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Immigration tribunal joins new streamlined structure

Immigration appeals will benefit from a simpler, more streamlined administration from today (15th February) as the former Asylum and Immigration Tribunal (AIT) moves into the new two-tier Tribunals Service structure.

The AIT is the latest to benefit from the process of bringing all the main tribunals into a unified tribunals system, set out in the Tribunals, Courts and Enforcement Act 2007 and designed to deliver an improved appeals process across a range of different jurisdictions.

Kevin Sadler, Chief Executive of the Tribunals Service said:

“This transfer marks another major step in the implementation of the Tribunals Courts and Enforcement Act 2007 and furthers our goal of a simpler and more consistent process across the many different types of appeal.”

Senior President of Tribunals Lord Justice Carnwath said:

“I am delighted to welcome the immigration judiciary into the new, unified structure. The transfer of this important jurisdiction is a real vote of confidence in the new system.”

Under the previous structure, if a party wished to challenge a decision made by the AIT, it had to apply to the tribunal for it to reconsider its decision. If the tribunal decided not to reconsider, the party could then apply to the High Court (in England and Wales) or the Outer House of the Court of Session (in Scotland) to seek a reconsideration.

From today, initial appeals against decisions made by the Home Office will be dealt with in the First Tier Tribunal - but any onward appeal will be handled by the specialist Upper Tribunal rather than the higher courts. This is a key change to the current arrangements that will ease the immigration workload of the higher courts and allow speedier consideration for non-immigration matters.

This was first proposed in the consultation paper “Immigration Appeals: Fair Decisions; Faster Justice” which set out a number of options to deliver a more streamlined immigration appeals system. The creation of this immigration and asylum-specific Upper Tribunal chamber will ensure that specialist immigration judges continue to provide jurisdictional expertise.

Six other jurisdictions have already successfully transferred into the unified structure this year, and two more are scheduled to move over in April.

For further information and to find out more about the Tribunals Service visit:

www.tribunals.gov.uk.

Ends

Note to editors

- Jurisdictions which have already transferred into the new two-tier structure are as follows:

First-tier Tribunal

Social Entitlement Chamber:

- Asylum Support (no onward right of appeal)
- Social Security and Child Support
- Criminal Injuries Compensation

War Pensions and Armed Forces Compensation Chamber:

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Health, Education and Social Care Chamber:

- Care Standards
- Mental Health
- Special Educational Needs & Disability
- Family Health Services Appeal Authority (FHSA)

Tax Chamber:

- General Commissioners of Income Tax
- Special Commissioners of Income Tax
- VAT & Duties Tribunals
- Section 706 Tribunal

General Regulatory Chamber:

- Charities
- Consumer Credit
- Estate Agents
- Transport Tribunal (appeals against decisions of the Driving Standards Agency)

- Information Tribunal
- Gambling Appeals Tribunal
- Claims Management Services Tribunal
- Immigration Services Tribunal
- Adjudication Panel for England

The Upper Tribunal

Administrative Appeals Chamber :

- Onward appeals from the Social Entitlement Chamber
- Onward appeals from the War Pensions and Armed Forces Compensation Chamber
- Onward appeals from the Health, Education and Social Care Chamber
- Criminal Injuries Compensation (Judicial Review only – no onward right of appeal)
- Transport Tribunal (appeals against decisions of the Traffic Commissioners)
- Onward appeals from the General Regulatory Chamber (except for Charities cases)
- Some first instance Information appeals (National Security cases)

Tax & Chancery Chamber:

- Onward appeals from the First Tier Tax chamber
- Onward appeals Charities (and some first instance appeals)

Lands Chamber:

- Lands Tribunal

- Jurisdictions which will transfer into the unified structure later this year:
- FINSMAT- April
- Pensions Regulatory Tribunal – April

The Tribunals Service provides administration and support to various tribunals throughout the UK. An executive agency of the Ministry of Justice, it was formed in 2006 to:

- Provide responsive, efficient administration of the tribunals;
- Promote and protect the independence of the judiciary;
- Contribute to the improvement of the quality of decision-making across government; and
- Reform the tribunals justice system for the benefit of its customers and the wider public.

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