



Ministry of
JUSTICE

Tribunal Fees

Consultation on proposals for the First-tier Tribunal (Immigration and Asylum Chamber) and Upper Tribunal (Immigration and Asylum Chamber)

April 2016



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Consultation on proposals for the First-tier Tribunal (Immigration and Asylum Chamber) and Upper Tribunal (Immigration and Asylum Chamber)

Presented to Parliament
by the Lord Chancellor and Secretary of State for Justice
by Command of Her Majesty

April 2016



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Ministerial Foreword

Access to justice is a vital part of an effective and functioning democracy, helping to maintain social order and a growing economy. Our court and tribunal system underpins access to justice and the rule of law in England and Wales. It provides a wide, diverse, and integrated range of services for the public, including:

- providing the legal structure and certainty for business and commerce to flourish;
- offering protection to children at risk of harm or assisting separating couples with arrangements of their financial and personal affairs; and
- providing a criminal justice system that makes sure that anyone accused of a crime is given a fair and just trial.

With this in mind, we need a properly funded courts and tribunals service that protects access to justice for all. As the Lord Chancellor and Secretary of State for Justice set out on 23 June last year, his vision is a One Nation Justice system built around the needs of the most vulnerable, putting the public first and working to make justice accessible to all.

Using the funding secured in the Ministry of Justice's spending review settlement, we will transform the justice and court system in line with that vision, helping people to navigate their way to the best resolution for them; reducing complexity in language, processes and systems, minimising the steps that people need to go through to obtain justice, and improving access to justice. We want to invest in better facilities, use technology to reduce paperwork, and create a service that will better meet the needs of those who use it.

This is a bold and ambitious plan for justice and court reforms that will deliver a system that is fit for the modern age.

In order for such a plan to be successful the Government has to make difficult decisions around the balance of funding between the general taxpayer and those who use the system.

We have already implemented enhanced court fees, above the cost of the proceedings to which they relate, for money claims; possession claims; general applications within civil proceedings; and divorce petitions.

In this context I do not believe it is sustainable or right to maintain a fee structure in immigration and asylum proceedings whereby we recover from users, who are appealing against decisions of the Home Secretary, only 9% of the cost in the First-tier Tribunal and none of the cost in the Upper Tribunal. For this reason we are now proposing in this consultation to increase the fees charged in the First-tier Tribunal (Immigration and Asylum Chamber) and to introduce fees in the Upper Tribunal (Immigration and Asylum Chamber) to reflect the true cost of running those services.

Whilst I accept that fee increases are never popular, we cannot avoid difficult decisions and we must make sure that the burden of funding the system is shared fairly. In making sure that we share that burden as fairly as possible we will continue to exempt from fees those in particularly vulnerable positions, such as those who qualify for legal aid or asylum support; those who are appealing against a decision to deprive them of their citizenship; and those children bringing appeals to the tribunal who are being supported by a local authority. We will also extend our exemptions to protect children being housed by the local authority and the parents of children receiving local authority support. In addition, we are consulting on further extensions to the exemptions scheme in this consultation to make sure we continue to protect the most vulnerable.

The proposals included in this consultation document are essential in preserving access to justice for all and for achieving our goal of a properly funded courts and tribunals service as part of our world leading justice system, whilst at the same time living within our means.

Dominic Raab
Parliamentary Under-Secretary of State, Ministry of Justice

Introduction

1. The case for continuing to revisit the way we charge court and tribunal fees is based firmly on the need to ensure that Her Majesty's Courts and Tribunals service ('HMCTS') is funded properly to protect the vital principle of access to justice. A fully functioning and funded justice system is the cornerstone of our democratic society and not only provides everyone with the ability to redress their problems in an efficient and effective forum but also underpins our growing economy.
2. Despite the significant economic progress that has been made over almost six years, the wider financial climate in which the Government is operating remains challenging. This Government is committed to delivering a balanced budget by 2018/19 and the Ministry of Justice must continue to manage its finances sensibly in order to meet its spending review settlement.
3. There is, however, only so much that can be delivered through spending cuts alone so we believe it is right to look at options where users, who can afford to, make a contribution to the running costs of HMCTS. Courts and tribunals in England and Wales cost £1.8 billion in 2014/15, but we only received £700 million in income. That is a net cost to the taxpayer of around £1 billion and the Government thinks that our cost recovery plans should be more ambitious.
4. It is in that context that the Government has reconsidered its decision, announced in December 2015, to proceed with a proposal to increase fees to such levels as to achieve around 25% cost recovery in the First-tier Tribunal (Immigration and Asylum Chamber). We have concluded that given the need to continue to pursue more ambitious cost recovery it is no longer reasonable to expect the taxpayer to fund around 75% of the costs of proceedings in this Chamber of the First-tier Tribunal.
5. This consultation paper sets out proposals to move to full cost recovery levels in the Immigration and Asylum Chamber of the First-tier Tribunal in those proceedings for which we charge fees. It also proposes introducing fees for the first time for onward appeals to the Upper Tribunal (Immigration and Asylum Chamber) and setting those fees at full cost recovery levels.

Justice and Court Reform announced in the Autumn Statement

6. The Government recognises that funding the system is one element of providing access to justice into the future. Reforming it and modernising it is another element.
7. The current court and tribunal system is increasingly unfit for the needs of its users in the 21st century. People, businesses and organisations have transformed the way we work but the infrastructure supporting the administration of the courts and

tribunals is in desperate need of reform. The systems are too slow, and the archaic processes impede swift access to justice for users across all jurisdictions. Despite the best efforts of court service staff and the judiciary, there is a high degree of consensus across the justice system that the current system is unsustainable; it must work better to deliver swifter, fairer and more efficient access to justice for everyone.

8. We now have the opportunity to transform the court service. In the Autumn Statement last year, this Government committed over £700 million of funding to invest in our courts and tribunals. HMCTS is working closely with the senior judiciary to develop a plan for investing this so our courts and tribunals can deliver swifter, fairer justice for everyone in England and Wales. It will include building a court and tribunal system around the needs of those who use it – citizens, business users, victims, witnesses and state users. The estate will be modernised and reconfigured, and we will ensure that the courts and tribunals we have are better used. It will also include digitising the court: installing Wi-Fi so that legal professionals can work remotely from court; replacing paper forms with simple questions online; automating much of the administrative process; and reducing unnecessary pre-trial hearings.
9. We need to respect the traditions of our system, yet court or tribunal attendance is a time consuming and often inefficient process for everyone involved. A more proportionate approach will eliminate wasted time and enhance confidence in the administration of justice. We have a duty to offer more convenient, less intimidating ways for citizens to interact with the justice system whilst maintaining the authority of the court for the most serious cases.
10. We are working closely with our delivery partners and stakeholders across the justice system to ensure that we use our collective resources and knowledge to deliver an improved justice system. This will be a five year programme of delivery, with reforms being implemented from 2016 to 2020.

Chapter 1 – Proposals

The First-tier Tribunal (Immigration and Asylum Chamber)

Background

11. In December 2011 fees were introduced for the first time for proceedings in the First-tier Tribunal (Immigration and Asylum Chamber) under the power in section 42 of the Tribunals, Courts and Enforcement Act 2007.
12. The Government's broad aims in introducing the fees were to:
 - make sure that users made a greater contribution to the costs of the service, where they could afford to do so, reducing the burden on the general taxpayer;
 - improve the efficiency and effectiveness of the tribunal; and
 - protect access to the tribunal for those who needed it.
13. When fees were originally introduced, the intention was that they were set at a level designed to recover around 25% of the costs of the service. In 2014/15 we generated £7.3 million in fee income against a total cost of the Immigration and Asylum Chamber of the First-tier Tribunal of some £85 million. This represented a recovery rate of only 9%.
14. At the same time, rule changes were introduced which gave the First-tier Tribunal the power to order the respondent to reimburse the appellant any fees incurred, where the appeal was successful¹.
15. For this reason on 22 July 2015² we published a consultation paper which included proposals to double the fees charged for these proceedings to increase our recovery rate and move us closer to recovering 25% of the cost of proceedings in this Chamber of the First-tier Tribunal. We also consulted in that document on introducing a 10% discount for applications lodged online.
16. On 17 December 2015³, we responded to the consultation, which confirmed the Government's intention to implement the proposed fee increases.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/367129/immigration-asylum-chamber-tribunal-procedure-rules.pdf

² https://consult.justice.gov.uk/digital-communications/further-fees-proposal-consultation/supporting_documents/Government%20response%20to%20consultation%20on%20enhanced%20fees%20and%20consultation%20on%20further%20fees%20proposals%20web.pdf

³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/486536/further-fees-proposals-gov-response-consultation.pdf

Full cost recovery

17. One of the Government's top priorities is to eliminate the deficit during this Parliament. That is what we were elected to do. This means taking tough decisions on reducing public spending across a wide range of public services.
18. In November 2015, the Government published the outcome of the Spending Review, which set out detailed plans to deliver its promises to the public, by reducing public spending and eliminating the deficit. This set a challenging financial settlement for the Ministry of Justice.
19. Our original plans to seek 25% cost recovery in the Immigration and Asylum Chamber of the First-tier Tribunal were developed before the Spending Review.
20. The purpose of those proposals was to increase the contribution that those who use the First-tier Tribunal make towards the costs of providing the service and to reduce the burden on the general taxpayer.
21. In the light of our very challenging settlement we have decided that it is right to look again at our proposals. We have concluded that it is not reasonable to limit the financial contribution that users make towards the funding of the Immigration and Asylum Chamber to only 25% of its annual costs of around £85 million.
22. The normal rule is that where those who use a public service are charged a fee to access them those fees should be set at a level designed to recover the full costs of the service. Charging less than full cost represents a subsidy by the taxpayer, which must be justified. Further details are set out in HMT's *Managing Public Money*⁴.
23. In view of the very challenging financial circumstances which face this country, we consider it is reasonable to also ask users of the Immigration and Asylum Chambers of the Tribunals to contribute to the costs of running those Chambers whilst at the same time ensuring that access to justice is protected. Furthermore, we believe that the same principles apply to appeals to the Upper Tribunal of the Immigration and Asylum Chamber, which are currently provided free of charge.
24. In this consultation, we are seeking views on proposals for charging fees at full costs levels, where we believe it is reasonable for users to pay a fee.
25. It is currently the case that fees are waived or remitted in certain circumstances, either because of the nature of the proceedings, or the financial circumstances of the people bringing the appeal. Under our proposals, there would continue to be fee exemptions where we believe they are justified to protect the vulnerable. This

⁴https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/454191/Managing_Public_Money_AA_v2_jan15.pdf

includes those who qualify for legal aid or asylum support; those who are appealing against a decision to deprive them of their citizenship; and those children bringing appeals to the tribunal who are being supported by a local authority. We will also extend our exemptions to protect children being housed by the local authority and the parents of children receiving local authority support. In addition, we are consulting on further extensions to the exemptions scheme in this consultation to make sure we continue to protect the most vulnerable.

26. Under the current arrangements in the First-tier Tribunal, a fee is charged when a person makes an application to appeal an immigration or asylum decision of the Home Secretary. The fee charged depends on whether the appellant is seeking a decision from the tribunal following a review of the papers, or whether he or she wishes to apply for a full hearing.
27. The fees are currently £80 for a decision on the papers and £140 for an oral hearing. The lower fee for a decision on a review of the papers is justified because these appeals consume less Tribunal resource and therefore cost less.
28. We believe that the current fee structure has a number of advantages. It is straightforward, which means that it is easy for appellants to understand. It is also simple for HMCTS to administer. We therefore propose to maintain the same broad fee structure:
 - maintaining the current distinction between fees for paper and oral proceedings; and
 - preserving the powers of the First-tier Tribunal in connection with non-payment of fees and costs.
29. We do not intend to proceed with the discounts for applications made online that were included in the July 2015 consultation. Given the financial imperative to deliver additional income to fund the First-tier Tribunal we do not believe that differential pricing as a means to incentivise behaviour continues to be justified. We do, however, intend to proceed with the policy fixes set out in paragraph 111 of our July consultation the effect of which will be to close loopholes that allow for fee refunds in circumstances where that was not the original policy intention when we first introduced fees in the Tribunal.
30. On this basis, we estimate that the fees required to achieve full cost recovery for appeals in the First-tier Tribunal Chamber (other than those covered by the fee exemptions) are as set out in Table 1 below.

Table 1: Proposed fees for appeals in the First-tier Chamber

Fee type	Current fee (£)	Proposed fee (£)
Application for a decision on the papers	80	490
Application for an oral hearing	140	800

Question 1: Do you agree with the fee charges proposed in the First-tier Tribunal as set out in Table 1? Please give reasons.

Other Applications

31. We do not currently charge fees for other applications that are made to this chamber of the First-tier Tribunal. These fall into two categories:
- applications for immigration bail, where an appellant is in detention; and
 - applications for permission to appeal to the Upper Tribunal.
32. In the current financial circumstances, we have considered whether this remains justifiable.

Applications for permission to appeal

33. If a party is dissatisfied with a decision of the First-tier Tribunal and they wish to appeal to the Upper Tribunal, they must first obtain permission to do so. Applications to the First-tier Tribunal represent a cost that consumes Tribunal resource. We believe that it is right in principle that a person seeking permission to appeal should pay a fee that represents the costs of those proceedings, consistent with the approach we are proposing for appeals against a decision made by the Secretary of State, where they are able to do so.
34. Our proposal is therefore to introduce a fee for an application for permission to appeal at full cost recovery levels, which equates to a fee of £455.
35. Where an application for permission to appeal is refused by the First-tier Tribunal, the party may make an application for permission to appeal to the Upper Tribunal. We propose to introduce a fee for making that further application to the Upper Tribunal. Our proposals for fees in the Upper Tribunal are set out later in this chapter.

Bail Applications

36. Presently we do not charge a fee for immigration bail applications. These arise where an appellant is being held in detention and makes an application to the First-tier Tribunal to be released on bail pending the outcome of the appeal. Whilst these applications expend a considerable amount of the First-tier Tribunals resource, we continue to believe that it is right not to charge a fee in these proceedings. This is because these applications raise fundamental issues relating to the right of liberty of the individual and taking the alternative approach would be inconsistent with our position of providing exemptions for other proceedings, in other jurisdictions, which raise the same issues.

Remissions and Exemptions

37. The general HMCTS remissions scheme does not apply in the First-tier Tribunal (Immigration and Asylum Chamber). Historically this has been as a result of the difficulty in assessing the income of individuals who may be based outside of the United Kingdom in many cases. This difficulty could be exacerbated if the changes to the non-suspensive rules governing many types of appeal right contained in the Immigration Bill, which is currently before Parliament, are implemented. If these changes are made, it will mean that individuals may be removed from the country before their appeal is heard.
38. It is right, though, that those in particularly vulnerable positions should be relieved of the need to pay fees. So, instead of the general HMCTS remissions scheme we operate a specific system of fee exemptions in the Immigration and Asylum Chamber of the First-tier Tribunal. The fee exemptions system seeks to protect the most vulnerable and the exemptions fall into two broad categories.
39. The first category is those appeals that we exempt from fees altogether given the nature of proceedings. These exemptions do not involve any detailed consideration of the appellant's financial circumstances. Only two of the eight appeal types that fall under this category in the current Fees Order⁵ continue to be valid rights of appeal following the changes made by the Immigration Act 2014. These are:
- an appeal against a decision made under section 40 of the British Nationality Act 1981 (deprivation of citizenship); and
 - an appeal against a decision made under regulation 19(3) of the Immigration (European Economic Area) Regulations 2006 (a decision to remove an EEA national or the family member of such a national).
40. We will retain the exemptions for the two appeal types listed above and propose to amend the Fees Order to remove the exemptions relating to rights of appeal that no longer exist following the changes made by the Immigration Act 2014. We will include a 'savings provision' that allows those exemptions to continue to apply to cases that began under the old system at a time when those decisions were appealable.
41. In addition, we committed in the consultation response document published in December 2015 to extend the list of appeals that are exempt from fees to include a new exemption for those appealing decisions to revoke their refugee or humanitarian protected status. We still intend to bring this new exemption into effect alongside any fee increase.

⁵ http://www.legislation.gov.uk/ukxi/2011/2841/pdfs/ukxi_20112841_en.pdf

42. The second category of exemptions that we provide apply to those applicants who are in receipt of certain financial support, including:
- those in receipt of asylum support (where the Home Office has already assessed a person as requiring financial assistance);
 - those in receipt of legal aid (where income has already been assessed as part of the legal aid award); and
 - those in receipt of support under section 17 of the Children Act 1989 (where a local Authority has already assessed that the household requires additional support to make sure the child within that household is not put at risk).
43. In the consultation paper, published in July 2015, we indicated it was our intention to extend the scope of the protection of children exemptions to parents of, and those with parental responsibility for, children receiving support from local authorities under section 17 of the Children Act 1989 and also to provide an exemption for children who are being housed by a local authority under section 20 of the Children Act 1989. It is still our intention to make these changes and they will be brought into effect alongside any fee increase.
44. These exemptions exist alongside some broader provisions which provide that:
- no fee is payable where any convention or treaty requires proceedings to be fee exempt; and
 - a fee can be deferred where the appeal is brought on grounds that the removal of the appellant from or requirement to leave the UK would breach the UK's obligations under the Refugee Convention or EU Qualification Directive 2004/83/EC).
45. In addition, the Lord Chancellor has the power to reduce or remit fees where he is satisfied that there are exceptional circumstances which justify doing so. This acts and will continue to act as a safety net for those individuals who can satisfy the Lord Chancellor that there are exceptional reasons why they cannot afford to pay their tribunal fee.

Proposals for additional exemptions

46. Alongside the exemptions set out above and in light of our proposal to increase fees more substantially to full cost recovery levels for those that pay we believe there may be scope for adding to the categories of people who are exempt from paying a fee.
47. The Home Office operates a destitution waivers policy for those applicants in the UK who are able to demonstrate to the Home Office that they are unable to afford to pay the visa application fees. Where such an individual is refused a visa by the Home Office and subsequently appeals that decision to the First-tier Tribunal it would appear justified not to require that person to pay a fee given that an

assessment of their inability to pay has already been completed earlier in the process. There is a different waiver system that applies to out of country applicants and we could also consider whether it is justified to capture those same people in an exemption from the Tribunal fees.

48. The Ministry of Justice is seeking views in this consultation on whether it would be appropriate to consider an additional exemption from fees based on the Home Office's waiver scheme.
49. In addition, we remain open to alternative suggestions around how we should structure our fee exemptions scheme in immigration and asylum proceedings. We are keen to consider any alternative approaches for those who may be unable to pay the fees proposed in this consultation, so long as those approaches are proportionate and administratively practicable.

Question 2: Is there merit in us considering an exemption based on the Home Office visa fee waiver policy? If so, do you think there should be a distinction between in country and out of country appellants? Please provide reasons.

Question 3: Do you believe that there are alternative options that the Ministry of Justice should consider in relation to the fee exemptions scheme in the Immigration and Asylum Chamber of the First-tier Tribunal?

The Upper Tribunal (Immigration and Asylum Chamber)

Background

50. When we consulted on the introduction of fees for immigration and asylum proceedings in 2010 we included consultation questions on proposals to introduce fees for onward appeals to the Upper Tribunal from the First-tier Tribunal. It was decided in 2011 not to proceed with those proposals at that time.
51. Therefore the only fees that are currently charged in the Upper Tribunal are those prescribed for Immigration Judicial Review applications that are issued there, or transferred there by the High Court in England and Wales. There are no fees for applying for permission to appeal from the First-tier Tribunal or hearing fees for the Upper Tribunal appeal.
52. In the Government's consultation paper of July 2015, we indicated that this was a position that we would likely want to re-visit in the future as we could see no strong policy rationale for why fees should not apply in the Upper Tribunal in a similar way to the First-tier. We continue to take that view. It is right that those who use the service should meet the cost of it being provided. Furthermore, in line with the principles that we set out in paragraphs 17 to 23 above for why we think full cost recovery is appropriate for fee levels in the First-tier Tribunal, we believe equally that this applies in the Upper Tribunal.

Fee levels

53. We are, therefore, proposing two new fees for the Upper Tribunal. In permission to appeal applications issued in the Upper Tribunal where permission has been refused initially in the First-tier we propose a new fee of £350 should be charged, which reflects the full cost of these proceedings. Where permission is granted, either by the First-tier or the Upper Tribunal we are proposing a fee for the appeal hearing of £510.

Question 4: Do you agree with our proposal to introduce fees at full cost recovery levels in the Upper Tribunal? Please provide reasons.

Question 5: Do you agree with our proposals to introduce fees for applications for permission to appeal both in the First-tier Tribunal and the Upper Tribunal? Please provide reasons.

Exemptions

54. Given that fees are not currently charged for the majority of appeals heard in the Upper Tribunal, no provision for exemptions or remissions is currently required to be made. Under the proposals for fee charging in the Upper Tribunal set out above, the Government accepts that there is an argument that the same exemptions that we have to protect the most vulnerable in the First-tier Tribunal

should be transposed and apply equally to the Upper Tribunal. Furthermore, it is our intention that should we decide to introduce any additional exemptions as discussed in paragraphs 46-49 of this document they should also apply in the Upper Tribunal. Additionally, the Lord Chancellor's power to reduce or remit fees in exceptional circumstances should apply equally.

Question 6: Do you believe that alongside the fees proposals in the Upper Tribunal, the Government should extend the fee exemptions policy that applies in the First-tier Tribunal to fees for appeals to the Upper Tribunal? Please provide reasons.

Power for payment of costs

55. As set out above, in the First-tier Tribunal, where an appeal is allowed, the Tribunal may order a respondent to pay to the appellant any fee paid under the Fees Order⁶. The Government believes that if fees are to be introduced into the Upper Tribunal there is an argument for looking at whether the Tribunal Procedure Rules Committee should be asked to make specific provision in the Upper Tribunal Rules of Procedure to allow for recovery of those fees. Other consequential procedural changes will also need to be considered, including provision for the striking out of an appeal for non-payment of the relevant fee in the Upper Tribunal.

⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/367129/immigration-asylum-chamber-tribunal-procedure-rules.pdf

Chapter 2 – Equalities Duties

56. This chapter considers the Lord Chancellor's duties under the Equality Act 2010.
57. Alongside this document we have published an Equality Statement relating to the proposals set out in this document.
58. We do not believe that the fees in the First-tier or Upper Tribunal will be directly discriminatory within the meaning of the Act as they would apply to all applicants and are not considered to result in people being treated less favourably because of their protected characteristic.
59. There is, however, likely to be a possibility that there will be an over representation of people with certain protected characteristics who are affected by these proposals. If this is true, we do believe that these changes to fees represent a proportionate means of achieving the legitimate aim of protecting access to justice whilst making sure that HMCTS continues to be funded properly.
60. It is also important to note that, whilst, as it stands, the First-tier Immigration and Asylum Chamber is not subject to the standard HMCTS remissions scheme, there is a specific set of exemptions that remove the requirement to pay fees for certain applicants in connection with appeals to the First-tier Tribunal. The Lord Chancellor also has a power to remit fees in full or part where he considers there are exceptional circumstances that justify doing so.
61. Alongside the proposals to introduce new fees into the Upper Tribunal, we are also proposing to transpose the existing fee exemptions from the First-tier to the Upper Tribunal. We are also seeking views on whether we should offer additional exemptions to protect the most vulnerable appellants.
62. As set out above, we will be considering these impacts further during the consultation and will update our equalities assessment with any relevant research submitted to our equalities questions below.

Question 7: We would welcome views on our assessment of the impacts of the proposals set out in Chapter 1 on those with protected characteristics. We would in particular welcome any data or evidence which would help to support these views.

Questionnaire

We would welcome responses to the following questions set out in this consultation paper.

Question 1: Do you agree with the fee charges proposed in the First-tier Tribunal as set out in Table 1? Please give reasons.

Question 2: Is there merit in us considering an exemption based on the Home Office visa fee waiver policy? If so, do you think there should be a distinction between in country and out of country appellants? Please provide reasons.

Question 3: Do you believe that there are alternative options that the Ministry of Justice should consider in relation to the fee exemptions scheme in the Immigration and Asylum Chamber of the First-tier Tribunal?

Question 4: Do you agree with our proposal to introduce fees at full cost recovery levels in the Upper Tribunal? Please provide reasons.

Question 5: Do you agree with our proposals to introduce fees for applications for permission to appeal both in the First-tier Tribunal and the Upper Tribunal? Please provide reasons.

Question 6: Do you believe that alongside the fees proposals in the Upper Tribunal, the Government should extend the fee exemptions policy that applies in the First-tier Tribunal to fees for appeals to the Upper Tribunal? Please provide reasons.

Question 7: We would welcome views on our assessment of the impacts of the proposals set out in Chapter 1 on those with protected characteristics. We would in particular welcome any data or evidence which would help to support these views.

Thank you for participating in this consultation exercise.

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

How to respond

Please send your response by 3 June 2016 to:

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Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Ministry of Justice at the above address.

Publication of response

A paper summarising the responses to this consultation will be published in due course. The response paper will be available on-line at <https://consult.justice.gov.uk/>.

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Ministry.

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