

Changes to the Level 3 Asylum Syllabus

Summary

The new syllabus is not simply an update of the current syllabus. It is a substantially modernised and more practice-focused syllabus. It removes some legacy immigration content (particularly EEA/free movement and business immigration) and adds significant new content in:

- Nationality and Borders Act 2022 asylum provisions
- Age assessment of children
- Trafficking and modern slavery
- Migrant victims of domestic abuse
- Appendix EU and post-Brexit immigration routes
- Enhanced ethics and professional conduct
- Greater emphasis on practical competence rather than knowledge alone

Overall, the new syllabus is more specialised for contemporary asylum and protection work, whereas the current syllabus is broader across general immigration law.

Key differences at a glance

Area	Current syllabus	New syllabus
EEA Free Movement	Included	Removed
Turkish Association Rights	Included	Removed
Business Immigration Module	Included	Removed
Appendix EU	Not included	Added
Domestic Abuse Routes	Not included	Added
Section 32 NABA 2022	Not included	Added
Age Assessments	Not included	Added
Modern Slavery	Not Included	Added
NRM Procedures	Not included	Added
MVDAC	Not Included	Added
Safe Return Review	Not Included	Added

Tribunal Practice Direction 2024	Not Included	Added
Enhanced Ethics	Basic	Advanced
Casework skills	Limited	Expanded

1. Major new areas in the new syllabus

A. Section 32 Nationality and Borders Act 2022

Not present in the current syllabus

New syllabus introduces detailed knowledge and application of:

- Section 32 NABA 2022
- Split standard of proof
- Balance of probabilities for past facts
- Reasonable degree of likelihood for future risk
- Relationship with Karanakaran
- Application to real cases
- Integration of country evidence
- Structured legal reasoning

Impact

This is one of the biggest substantive additions.

The current syllabus focuses on the Refugee Convention generally.

The new syllabus requires advisers to understand and apply modern statutory asylum credibility and evidential provisions.

B. Age Assessment of Children

Completely new section in the syllabus

Includes:

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

Impact

This reflects recent litigation and policy developments regarding age-disputed asylum seekers.

C. Trafficking and Modern Slavery

Entirely absent from current syllabus.

New syllabus creates a dedicated area covering:

Legislation

- Palermo Protocol
- Modern Slavery Act 2015
- Human Trafficking and Exploitation (Scotland) Act
- Northern Ireland legislation

Practice

- NRM procedures
- Reasonable Grounds decisions
- Conclusive Grounds decisions
- Discretionary Leave
- Safeguarding
- Child trafficking
- Expert evidence
- Challenging adverse NRM decisions

Impact

This is a major expansion reflecting the reality that trafficking issues are now central to asylum and human rights practice.

D. Migrant Victims of Domestic Abuse

Completely new in the syllabus

Includes:

- Migrant Victims of Domestic Abuse Concession (MVDAC)
- Domestic Violence ILR route
- Appendix FM domestic abuse provisions
- Safeguarding
- Evidence requirements
- Access to public funds
- Confidentiality protections

Impact

This creates a new area of competence not covered in the current syllabus.

2. Immigration Law Changes

Current syllabus

Uses largely historical categories:

- Tier 1 PBS
- Tier 2 PBS
- Tier 4 PBS
- Tier 5 PBS
- Work permits
- EEA routes

New syllabus

Uses modern immigration routes:

- Visitors
- Students
- Points-Based Immigration System
- Work and business visas
- Partners
- Adult Dependent Relatives
- Long Residence
- Appendix EU
- EU Family Permit
- Domestic abuse routes

3. General Grounds for Refusal

Current syllabus

Focus:

- Part 9 general grounds for refusal

New syllabus

Expanded focus:

- Part Suitability provisions

- Route-specific suitability requirements
- Relationship between suitability and eligibility

Impact

Greater emphasis on practical application of refusal provisions.

4. Asylum Law Changes

Refugee Convention

Current syllabus

Requires:

Detailed knowledge of requirements.

New syllabus

Requires:

Detailed knowledge and application.

New emphasis on:

- Competence
- Practical reasoning
- Applying law to facts

5. Refugee Status Consequences

Current syllabus

Limited to:

- Family reunion
- Travel documents

New syllabus

Adds:

- Route to settlement
- Form of leave granted
- Safe return review process

6. Children

New Syllabus

Requires:

- Detailed knowledge of procedures

7. Human Rights Changes

Articles 2 and 3 ECHR

Current syllabus

Requires:

- Detailed knowledge

New syllabus

Requires:

- Detailed knowledge and demonstrated competence

Impact

Expected ability to apply law in casework rather than merely understand it.

8. Appeals and Tribunal Practice Changes

New Tribunal Requirements

Added in new syllabus:

First-tier Tribunal Practice Direction

Specific requirement to know:

- November 2024 Practice Direction

Procedural Justice

Must understand:

- Procedural fairness
- Confidentiality boundaries
- Duties to the Tribunal
- Evidence integrity
- Professional conduct

These are not expressly required in current syllabus

9. Judicial Review

Current syllabus

Includes:

- CPR Part 54
- Judicial Review procedure

New syllabus

Retains JR competency but removes the detailed reference to CPR Chapter 54.

The focus shifts toward identifying suitable cases.

10. Ethics Comparison

This is one of the largest expansions.

Current syllabus

Single objective:

- Duty of care
- Confidentiality
- Conflict of interest
- Best interests of clients
- Professional conduct

New syllabus

Adds:

- IAA regulatory framework
- Competence guidance
- Complaints scheme
- Vulnerable clients

- Trauma-informed practice
- Ethical leadership
- Duties to Tribunal
- Evidence management
- Independence and objectivity
- High-risk ethical decision-making
- Conflict management

Impact

New syllabus treats ethics as a professional competency rather than a general principle.

11. Essential Skills Comparison

Current syllabus

Focuses on:

- Communication
- Form filling
- Written representations
- Drafting
- Basic advocacy skills
- Recognising limits of competence

New syllabus

Retains all of the above and adds:

Client Care

- Detailed attendance notes
- Explaining appeal outcomes
- Explaining options
- Explaining risks

Expert Evidence

- Instructing experts
- Using experts appropriately
- Understanding expert duties

Strategic Litigation

- Assessing Judicial Review prospects
- Challenging existing case law

- Reassessing evidence after legal developments

Advanced Drafting

- JR materials
- Complex statements
- Structured legal submissions

Overall Assessment

The new syllabus is a modernised protection-focused syllabus. It removes outdated EEA and Tier-route content and significantly expands coverage of:

- asylum decision-making,
- trafficking and modern slavery,
- child protection,
- domestic abuse,
- contemporary immigration routes,
- professional ethics,
- tribunal practice,
- and practical casework competence.

The new syllabus sets a higher expectation of practical competence and contemporary asylum practice than the current syllabus the current syllabus.