

# **Ministry of Justice axes 500% rise in fees for immigration tribunals; Increases scrapped after overwhelming opposition in public consultation but ministers still committed to fee reform**

The Guardian

November 25, 2016 Friday 1:54 PM GMT

Copyright 2016 The Guardian, a division of Transcontinental Media Group Inc. All Rights Reserved

theguardian

Section: UK NEWS

Length: 904 words

Byline: Owen Bowcott and Alan Travis

## Body

---

**Rises** of up to 500% in **immigration** tribunal **fees** have been dropped in an abrupt U-turn by the Ministry of Justice.

Following overwhelming opposition in a public consultation to the scheme that would have raised up to £34m a year, all the increases have been abandoned and the department will undertake a more extensive review of **fees**.

In a surprise written parliamentary statement, Sir Oliver Heald, the minister responsible for courts and justice, said that from Friday all applicants would be charged at previous **fee** levels and those who had paid the increases would be reimbursed.

Welcoming the decision, the Joint Council for Welfare of Immigrants tweeted:

Great news as the Gov rolls back **Immigration** #TribunalFees increases! We will keep pressing for access to justice as they review approach. pic.twitter.com/FRbexZZw8R - JCWImmigrants (@JCWInews) November 25, 2016

**Fees** for an application to the first-tier tribunal dealing with **immigration** and asylum cases **rose** earlier this autumn from £80 to £490, while an oral hearing **rose** from £140 to £800. For the first time, appeals to the upper tribunal were being charged at £350 for each application and £510 for an appeal hearing.

The **immigration** tribunal **fee rises** were introduced by the last justice secretary, Michael Gove, who also cancelled many of his predecessors' legal **fee** increases when he first became justice secretary.

In a recent public consultation on **immigration** tribunal **fees**, all but five of the 147 responses opposed the changes. The Law Centres Network said the **rises** were disgraceful and meant asylum seekers faced "whopping" **fees**. The Law Society described them as punitive and said they would hamper access to justice.

Announcing the policy reversal, Heald wrote: "We have listened to the representations that we received on the current **fee** levels and have decided to take stock and review the **immigration** and asylum **fees**, to balance the interests of all tribunal users and the taxpayer and to look at them again alongside other tribunal **fees** and in the wider context of funding for the system overall.

"From today all applicants will be charged **fees** at previous levels and we will reimburse, in all cases where the new **fees** have been paid, the difference between that **fee** and the previous **fee**."

Ministry of Justice axes 500% rise in fees for immigration tribunals; Increases scrapped after overwhelming opposition in public consultation but ministers stil....

But he added: "The government's belief is unchanged that it is right that those who use our courts and tribunals should pay more, where they can realistically afford to do so, to ensure that the system is properly funded to protect access to justice and to relieve the burden on the taxpayer."

Bob Neill MP, the Conservative chair of the Commons justice select committee, said: "I warmly welcome the government's decision. We concluded in our recent report that the cost-recovery aim of the proposed six-fold increases would not be realistic; that there was a danger that the increases would deny vulnerable people the means to challenge the lawfulness of decisions taken by the state."

"It was unwise for the government to have brought forward these proposals before its review of the impact of employment tribunal fees has been published. It is very good to see the government prepared to listen and take action as a result."

"We plan to follow up our report, and the government's response to it, in the near future by taking evidence from Sir Oliver Heald on the subject. Further details will be announced soon."

Richard Burgon MP, Labour's shadow justice secretary, said: "This is a significant climbdown by a Conservative government which has done so much to deny access to justice to thousands of people, particularly those on lower incomes."

"Labour opposed these measures in parliament when they came in just two months ago, and we are pleased the justice secretary has finally given in to all those who argued against these unfair fee increases."

A Ministry of Justice spokesperson said: "The cost of our courts and tribunals on the taxpayer is unsustainably high."

"Those using the system, and who can afford to, should pay more to relieve this burden - immigration and asylum cases are no different. Our commitment to fee reform is unchanged, and we will bring forward new plans in due course."

Catherine Dixon, chief executive of the Law Society of England and Wales, said: "The decision to reverse a 500% hike in asylum and immigration fees from today is great news and we are delighted that government has listened to our concerns. We are also pleased that those who paid the increased fee are to be reimbursed."

"The Law Society vigorously opposed the fee increases because equal access to justice is more important than income generation when it comes to setting court and tribunal fees. We note the government is now embarking on a wider review of tribunal fees which we welcome and we will be monitoring that process carefully."

Saira Grant, chief executive of the Joint Council for the Welfare of Immigrants, said: "These fee increases were part of a series of measures that have drastically reduced people's ability to appeal Home Office decisions to an independent court. Home Office caseworkers regularly get life-changing decisions wrong and the government response has been to insulate them from independent scrutiny by removing appeal rights, forcing people to appeal from abroad and removing legal aid. Today's decision is a welcome step, but we have a long way to go to ensure access to justice for all, irrespective of their ability to pay."

## Classification

---

Language: ENGLISH

Publication-Type: Newspaper

Journal Code: WEBGNS

Ministry of Justice axes 500% rise in fees for immigration tribunals; Increases scrapped after overwhelming opposition in public consultation but ministers stil....

**Subject:** **IMMIGRATION** (91%); JUSTICE DEPARTMENTS (89%); LAW COURTS & TRIBUNALS (89%); POLITICAL ASYLUM (89%); APPEALS (73%)

**Load-Date:** November 25, 2016

---

End of Document