

Course Title: **Immigration and Refugee Law**

Course Code: **LAWS748**

Descriptor Start Date: **01/01/2021**

Descriptor End Date: **27/02/2022**

POINTS: **15.00**

LEVEL: **7**

PREREQUISITE/S: **75 points from Part II**

COREQUISITE/S: **None**

RESTRICTION/S: **LAWS786 2017**

LEARNING HOURS

Hours may include lectures, tutorials, online forums, laboratories. Refer to your timetable and course information in Canvas for detailed information.

Total learning hours: 150

PRESCRIPTOR

Explores the principles and issues arising in immigration and refugee law with a focus on common issues arising in practice; training students ready to practice, advise and advocate for clients with immigration and refugee applications and appeals

Disclaimer: Course descriptors may be amended between teaching periods/semesters

LEARNING OUTCOMES

1. Demonstrate understanding of the framework of immigration and refugee law in New Zealand, and have working knowledge with the Immigration Act 2009, INZ Operational Manual and the Citizenship Act 1977.
2. Apply key administrative and public law principles relevant to immigration and refugee law.
3. Apply the United Nations Refugee Convention and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, International Covenant of Civil and Political Rights (complementary protection).
4. Interpret and apply New Zealand's international human rights obligations to immigration and refugee law.
5. Research relevant immigration and refugee law materials including jurisprudence (domestic and international) and country information (credible sources, primary and secondary material).
6. Identify and manage client dynamics; including having a working practical knowledge of working and taking instructions from clients from non-English speaking backgrounds, becoming culturally aware and managing trauma and stress.
7. Build an immigration and refugee case - client interviewing, considering relevant evidence and document gathering, briefing witnesses (including expert witnesses).

CONTENT

Overview of New Zealand legal history concerning immigration, concepts of sovereignty and Executive decision making;
Scheme and structure of the Immigration Act;
Applicable administrative law principles;
Engaging relevant watchdogs, including the Office of the Privacy Commissioner and Ombudsmen Office;
The relationship between international human rights law and domestic law in New Zealand;
Citizenship and statelessness applications;
Turnaround at the airport and deportation;
Detention under the Immigration Act;
Structure of the Refugee Convention (inclusion clause, cessation clause, exclusion clause, non-refoulement);
Key aspects of the Refugee Convention;
Convention reason, refugee sur place, the threshold of harm, well-founded fear, relevance of past persecution, membership of a particular social group, agent of persecution, the internal protection alternative, gender persecution, discrimination amounting to persecution, gender violence, political opinion;
Complementary protection - Convention Against Torture, International Convention of Civil and Political Rights;
Running refugee and protected person applications and appeals in New Zealand: taking instructions, working with interpreters, cultural issues, obtaining and preparing relevant evidence;
Relevance of psychology to immigration and refugee cases (refugee and protected person applications and deportation cases) - a multi-disciplinary approach to representing clients. Briefing experts;
Preparation of appeals to the Immigration and Protection Tribunal - relevant thresholds, evidence and advocacy (including knowledge of Practice notes).

LEARNING & TEACHING STRATEGIES

An appropriate range of strategies that may include lectures, workshops & online learning.

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ASSESSMENT PLAN

Assessment Event	Weighting %	Learning Outcomes
Research course option	100.00	-
Examination option	100.00	-

Grade Map	MAP1
	A+ A A- Pass with Distinction
	B+ B B- Pass with Merit
	C+ C C- Pass
	D Fail

Overall requirement/s to pass the course:

a) Research course option: 100% - Students may provide a research course of 7500 words on a topic agreed with the lecturer.

Or

(b) Examination option: Students may take the end of semester examination which will count 100% and may also provide an in-course opinion of 3000 words which counts 40% on a double chance basis (i.e. it counts if it is graded higher than your final examination score)

LEARNING RESOURCES

Details of all learning resources (including journals, databases, websites etc) are available on Canvas. Required Text(s): If there is a required text, details are available by searching the University Bookshop's website: www.ubs.co.nz

For further information, contact: Te Ara Pakihi, Te Ohanga Me Te Ture - Faculty of Business, Economics and Law

Principal Programme: AK1008, Bachelor of Laws

Related Programme/s: AK1009 LLB(Hons), AK2601 CertLegalSt

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