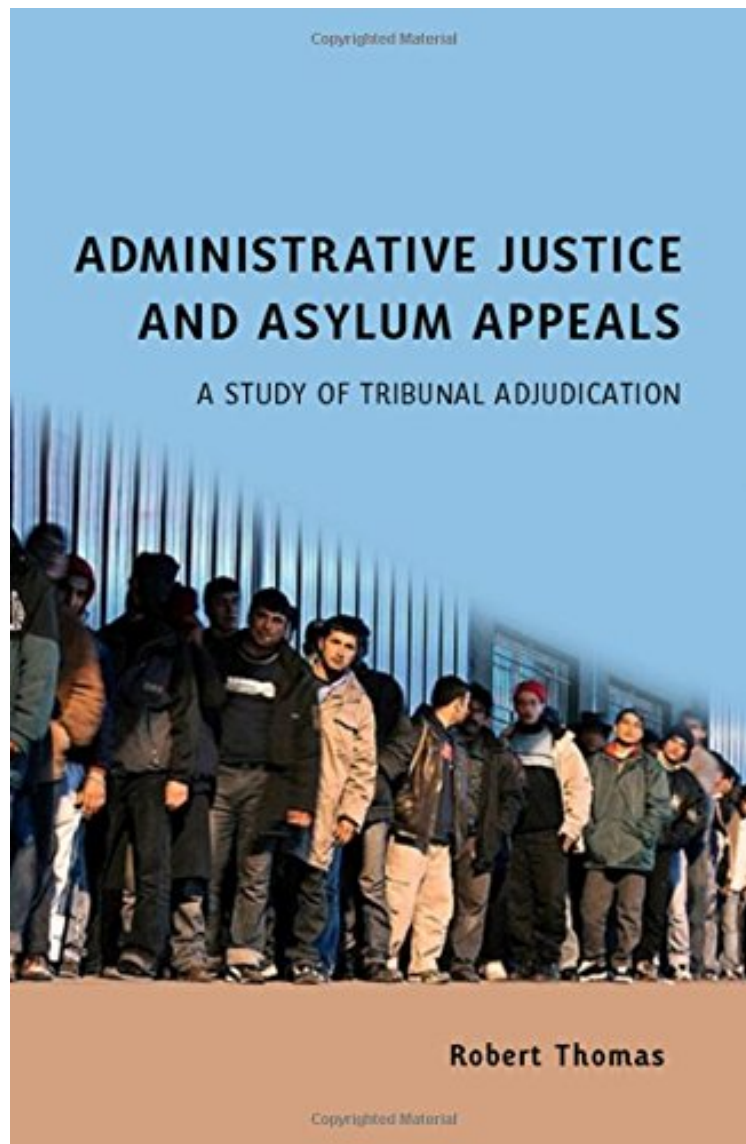


(Free pdf) Administrative Justice and Asylum Appeals: A Study of Tribunal Adjudication

Administrative Justice and Asylum Appeals: A Study of Tribunal Adjudication

Robert Thomas

*ePub | *DOC | audiobook | ebooks | Download PDF*



[Download](#)

[Read Online](#)

#7622733 in Books Hart Publishing 2011-01-18 Original language: English PDF # 1 9.21 x .72 x 6.141, 1.15
#File Name: 184113936X342 pages | File size: 72.Mb

Robert Thomas : Administrative Justice and Asylum Appeals: A Study of Tribunal Adjudication before purchasing it in order to gauge whether or not it would be worth my time, and all praised Administrative Justice and Asylum Appeals: A Study of Tribunal Adjudication:

Over recent years, the asylum appeal process has become a major area of judicial decision-making and the most frequently restructured tribunal system. Asylum adjudication is also one of the most difficult areas of decision-making in the modern legal system. How are we to assess and evaluate the quality of the tribunal systems that do the day-to-day work of adjudicating the disputes individuals have with government? This highly topical book examines how the idea of adjudicative quality works by presenting a detailed case-study of the tribunal system responsible for determining appeals lodged by foreign nationals who claim that they will be at risk of persecution or ill-treatment on return to their country of origin. Integrating empirical research with legal analysis, the book provides an in-depth study of the development and operation of the tribunal system and of asylum decision-making. It examines how this particular appeal process seeks to mediate the tension between the competing values under which it operates. The book looks at the organization of the tribunal system, its procedures, the nature of fact-finding in asylum cases, and the operation of onward rights of challenge. It also looks at how the tensions inherent in the idea of administrative justice are manifested in the context of a tribunal system responsible for making potentially life or death decisions. Filling a gap in this area of study, the book will be of value to all those interested in administrative law and asylum adjudication. This book is the First place winner of the Society of Legal Scholars Birks Prize for Outstanding Legal Scholarship 2011.

This excellent work offers both a study of the asylum appeals system in the United Kingdom and a contribution to the broader stream of scholarship on administrative justice...It successfully performs the difficult double act of providing both an engaging introduction to the system's operation and considered detail and analysis of interest to those familiar with the jurisdiction. A work immersed in the particular context of asylum appeals, *Administrative Justice and Asylum Appeals* attends to the detail of the design and operation of the relevant tribunal processes, evaluating them against justice and managerial criteria. As a work on tribunal adjudication, Thomas argues both for an appreciation of the limits of what adjudication can achieve and for the benefits of inserting adjudication into the administrative process of determining eligibility for asylum. He makes a compelling case on both counts. (Rayner Thwaites *The Modern Law*, Volume 75, Issue 4) Written in clear and accessible language, this book offers an in depth and insightful review of the operations and functioning of the asylum appellate jurisdiction. A must read for those involved in the asylum decision-making process, this book is also highly recommended to anyone with an interest in administrative law or the asylum process itself. [The author's] assessment of the effectiveness and quality of asylum appeals is thought provoking and will almost certainly be a point of reference in future consultations and developments. (C. J. Smith *Frontline*, Volume 81)...an excellent analysis of refugee law which is underpinned by an empirical methodology that can rightly be compared to Mashaw's landmark study of American disability decision making. This landmark study will provide an enduring benchmark for any serious analysis of tribunals, administrative justice and refugee law and policy. A particular strength of this book lies in its analysis of the assessment of the credibility of applicants for refugee status and the use of country information by migration tribunals. The investigation of each area moves beyond analysis of court and tribunal decisions and other publicly available information, to include interviews conducted by the author. The resulting analysis is steeped in practical insights. (Matthew Groves *Australian Journal of Administrative Law*, Volume 19, Issue 1) For an up-to-date review of the development of the system and of the modern practice it is unnecessary to do more than refer to Robert Thomas' comprehensive study: *Administrative Justice and Asylum Appeals* (2011) chapter 7. (Carnwath LJ in *PO (Nigeria) v Secretary of State for the Home Department* [2011] EWCA Civ 132, para.48) This book is densely packed with information, interest and insight. It can serve as a practitioner's textbook just as much as an academic study of asylum adjudication, and may be read with profit by judges, advocates and Home Office officials. They will find it surprisingly useful in their day-to-day work. A comprehensive guide full of insight (Richard McKee *Tribunals Journal*) About the Author Robert Thomas is a Senior Lecturer at the School of Law, University of Manchester.