

Immigration & Asylum Core Case Data (CCD)



3 July 2020

Presenters

Amie Higgins

Amie is a Senior Solicitor, qualified under the Law Society's Immigration & Asylum Accreditation Scheme (IAAS) as an Advanced Caseworker and Supervisor. As a Consultant and Training Lead for ATLEU, Amie specialises in all aspects of Asylum and Human Rights work, with a specialism in anti-trafficking and modern slavery cases.

Amie is an experienced trainer and offers bespoke training courses designed to meet your requirements.

Chris Cole

Chris is a Partner and Head of Immigration at Parker Rhodes Hickmotts Solicitors. He sits as a fee-paid Immigration Judge and has presided over numerous Reform appeals.

As a practitioner, Chris has been involved with the Reform pilot from the outset and has conducted many cases via the online system from inception, through preparation and advocacy to decision.

Using MyHMCTS

- Mandatory from Monday 22nd June 2020 for all appeals unless not “reasonably practicable” to do so

Evidence required to demonstrate why it is not “reasonably practicable” to use online system

- Appeals which may be lodged via traditional method;
 - Appeals under The Immigration (Citizens’ Rights Appeals) (EU Exit Regulations 2020);
 - Out of country Appeals (where the appellant is outside the United Kingdom);
 - Appeals where the Appellant is in detention;
 - Appeals from legally unrepresented Appellants; or
 - Appeals where the Appellant’s appeal is linked to another appeal being brought at the same time.

Essential Reading

Presidential Practice Statement No.2 of 2020, 11th June 2020

- Annex 1 – Online Directions
- Annex 2 - Notice & Directions to Appellants NOT using MyHMCTS
- Annex 3 – Directions for Unrepresented Appellants

Pilot Practice Direction: Contingency Arrangements in the First-Tier Tribunal and the Upper Tribunal, 19th March 2020

Registering Your Firm For CCD

Registration can be completed here: <https://register-org.platform.hmcts.net>

Role of the “Super User”

Provide the following details about the firm;

- Name:
- Address:
- DX:
- SRA ID:

The Super User will also need to provide the following personal details for themselves;

- Full Name:
- Email Address:

Super User Invites Other Users

On the “Manage Organisation” tab, there is a green button on the right hand side of the screen called “Invite Users” When clicked, the Super User will be asked to provide the following details for each user they invite;

- First Name:
- Surname:
- Email Address:

The Super User can allocate 3 types of permission levels for each user as follows;

- Manage Cases
- Manage Users
- Manage Organisation

Once submitted, the new user will receive an email with a link to set up their account.

Fees

The Tribunal does not currently have the facility to take direct payments for fees from a firm's Fees Account.

Where a fee is payable, the Tribunal will notify the firm of the amount payable and by when.

Overview

There are 5 main tabs: Overview, Appeal, Appellant, Documents and Directions

Overview Appeal Appellant Documents Directions

Overview

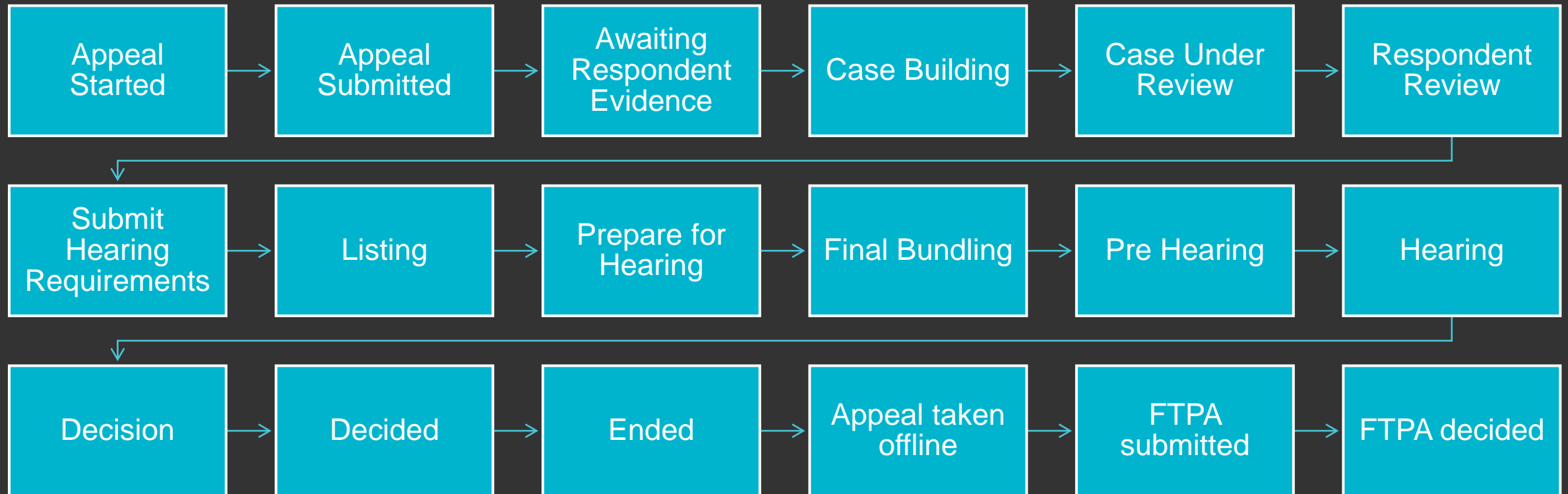
Current progress of the case

Appeal Started **Appeal submitted** Awaiting respondent evidence Case building Case under review Respondent review Submit hearing requirements Listing Pre hearing Hearing Decision

Do this next

You have submitted your appeal. A case officer will now review your appeal. You don't need to do anything else right now.

Current Progress Of The Case



Create New Case

First steps when creating a case to lodge an appeal via CCD

Create Case

Jurisdiction

Immigration & Asylum

Case type

IA Asylum Case

Event

Start your appeal

[Start](#)

Client Details

Basic details to verify that CCD is appropriate to start the appeal

Tell us about your client

My client is living in the UK

My client is not in detention

My client is not appealing an EU Settlement Scheme decision

My client is not appealing with anyone else as part of a linked or grouped appeal

Previous

Continue


[Cancel](#)

Client Details

These details will enable the system to calculate whether the appeal is being lodged in time or not

Home office details

Home Office reference

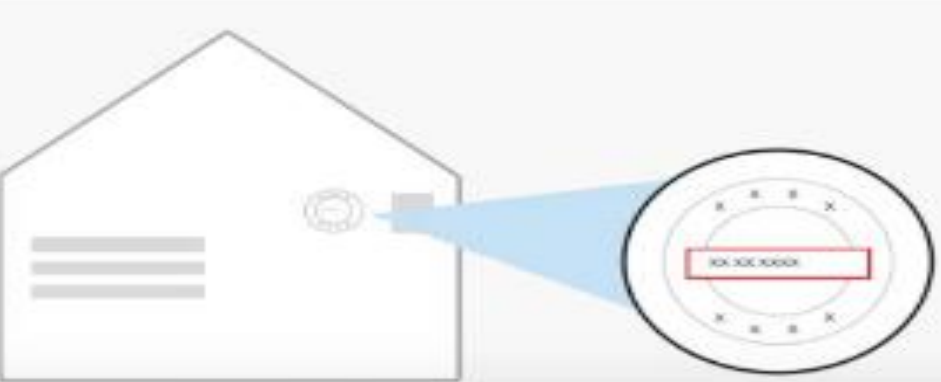


The diagram shows a stylized envelope representing a decision letter. A blue callout points from the top right corner of the envelope to a circular inset. Inside the circle, a red-bordered box contains the text "Our Ref: A1289136/001". Below this, the text "Date: XX XX XXXX" is visible.

Enter the date the decision letter was sent

You can usually find this stamped on the envelope. Alternatively enter the date given to the decision letter. For example, 03 04 2016

Day Month Year



The diagram shows a stylized envelope with a circular postmark stamp on the right side. A blue callout points from the stamp to a circular inset. Inside the circle, a red-bordered box contains the text "XX XX XXXX". The background of the circle has a grid of "X" characters.

Client Details

Additional basic client details are required

Basic details

Enter the basic details for your client.

Title

Given names

Family name

Date of birth

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Nationality

[Add new](#)

This field is required

[Previous](#) [Continue](#)

[Cancel](#)

Client Details

Client contact

Your client's address

We'll use this to work out which hearing centre is best for them.

Does the appellant have a fixed address?

Yes

No

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Continue

[Cancel](#)

Client Details

Client contact preferences

Select the communication method which best suits the appellant.

The Tribunal needs this to:

- provide standard guidance on the appeal process
- update the appellant at key points in the appeal
- send the Hearing Notice and guidance on what to expect at hearing
- contact the appellant if, for any reason, your representation ends

Communication Preference



Email



Text message

Email address

test@gmail.com

Previous

Continue

[Cancel](#)

Type of Appeal & Grounds

The Appeal is started by selecting this option from the drop-down box in the top right hand corner

Note the facility to “Share Case”

Grounds of Appeal (*you will be able to select applicable options depending on the type of case*)

Start your appeal

Type of appeal

Select the appeal type that best fits your case. If you want to raise something relating to another appeal type, you can do this later.

Type of appeal

- Refusal of protection claim
- Revocation of a protection status
- Refusal of a human rights claim
- Refusal of application under the EEA regulations / EU settlement scheme
- Deprivation of citizenship

[Previous](#) [Continue](#)

[Return to case list](#)

Previous Appeals & New Matters

Has your client appealed against any other UK Immigration decisions?

New Matters

Are there any new reasons your client wishes to stay in the UK or any new grounds on which they should be permitted to stay?

(insert details such as birth of a baby, sur place claim etc)

Other appeals

--Select a value--

--Select a value--

Yes

Yes, but I don't have an appeal number

No

I'm not sure

New matters

Are there any new reasons your client wishes to remain in the UK or any new grounds on which they should be permitted to stay?

Yes No

[Cancel](#)

Check Your Answers

Summary Page

Green progress bar shows the steps that have been taken to date

PA/50010/2019 [Print](#)

[History](#) [Overview](#) [Appeal](#) [Case details](#) [Documents](#) [Directions](#)

Overview

Current progress of the case

Appeal Started Appeal submitted **Awaiting respondent evidence** Case building Case under review Respondent review Submit hearing requirements Listing Pre-hearing Hearing Decision

Do this next

You'll get an email when the respondent evidence is available in the documents tab. You can start gathering your evidence now and building your case. [Build your case](#)

Case details

Reference number	PA/50010/2019				
Created Date	2 Jan 2019, 3:41:42 PM				
Type of appeal	The refusal of a protection claim				
Appellant name	José González				
Appellant nationalities	<table><tr><th colspan="2">Appellant nationalities 1</th></tr><tr><td>Nationality</td><td>Finland</td></tr></table>	Appellant nationalities 1		Nationality	Finland
Appellant nationalities 1					
Nationality	Finland				
Date of birth	31 Dec 1999				

Out Of Time Appeals

You will be able to provide an explanation as to why the appeal is being submitted late. This can be done by typing in the text box or uploading a document which sets out the explanation.

When the explanation is submitted, it will be passed to a Tribunal Case Worker (TCW) who will consider whether the appeal should be allowed to proceed.

You will be notified of the TCW's decision via CCD.

Your appeal has been submitted out of time

What happens Next

You have submitted this appeal beyond the deadline. The Tribunal Case Officer will decide if it can proceed. You'll get an email telling you whether your appeal can go ahead.

[Close and Return to case details](#)

The Directions Tab

This shows all Directions issued by the Tribunal to both the Legal Representative and the Respondent.

For example, as soon as the appeal is lodged, the Tribunal will issue a Direction for the Respondent to upload their bundle. Following this, the Legal Representative will receive a Direction requiring them to submit their ASA and any supporting evidence.

Overview Appeal Appellant Documents **Directions**

Directions

Directions

Directions 1	
Explanation	<p>You must now build your case to enable the respondent to conduct a thorough review of their decision.</p> <p>You have 28 days after the respondent's bundle is provided, or 42 days after the Notice of Appeal, whichever is the later, to upload your Appeal Skeleton Argument and evidence.</p> <p>Your Appeal Skeleton Argument must be set out in three distinct parts to include:</p> <ul style="list-style-type: none">- a concise summary of the appellant's case- a schedule of issues- why those issues should be resolved in the appellant's favour, by reference to the evidence you have (or plan to have) and any legal authorities you rely upon <p># Next steps</p> <p>Once you've uploaded your Appeal Skeleton Argument and evidence, you should submit your case. The Tribunal Caseworker will review everything you've added.</p> <p>If your case looks ready, the Tribunal will send it to the respondent to review.</p>
Parties	Legal representative
Date due	23 Jul 2020
Date sent	17 Jun 2020

Case Building – The ASA

A template ASA is available to download from CCD when you reach the relevant stage. The template states that the following points must be covered;

- all the evidence you have or plan to rely on, including any witness statements
- the grounds and issues of the case
- any new matters
- any legal authorities you plan to rely on and why they are applicable to your case
- your argument must explain why you believe the respondent's decision is wrong. You must provide sufficient information for the Home Office to conduct a review of their decision at this stage.

Build your case

You must now build your case by writing an appeal skeleton argument and schedule of issues using the template below. Refer to the practice directions for further guidance.

1. Download the template below and complete it

[Case building template.doc](#)

2. When you have completed the template, upload it below

Advice on uploads

- Files must be no more than 100MB in size
- Upload a Word doc or PDF file
- Before uploading a file, give it a meaningful file name. For example, JSmith-Skeleton.pdf

Choose file

Describe the document (optional)

3. Upload the evidence upon which you rely, including any witness statements.

Evidence

[Add new](#)

[Previous](#) [Continue](#)

[Cancel](#)

Case Building

Each piece of evidence should be individually named so that it is clear what it is. e.g.

- Appeal Skeleton Argument
- Appellant's Bundle
- Supplementary Skeleton Argument

Build your case

#1546-4437-0295-9033

Check your answers

Check the information below carefully. This will form a record of your application.

Appeal skeleton argument	LegalArgument.pdf	Change
Describe the document		Change
Evidence		Change

[Previous](#) [Upload](#)

[Cancel](#)

The Documents Tab

Appellant's Documents

Overview	Appeal	Appellant	Documents	Directions	Hearing
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Documents

[Upload additional evidence](#)

Legal representative documents

Legal representative documents 1	
Document	PA 50099 2019-Othman-appeal-skeleton-argument.PDF
Date uploaded	21 Feb 2020

Legal representative documents 2	
Document	Appeal Skeleton Argument.pdf
Description	ASA
Date uploaded	12 Feb 2020

Legal representative documents 3	
Document	Appeal Bundle.pdf
Description	Appellant's Bundle
Date uploaded	12 Feb 2020

Legal representative documents 4	
Document	PA 50099 2019-Othman-appeal-form.PDF
Date uploaded	24 Sep 2019

Respondent's Documents

Respondent documents	
Respondent documents 1	
Document	PA 50099 2019Othman HOResponseReview.docx
Date uploaded	13 Mar 2020
Respondent documents 2	
Document	HMCTS PB - IRAQ bundle.pdf
Date uploaded	13 Mar 2020
Respondent documents 3	
Document	PA 50099 2019 OTHMAN HO EVIDENCE BUNDLE.pdf
Description	HO Bundle with no previous decision
Date uploaded	27 Jan 2020

Uploading v Submission

Upload saved

You still need to submit your case

What happens next?

If you're ready for your case to be reviewed, [submit your case](#).

If you're not yet ready for your case to be reviewed, continue to [build your case](#).

Close and Return to case details

You have submitted your case

We have sent you a confirmation email

What happens next

The case officer will now review your appeal. If it complies with the procedure rules and practice directions, they will send it to the respondent for them to review. The respondent then has 14 days to respond.

Close and Return to case details

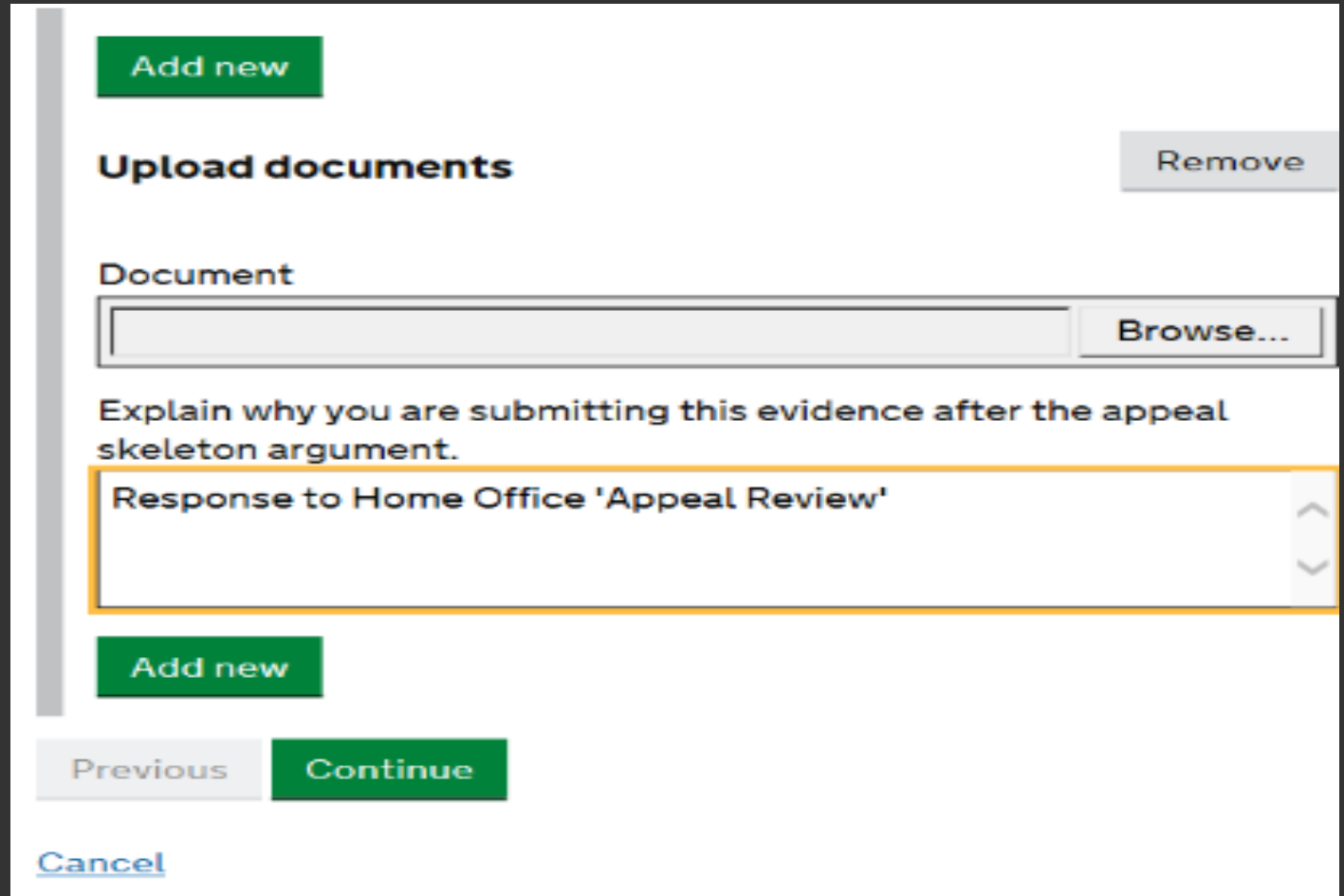
Applications For Extension Of Time

Where additional time is required to enable you to comply with the Tribunal Directions, these requests should be made by email;

- Manchester: TCO.manchesteriac@justice.gov.uk
- Taylor House: tcw.taylorhouse@justice.gov.uk
- Bradford: TCWBradfordIA@justice.gov.uk
- Newport: TCO.NewportIAC@justice.gov.uk
- North Shields: TCWNorthShieldsIA@justice.gov.uk
- Birmingham: IACBirminghamTCW@justice.gov.uk
- Hatton Cross: TCW.HattonCross@Justice.gov.uk
- Glasgow: TCWScotlandIA@justice.gov.uk

Additional Evidence

Any documentation submitted after the ASA is considered “additional evidence” and is uploaded in the same way. You will need to explain why it is being submitted, for example, if additional evidence is submitted after the Home Office review.



The screenshot shows a web interface for uploading documents. At the top left is a green button labeled "Add new". Below it is the heading "Upload documents" with a grey "Remove" button on the right. A "Document" label is positioned above a text input field, which has a "Browse..." button on its right side. Below the input field is the instruction "Explain why you are submitting this evidence after the appeal skeleton argument." followed by a text area containing the text "Response to Home Office 'Appeal Review'". Below the text area is another green "Add new" button. At the bottom of the form are three buttons: a grey "Previous" button, a green "Continue" button, and a blue "Cancel" link.

Preparing for Hearing

You will need to submit any requests for hearing requirements and adjustments for the Appellant, Representative and any witnesses.

These could be, for example;

- Court in Camera
- All female/All male court
- Video-link facilities needed

If no hearing requests are submitted, the Tribunal will assume that no special arrangements are required.

Submit hearing requirements

#1588-7806-9251-2226

If the appellant needs interpreter services, step-free access or a hearing loop, these will be provided.

You'll also be able to request additional adjustments based on the appellant's personal circumstances. The tribunal will review these and decide whether a request can be granted.

Previous

Continue

[Cancel](#)

Hearing Documents

The Tribunal will prepare a digital bundle of all documents which are to be relied on at the hearing.

You will receive notification of this on CCD and it can be viewed online.

Hearing documents

Overview

Appeal

Appellant

Documents

Directions

Overview

Current progress of the case



Do this next

You can now view the hearing bundle in the documents tab.

[Go to the documents tab](#)

The Decision

Representatives will be notified via CCD of the outcome and whether the appeal has been allowed or dismissed.

Any onward application for Permission To Appeal can be submitted online via CCD also.

contactia@justice.gov.uk

The screenshot shows a web interface for tracking a case. At the top, there are navigation tabs: Overview (selected), Appeal, Appellant, Documents, Directions, and Hearing. Below the tabs, the heading "Overview" is displayed. Underneath, the section "Current progress of the case" features a large grey box with the text "This appeal has been dismissed". The "What happens next" section contains the text: "The appeal has been decided. You have the right to [apply for permission to appeal](#) to the Upper Tribunal. You have 14 days to apply from the date the Decision". At the bottom, the "Appeal decision" section is presented in a table format.

Decision of appeal	Dismissed
Decision and reasons document	PA 50498 2020-Leslie-Decision-and-reasons-FINAL.pdf
Decision date	12 Mar 2020

Timescales in CCD

PERIOD WITHIN WHICH ACTION MUST BE TAKEN	ACTION
Day 1	Notice of appeal provided to Tribunal by MyHMCTS
Not later than 14 days after notice of appeal	Respondent's bundle ("RB") must be provided
28 days after provision of RB or 42 days after notice of appeal, whichever is later	Appellant must provide: (i) Appeal Skeleton Argument (ii) Bundle of evidence in support
14 days after provision of appellant's ASA and evidence	Respondent must provide: Review with counter-schedule

Statistics

As at June 2020, the statistics are as follows;

- 512 appeals received
 - 194 Home Office reviews, of which
 - 37 withdrawals to grant (19%)
 - 69 hearings

Summary

PROS

- No Grounds of Appeal needed
- Quicker to lodge appeal
- Less paper waste
- Cost-effective
- Everything retained all in one place

CONS

- The process takes longer
- No way to confirm private or legal aid
- No facility to confirm whether fee is payable
- ASA required at early stage, may have to be amended
- What is an ASA?

Any Questions?

Please email amie@dglegal.co.uk