

Changes to the Level 2 Asylum Syllabus

The new syllabus is a significantly expanded and more competency-based revision than the current syllabus. Most of the original content remains, but the new syllabus introduces additional specialist areas, raises knowledge expectations, and places greater emphasis on practical application and professional competence.

Major structural differences

Area	Current syllabus	New syllabus
Immigration Rules	Knowledge-based	More detailed, route-specific and application-focused
Refugee Convention	Knowledge of requirements	Ability to apply Article 1A(2) in practice
Nationality & Borders Act 2022	Not included	New dedicated Section 32 module
Asylum-seeking children	Awareness	Detailed knowledge plus age assessment procedures
Human Rights	Knowledge of Articles 2,3,8	Demonstrated competence in applying Articles 2 and 3
Trafficking	Covered only incidentally	Entire new specialist section
Domestic Abuse	Mentioned under immigration rules	New stand-alone MVDAC/DV section
Appeals/JR	Awareness and referral	Greater operational knowledge of JR process
Ethics	Basic professional duties	Expanded competence framework and trauma-informed practice
Casework Skills	Awareness-level	More advanced practitioner skills

1. New subjects added in the new syllabus

A. Section 32 Nationality and Borders Act 2022

This section does not appear in the current syllabus.

New requirements

- Detailed knowledge of Section 32
- Split standard of proof
- Balance of probabilities test
- Reasonable degree of likelihood test
- Relationship with Karanakaran
- Application to hypothetical and real cases
- Structured legal reasoning
- Application of country evidence

Impact

Level 2 advisers are now expected to understand the statutory asylum test in far greater depth and apply it practically.

B. Age Assessment Procedures

Absent from current syllabus.

Added in new syllabus:

- Initial age dispute procedures
- Section 55 Borders, Citizenship and Immigration Act 2009
- Modern Slavery Act provisions
- Merton-compliant assessments
- Use of AI in age assessments

Impact

A major expansion recognising increased litigation around age-disputed children.

C. Trafficking and Modern Slavery

Completely new stand-alone section.

New content

- Palermo Protocol
- Modern Slavery Act 2015
- Scotland and Northern Ireland trafficking legislation
- NRM procedures
- Reasonable Grounds decisions
- Conclusive Grounds decisions
- Discretionary leave

- Expert reports
- Safeguarding
- Judicial review challenges
- Child trafficking representation

Impact

The new syllabus expects advisers to work competently with trafficking victims rather than merely understanding that trafficking exists.

D. Migrant Victims of Domestic Abuse

Entirely new section.

Covers

- MVDAC
- DVILR route
- Eligibility criteria
- Evidence requirements
- Financial support
- Safeguarding
- Confidentiality
- Interaction with other immigration routes

Impact

Reflects growing importance of protection routes for migrant victims of abuse.

2. Areas Upgraded from Awareness to Detailed Knowledge

Asylum-seeking children

Current syllabus

Awareness of procedures for asylum-seeking children

New syllabus

Detailed knowledge of procedures for asylum-seeking children

Plus:

- Home Office policy knowledge
- Best interests principle
- Age assessments

Impact

A substantial increase in expected expertise.

Human Rights**Current syllabus**

Detailed knowledge of Articles 2 and 3 ECHR

New syllabus

Detailed knowledge and demonstrated competence in applying Articles 2 and 3

Additional emphasis on:

- Analysis
- Decision-making
- Case assessment

Impact

Knowledge alone is no longer sufficient. Advisers must demonstrate application.

3. Immigration Law Changes

Most content is retained, but the new syllabus strengthens several areas.

Current syllabus

- General grounds for refusal within Part 9

New syllabus

- Mandatory and discretionary grounds
- Route-specific suitability requirements
- Interaction between suitability and eligibility

Additional detail

New syllabus explicitly requires advisers to:

- Identify relevant suitability grounds
- Apply them to specific immigration routes

Impact

More practical caseworking expectations.

4. Appeals and Judicial Review

Current Syllabus

Focuses on:

- CPR Part 54
- Pre-action letters
- Identifying JR cases
- Referral to specialists

New syllabus

Reverts to:

- Awareness of judicial review and habeas corpus

However, elsewhere the syllabus introduces significantly more specialised content.

Overall

The detailed JR drafting requirements appear reduced, but are offset by increases in other substantive legal areas.

5. Ethics Changes

This is one of the most significant developments.

Current syllabus

Focus

- Confidentiality
- Conflicts
- Client interests
- Duty to court
- Independence

New syllabus

Adds:

Regulatory Compliance

- Code of Standards systems requirements
- Organisational compliance

Ethical Case Management

- Accuracy of submissions
- Professional communication

Independent Ethical Judgement

- Decision-making in non-routine cases

Professional Boundaries

- Maintaining impartiality

Vulnerable Clients

- Trauma-informed practice
- Cultural competence

Independence and Objectivity

- Resisting client pressure

Impact

Ethics moves from simply knowing the rules to demonstrating professional judgement and behavioural competence.

6. Essential Skills Changes

New syllabus significantly expands practical skills.

New skills added

Client Handling

- Obtaining detailed instructions
- Taking statements
- Case histories

Interviewing

- Questioning techniques
- Information gathering

Evidence

- Evaluating weight of evidence
- Identifying necessary evidence

Drafting

- Detailed statements
- Grounds of appeal
- Written representations

Expert Evidence

- Knowing when to instruct experts
- Making referrals

Vulnerable Clients

- Trauma-informed work
- Sexuality awareness
- Broader equality issues

Detention Work

- Challenging detention decisions using human rights arguments

7. Changes in Wording Showing Higher Expectations

Throughout the new syllabus there is a shift from:

- "Knowledge of"
- "Awareness of"

towards:

- "Detailed knowledge"
- "Competence"
- "Confidence"
- "Ability to explain"
- "Ability to apply"
- "Demonstrated competence"
- "Ability to produce structured reasoning"

It indicates a greater emphasis on the practical application of knowledge in assessments, rather than on the recall of information alone."

Overall assessment

The new syllabus introduces five major developments:

1. **Section 32 Nationality and Borders Act 2022** and split standard of proof.
2. **Comprehensive trafficking and modern slavery practice.**
3. **Migrant Victims of Domestic Abuse Concession (MVDAC).**
4. **Age assessment and child asylum procedures.**
5. **Much stronger competency-based ethics and casework requirements.**

In practical terms

The current syllabus primarily tests whether an adviser knows the law.

The New Syllabus expects an adviser to know the law, apply it to facts, assess evidence, work with vulnerable clients, understand safeguarding, and exercise professional judgement in complex protection cases.

The overall effect is that the New Syllabus is broader, more protection-focused, and considerably more practice-oriented than the current syllabus.