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Ministry  
of Justice

Official Statistics

# Immigration/Asylum survey

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## Introduction data report

The MoJ conducted a survey of immigration legal aid practitioners across England and Wales to assess their experience with HMCTS's online system for logging and processing appeals at the First-tier Tribunal in October 2021, here on referred to as the online system. The purpose of this exercise was to gather information about the impact of the online system on providers, specifically looking to understand how much additional time was being spent on cases using the online system and producing the Appeal Skeleton Argument (ASA).

### Key Points

- Case time is estimated to have increased from an average of 12.5 to 20.2 hours for Asylum and from 9.3 hours to 16.5 hours for Non-Asylum cases respectively. This is an hours-worked increase of 7.7 hours for Asylum cases and 7.3 hours for Non-Asylum cases for the difference in the averages of the responses reported. When counting only valid responses that were able to answer all questions for Asylum or Non-Asylum cases, this is an hours-worked increase of 8.3 and 7.5 respectively.
- Most of the questions elicited a response which had a cluster of values and a few higher values which dragged up the average. We expect this reflects the true structure of cases, and highlights the importance of selecting an escape threshold carefully.
- The new total time is comprised of (for Asylum and Non-Asylum respectively):
  - 12.9 and 9.6 hours for Application time

- 4.2 and 3.9 hours for ASA preparation
- 7.2 and 7.8 hours for Tribunal preparation
- The overall rise in hours resulted primarily from an rise in Application time (Including the ASA). Tribunal preparation time does not appear to have increased, though respondents presented a wide range of experiences at Tribunal. This suggests that the new work has been primarily front-loaded on the new system.
- While the average Tribunal preparation time appears to have fallen since the introduction of the ASA, this fall is only due to a large increase in efficiency for a small number of offices who reported a positive experience with the new system. Most offices surveyed suggested little to no change in tribunal preparation time.
- Most offices who completed both Asylum and Non-Asylum work reported less time spent on Non-Asylum cases, and this is reflected in the averages above.

## Methodology

### Sample

Those invited to complete the survey were a sample of provider offices who had each completed at least five cases on the online system. This was to ensure respondents had conducted enough cases under the online system to be fully familiar with it, ensuring that any responses could properly inform our policy proposals. 60 offices were invited to complete the survey, of which 17 responded. Not all offices conducted both asylum and non-asylum work, so not all respondents to the survey were able to answer every question. The responses contain 14 full valid responses and 2 partial responses.

- One respondent reported values which correspond to escape-cases. This response has been removed from the responses reported here, because this response is not relevant for considering a new fixed fee.
- A pair of respondents gave total application time answers which were lower than their ASA preparation time. As the application time question was intended to include ASA preparation, such a situation is impossible. These responses have been removed from the reported results where application time and total case time is considered under the new system.
- To reduce the likelihood of non-response bias, survey participants were given reminders, support, and an extension to the survey close date to ensure as many of those who might not otherwise respond in time were able to do so.

### Questions

- The survey asked only for information on those cases that did not escape (below 40 hours of work).
- The survey did not ask for specific details on a case by case basis, but instead asked for average measures from the last five cases completed at the office.
- To establish baseline, the survey asked for case time before the introduction of the online system.
- Alongside the baseline above, a pair of questions which focused on the effects of the preparation of the ASA were included.
- A survey pilot was undertaken prior to launch. Based on the response to this pilot, two questions were adjusted to reduce the potential of misinterpretation.
- Not all respondents were able to answer every question. For example, not all respondents experienced both Asylum and Non-Asylum cases which went to tribunal.

The number of valid answers to each question have been included alongside the results.

## Results

- A few offices gave a response which included a range, while the majority gave only single figure averages. Where a range was provided we have taken the middle of the range as the average for that office.
- For each question we show the average (mean) and median responses, as well as a table showing the distribution of responses. We have grouped responses together into ranges rounded to the nearest whole number.
- Groups that did not have any responses have been removed from the tables to improve the legibility of the data.
- Results for Asylum and Non-asylum cases have been grouped together for easy comparison and each table lists the number of respondents to the relevant question.
- The difference case time before and after the introduction of the online system has been calculated for each individual response and then binned into a summary table using the same method listed above.

## Pre-online Results

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### Application time (Question 4 and 6)

Respondents were asked: Thinking of your last 5 asylum/non-asylum cases that you worked on prior to the introduction of the online procedure, how long on average (in hours) did it take to apply to the tribunal?

Asylum		Non-asylum	
Average:2.2 Median:1 Valid responses:16		Average:2.2 Median:1.5 Valid responses:13	
Range (Hours)	Responses	Range (Hours)	Responses
0 to under 1	4	0 to under 1	3
1 to under 2	5	1 to under 2	4
2 to under 3	5	2 to under 3	4
7 to under 8	1	5 to under 6	1
10 to under 11	1	9 to under 10	1

### Tribunal preparation time (Question 5 and 7)

Respondents were asked: Thinking of your last 5 asylum/non-asylum cases that you worked on prior to the introduction of the online procedure and which had a tribunal hearing, how long on average (in hours) did it take to prepare for a tribunal hearing? (Please put `N/A` if none of your cases went to a hearing.)

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## Tribunal preparation time (Question 5 and 7)

Respondents were asked: Thinking of your last 5 asylum/non-asylum cases that you worked on prior to the introduction of the online procedure and which had a tribunal hearing, how long on average (in hours) did it take to prepare for a tribunal hearing? (Please put `N/A` if none of your cases went to a hearing.)

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Asylum		Non-asylum	
Average:10.2 Median:7.8 Valid responses:16		Average:7 Median:7 Valid responses:12	
Range (Hours)	Responses	Range (Hours)	Responses
0 to under 3	2	0 to under 2	1
3 to under 6	1	2 to under 4	1
6 to under 9	6	4 to under 6	3
9 to under 12	2	6 to under 8	2
15 to under 18	3	8 to under 10	2
18 to under 21	1	10 to under 12	2
24 to under 27	1	14 to under 16	1

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## Total case time

These results have been calculated by adding together the application time and tribunal preparation time of individual responses.

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Asylum		Non-asylum	
Average:12.5 Median:9.9 Valid responses:16		Average:9.3 Median:8.8 Valid responses:12	
Range (Hours)	Responses	Range (Hours)	Responses
6 to under 9	6	4 to under 6	1
9 to under 12	3	6 to under 8	4
12 to under 15	2	8 to under 10	3
15 to under 18	3	10 to under 12	2
18 to under 21	1	12 to under 14	1
27 to under 30	1	16 to under 18	1

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## Post-Online Results

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### Application time (Question 8 and 12)

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**Application time (Question 8 and 12)**  
 Respondents were asked: Thinking of your last 5 asylum/non-asylum cases, how long on average (in hours) did it take to apply to the tribunal through the online procedure (including producing the ASA)?

Respondents were asked: Thinking of your last 5 asylum/non-asylum cases, how long on average (in hours) did it take to apply to the tribunal through the online procedure (including producing the ASA)?

Asylum		Non-asylum	
Average:12.9 Median:11 Valid responses:14		Average:9.6 Median:9 Valid responses:9	
Range (Hours)	Responses	Range (Hours)	Responses
0 to under 4	1	0 to under 4	1
4 to under 8	2	4 to under 8	2
8 to under 12	4	8 to under 12	3
12 to under 16	4	12 to under 16	2
20 to under 24	1	20 to under 24	1
24 to under 28	1		
28 to under 32	1		

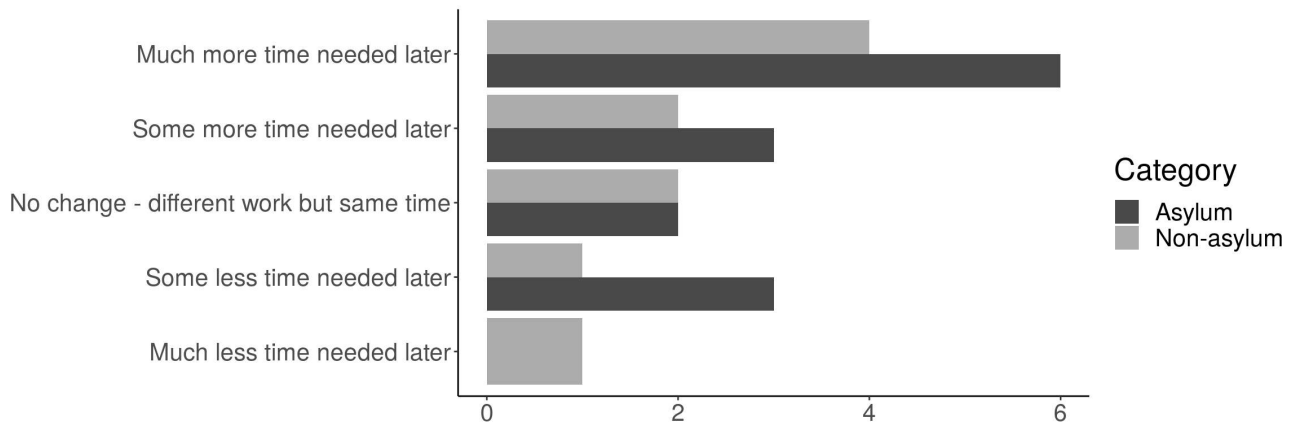
### Time to prepare ASA (Question 9 and 13)

Respondents were asked: Thinking of your last 5 asylum/non-asylum cases through the online procedure, of the application time in your previous answer, how long on average (in hours) did it take to prepare the ASA?

Asylum		Non-asylum	
Average:4.2 Median:4 Valid responses:16		Average:3.9 Median:3.8 Valid responses:10	
Range (Hours)	Responses	Range (Hours)	Responses
2 to under 3	3	2 to under 3	1
3 to under 4	3	3 to under 4	4
4 to under 5	3	4 to under 5	3
5 to under 6	5	5 to under 6	1
7 to under 8	1	7 to under 8	1
8 to under 9	1		

### Effect of the new application system (Question 10 and 14)

Respondents were asked: Has the new application process (including preparing the ASA) changed the time needed at a later stage to prepare for a tribunal hearing in asylum/non-asylum cases?



## Tribunal preparation time (Question 11 and 15)

Respondents were asked: Thinking of your last 5 asylum/non-asylum cases which were managed by the online procedure and had a tribunal hearing, how long on average (in hours) did it take to prepare for a tribunal hearing?

Asylum		Non-asylum	
Average:7.2 Median:6 Valid responses:14		Average:7.8 Median:6.2 Valid responses:10	
Range (Hours)	Responses	Range (Hours)	Responses
0 to under 3	1	0 to under 3	2
3 to under 6	5	3 to under 6	1
6 to under 9	5	6 to under 9	3
9 to under 12	1	9 to under 12	2
18 to under 21	2	15 to under 18	2

## Total case time

These results have been calculated by adding together the application time and tribunal preparation time of individual responses.

Asylum		Non-asylum	
Average:20.2 Median:18 Valid responses:12		Average:16.5 Median:16 Valid responses:9	
Range (Hours)	Responses	Range (Hours)	Responses
8 to under 12	2	8 to under 12	3
12 to under 16	2	12 to under 16	1
16 to under 20	3	16 to under 20	2
20 to under 24	1	20 to under 24	2
24 to under 28	1	28 to under 32	1
28 to under 32	2		
32 to under 36	1		

# Calculated Changes

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## Application time

These results represent the difference between the application time reported prior and post online, calculated individually by response.

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Asylum		Non-asylum	
Average:10.6 Median:8 Valid responses:14		Average:7 Median:5 Valid responses:9	
Range (Hours)	Responses	Range (Hours)	Responses
0 to under 4	1	-4 to under 0	1
4 to under 8	4	0 to under 4	2
8 to under 12	6	4 to under 8	2
20 to under 24	1	8 to under 12	3
24 to under 28	2	20 to under 24	1

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## Tribunal preparation time

These results represent the difference between the tribunal preparation time reported prior and post online, calculated individually by response.

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Asylum		Non-asylum	
Average:-2.6 Median:-0.5 Valid responses:14		Average:0.4 Median:0.2 Valid responses:10	
Range (Hours)	Responses	Range (Hours)	Responses
-24 to under -21	1	-4 to under -3	1
-12 to under -9	1	-2 to under -1	1
-6 to under -3	2	0 to under 1	4
-3 to under 0	3	1 to under 2	2
0 to under 3	6	2 to under 3	1
3 to under 6	1	5 to under 6	1

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## Total case time

These results represent the difference between the total case time calculated prior and post online. (Final results have been filtered to remove anomalous responses, such as those that did not include ASA preparation time within application time.)

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## Total case time

These results represent the difference between the total case time calculated prior and post online. (Final results have been filtered to remove anomalous responses, such as those that did not include ASA preparation time within application time.)

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Asylum		Non-asylum	
Average:8.3 Median:7 Valid responses:12		Average:7.5 Median:8 Valid responses:9	
Range (Hours)	Responses	Range (Hours)	Responses
3 to under 6	4	0 to under 4	3
6 to under 9	3	4 to under 8	1
9 to under 12	3	8 to under 12	4
12 to under 15	1	20 to under 24	1
21 to under 24	1		

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## Further information

### Contact

Press enquiries should be directed to the Ministry of Justice press office:

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Email: [newsdesk@justice.gsi.gov.uk](mailto:newsdesk@justice.gsi.gov.uk) (mailto:newsdesk@justice.gsi.gov.uk)

Other enquiries about this data should be directed to the Civil Legal aid team of the Ministry of Justice:

Email: [civil.legalaid@justice.gov.uk](mailto:civil.legalaid@justice.gov.uk) (mailto:civil.legalaid@justice.gov.uk)

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