitioner wishing to ensure that a client has not missed out on a discretionary application that might have been available to them.

We recommend our blog at <http://www.hjt-training.co.uk/services/immigration-training/immigration-blog.php> as an ongoing source of information for immigration lawyers. Subscribe to it to receive useful legal briefings from time to time.

And we constantly update the [list of courses](#) we offer, including topical seminars put on at short notice to deal with pressing issues of the day.

We also offer [online study](#) so if you are too busy to attend a course in person. All courses are professionally designed and feature electronic notes delivered by email, multiple choice questions with model answers to test your understanding and claim your CPD points, and where appropriate, useful links to statutory material and suggestions on how to keep yourself updated in the future.



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THE FIRST TIER TRIBUNAL
SITTING AT .....

BETWEEN :

Appellant

and

Secretary of State for the Home Department

OR

Entry Clearance Officer .....

Respondent

...../...../.....

CASE MANAGEMENT
REVIEW HEARING

CMRH

Coram - Immigration Judge .....

Contra - SSHD was represented by HOPO .....
Or by Counsel .....

1. THE ISSUES

1A Grounds of appeal to stand .....
or be varied .....

1B Refusal reasons to stand .....
or be varied .....

1C Confirmation of Refugee Convention Reason
.....



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1D Confirmation of ECHR Articles Relied Upon
Article 2 ..... Article 8 (in country of origin) .....
Article 3 ..... Article 8 (private/family life in UK) .....
Article 4 ..... Article 9 .....
Article 5 ..... Article 10 .....
Article 6 ..... Article 11 .....
Article 7 ..... Article 12 .....
Article 14 ..... Protocol Rights (Property, Education) .....

1E Are there credibility issues arising from section 8 of the Asylum and Immigration (Treatment of Claimants etc) Act 2004?
.....
.....

1F Concessions of facts by the Home Office .....
.....
.....

1G Issues Agreed
.....
.....
.....
.....

1H Any clarifications of refusal letter sought
.....
.....
.....
.....

1J Any Unusual Issues (eg Statelessness)
.....

2. PANEL HEARINGS

2A Direction for "Two Member" or "Legal" Panel Hearing?
.....
.....
.....

2B Is this a remitted hearing? If so, are there any directions from the Upper Tribunal that require attention?
.....
.....
.....



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2C Is this a Country Guidance case?
.....

3. ADJOURNMENT APPLICATIONS

3A Application for Adjournment made?
.....
.....
.....

3B If Adjournment granted, new hearing date? .....

4. EVIDENCE FROM APPELLANT, CHRONOLOGY

4A Timetable for Medical evidence
.....
.....

4B Timetable for Expert Country evidence
.....
.....

4C General Country evidence bundle to be supplied
.....

4D Chronology to be supplied .....

5. ORAL EVIDENCE

5A Appellant giving evidence
.....

5B Other witnesses of fact
.....
.....
.....

5C (does Home Office challenge immigration status of any witnesses or basis on which it was granted?)
.....
.....
.....

5D Interpretation requirements for each witness
.....
.....



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6. APPELLANT'S ARGUMENT AND AUTHORITIES

- 6A Skeleton argument
6B Bundle of authorities

7. MISCELLANEOUS

- 7A Is this a Second Appeal in the Devaseelan sense...
7B If so, will there be any argument that it is not the appropriate starting point?
7C Pending applications or appeals of family members
7D Has Funding been secured for the Appeal?
7E Appellant's address (same as on Tribunal's file, or as on application documents)?

8. SECRETARY OF STATE'S MATERIALS

- 8A Confirm Complete Copy of Application and Refusal Materials
Screening Interview
Any other Interview
Asylum Interview Record
SEF or other Statement (with Family Members unobscured?)
Notice of Immigration Decision
Reasons for Refusal Letter
Notice of Appeal Form
Are interviews all legible?
Does it require pagination?
8B Documents provided by Home Office at CMRH
8C Country Information
8D Authorities



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## Useful Materials for CMRHs

### The Procedure Rules on Adjournments –

The Asylum and Immigration Tribunal (Procedure) Rules 2005

Rule 47:

- (1) The Tribunal must not adjourn a hearing on the application of a party, unless satisfied that the appeal or application cannot otherwise be justly determined.
- (2) The Tribunal must not, in particular, adjourn a hearing on the application of a party in order to allow the party more time to produce evidence, unless satisfied that—
  - (a) the evidence relates to a matter in dispute in the appeal or application;
  - (b) it would be unjust to determine the appeal or application without permitting the party a further opportunity to produce the evidence.

### ***7 Case management review hearings and directions***

7.1 Where the Tribunal so directs, a CMR hearing will be held in the case of an appeal where the party who is or was the appellant before the First-tier Tribunal:-

- (a) is present in the United Kingdom; and
- (b) has a right of appeal whilst in the United Kingdom.

7.2 It is important that the parties and their representatives understand that a CMR hearing is a **hearing** in the appeal and that the appeal may be determined under the relevant Procedure Rules if a party does not appear and is not represented at that hearing.

7.3 In addition to any information required by First-tier rule 8 (form of contents and notice of appeal), the appellant before the First-tier Tribunal must provide that Tribunal and the respondent at the CMR hearing with:-

- (a) particulars of any application for permission to vary the grounds of appeal;
- (b) particulars of any amendments to the reasons in support of the grounds of appeal;
- (c) particulars of any witnesses to be called or whose written statement or report is proposed to be relied upon at the full hearing; and
- (d) the draft of any directions that the appellant is requesting the Tribunal to make at the CMR hearing.

7.4 In addition to any documents required by relevant Procedure Rules, the party who is or was the respondent before the First-tier Tribunal must provide the Tribunal and the other party at the CMR hearing with:-

- (a) any amendment that has been made or is proposed to be made to the notice of decision to which the appeal relates or to any other document served on the person concerned giving reasons for that decision; and
- (b) a draft of any directions that the Tribunal is requested to make at the CMR hearing.



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7.5 In most cases, including those appeals where a CMR hearing is to be held, the Tribunal will normally have given to the parties the following directions with the notice of hearing:-

(a) not later than 5 working days before the full hearing (or 10 days in the case of an out-of-country appeal) the appellant shall serve on the Tribunal and the respondent:

(i) witness statements of the evidence to be called at the hearing, such statements to stand as evidence in chief at the hearing;

(ii) a paginated and indexed bundle of all the documents to be relied on at the hearing with a schedule identifying the essential passages;

(iii) a skeleton argument, identifying all relevant issues including human rights claims and citing all the authorities relied upon; and

(iv) a chronology of events;

(b) not later than 5 working days before the full hearing, the respondent shall serve on the Tribunal and the appellant a paginated and indexed bundle of all the documents to be relied upon at the hearing, with a schedule identifying the relevant passages, and a list of any authorities relied upon.

7.6 At the end of the CMR hearing, the Tribunal will give the parties any further written directions relating to the conduct of the appeal.

7.7 Although in normal circumstances a witness statement should stand as evidence-in-chief, there may be cases where it will be appropriate for appellants or witnesses to have the opportunity of adding to or supplementing their witness statements.

7.8 In addition to the directions referred to above, at the end of the CMR hearing the Tribunal will also give to the parties written confirmation of:-

(a) any issues that have been agreed at the CMR hearing as being relevant to the determination of the appeal; and

(b) any concessions made at the CMR hearing by a party.

HJT Training provides this checklist to assist practitioners. We accept no liability for errors or omissions committed by those who rely on it as an aid to their work. We do not suggest it is a substitute for consideration of each individual appeal, but it should assist with identifying common issues which might deserve express treatment at a appeal.