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Asylum and immigration appeals to transfer into new two-tier structure

Justice Minister Bridget Prentice welcomed today's announcement that the work of the Asylum and Immigration Tribunal (AIT) is to transfer into the new unified tribunal structure. The move was confirmed in the Government's response to the consultation '*Immigration appeals, fair decisions; faster justice*', published jointly by the Tribunals Service and UK Border Agency (UKBA).

The current AIT will be replaced by specialist asylum and immigration chambers in each of the First-tier and Upper Tribunals. Although the benefits of the unified tribunal system will apply to all immigration appeals, the consultation response includes a number of measures that focus on asylum cases, which will help to ensure cases are concluded quicker.

Responding to Immigration Minister Phil Woolas's Written Ministerial Statement Bridget Prentice said: "The move is designed to ensure that we have a quicker, more streamlined, efficient and effective process, with continued access to justice for those people who wish to make appeals.

"Appellants will notice little difference in the initial appeal process – they will appeal to the chamber in the First-tier Tribunal instead of the AIT. Where there will be a key difference is that onward appeals will be made to the Upper Tribunal, rather than the High Court. As a superior court of record, the Upper Tribunal will provide an effective appeals system with appropriate levels of judicial scrutiny throughout, and its decisions should not routinely be subject to judicial review, which will ensure that the immigration system does not place an excessive and unjustified demand on the higher courts."

The transfer of the AIT fits in with the wider reforms designed to simplify and improve the appeals process across the tribunal system. These include the establishment of the Tribunals Service and the creation of the First-tier Tribunal and the Upper Tribunal as a unified overarching two-tier structure. Key tribunals have already transferred into the new system, notably the tax and social security jurisdictions, and others are planned between now and early 2010.

Subject to Parliamentary approval, the AIT is expected to transfer into the new structure early next year. The Government is also taking forward proposals to remove the statutory bar preventing the

transfer of Immigration and Asylum Judicial Reviews to the Upper Tribunal, in the Borders, Citizenship and Immigration Bill currently before Parliament.

Phil Woolas added: "These reforms will significantly improve the immigration system, providing faster and fair decisions that are final. A quicker, more efficient system will save the taxpayer money. It will speed up the removal of those who are found not to need our protection while integrating genuine asylum seekers quicker. In doing so it will improve the public confidence in the immigration system."

The consultation document and response set out the transfer in more detail and can be viewed at www.tribunals.gov.uk

Ends

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Notes to editors

- The Asylum and Immigration Tribunal is an independent tribunal dealing with appeals against decisions made by the Home Office relating to asylum, immigration and nationality issues.
- 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:
 1. Provide responsive, efficient administration of the tribunals;
 2. Promote and protect the independent of the judiciary;
 3. Contribute to the improvement of the quality of decision-making across government; and
 4. Reform the tribunals justice system for the benefit of its customers and the wider public.
- For further information and the latest news on the Tribunals Service, see www.tribunals.gov.uk.