

Appealing to the First-tier Tribunal (Immigration & Asylum Chamber) without a lawyer

This factsheet will provide you with some **general** advice about lodging an appeal against an asylum or immigration decision to the First-tier Tribunal if you do not have a lawyer.

CCLC would always recommend that you try to get advice and representation from a lawyer or regulated legal advisor before lodging an appeal. This factsheet should not replace you getting specific legal advice about your case.

Below are some important things you need to know about lodging an appeal.

What is an appeal?

If you make an application to the Home Office that is refused, you might have a right of appeal. If you do have a right of appeal, you can ask for your case to be considered by an independent judge at a court. The court is called the First-tier Tribunal (Immigration and Asylum Chamber).

How do I lodge my appeal?

To appeal a decision made by the Home Office, you have to 'lodge an appeal'. For most cases, you can appeal **online** using the 'new service'. You can appeal using a paper form if you are in detention.

Time limit

It is very important that you try to lodge your appeal as soon as possible and **in time**. This means that your appeal form must be submitted online to the Tribunal **before the deadline**.

For cases where you are not detained, this means the appeal must be **received** by the Tribunal no later than 14 days after the Home Office decision is *sent*. The date

a letter is sent is usually either the date of the postmark stamped on the envelope, or the date on the letter itself, whichever is later.

For example, if the Home Office decision was sent on 3 April, your appeal deadline will be 17 April. The Tribunal must receive your appeal by **midnight** of 17 April.

If your appeal deadline falls on a weekend or **public holiday**, the deadline will be pushed to the next working day. A 'working day' means any day other than a Saturday, Sunday, bank holiday, or the period 25th-31st December. For example, if 15 April is a Saturday, the Tribunal must receive your appeal by midnight on Monday.

What if I am late lodging my appeal?

It is **very** important that you lodge your appeal by the deadline.

If you do miss the deadline, you may be able to apply for an '*out-of-time*' appeal. You would follow the **same process** as explained in this factsheet, but you will be asked in the online application why you did not send it in time, and you will need to provide supporting information and evidence to explain why you missed the deadline.

Depending on the information and evidence you provide, the Tribunal can refuse to consider your appeal. Your reasoning and any evidence you can provide is therefore **very** important.

You can use the online service to:

- submit the appeal
- add documents in support of your application
- ask for a hearing
- get a decision on your appeal

To complete the online form you will need:

- a copy of the Home Office's **Reasons for refusal letter**
- your Home Office reference number - you can find this on your decision letter
- an email address that you have access to

Paying for the appeal

You will be asked in the online form to **pay a fee** for your appeal. The fee to lodge an appeal when this factsheet was reviewed is £80 without a hearing and £140 with a hearing. A hearing means that you will be able to give evidence and speak to the judge who will decide your case – this is almost always a better option than having your appeal decided on the papers.

You might not have to pay the fee if you:

- get asylum support from the Home Office
- get legal aid
- are supported by the Local Authority and are under 18
- received a Home Office fee waiver for your initial application

You will need to provide evidence to show why you cannot pay the fee. This could include:

- your asylum support letter
- a letter confirming support from the Local authority

You can also get help with all or part of the court fees if you are on certain benefits, very low income, and you have little or no savings. **There is further information about this in the Tribunal Fees Guidance: [Get help to pay or reduce your visa or immigration appeal fee - GOV.UK \(www.gov.uk\)](#)**

You can still use the online service if you are fee exempt, and ask not to pay the fee later in the process.

What is the online process?

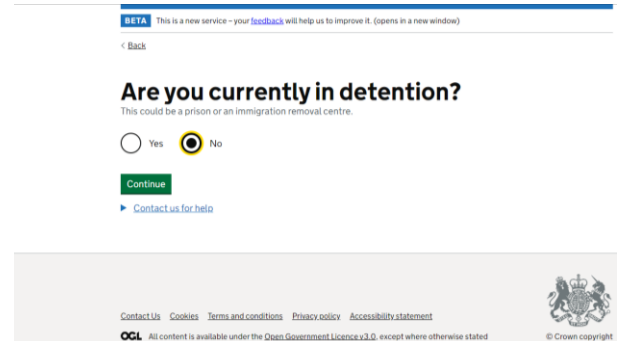
This is a step-by-step guide for the online process. Please note, this process does change regularly. You can zoom in on your screen to see the screenshots below more clearly.

To begin your application visit: [Appeal against a visa or immigration decision: Appeal from within the UK.](#)

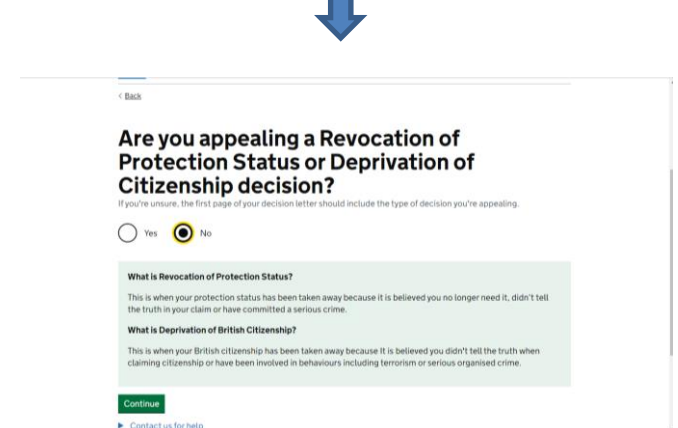
1.



2.



3.



4.

There is a fee for this appeal

It costs:

- £80 without a hearing
- £140 with a hearing

[Read more about tribunal fees \(opens in new window\)](#)

If you think you do not have to pay the fee, or could get help to reduce the fee, you cannot use the new service to submit your appeal. In this case, you should:

- [Use the current online service instead \(opens in new window\)](#),
- [use form IAF1-5 to appeal by post or fax \(opens in new window\)](#).

In all other cases, you should use the new service.

[Continue to use the new service](#)

[Contact us for help](#)

The Tribunal have informed us that **it is possible to use the new service online, even if you do not have to pay the fee. Please click the green button that says 'continue to use the new service'**

5.

This is where you need to add your first name, last name, and email address, in order to create an online account.

6.

You will need to have your email account open so you can confirm your email address by clicking the **'confirm your email address'** link that appears in your inbox.

7.

After you confirm your email address, you will be asked to create a **password**.

8.

9.

Once your account is created, you will be asked to login to your account with your email and password.

10.



11.

You will see a 'to do' list that you must complete step-by-step. Click on the 'to do' link in **blue** at the top to begin.



12.

13.

What is your appeal type?



What type of case is your appeal?

You can only select **one** option

- If your case is based on asylum grounds under the Refugee Convention, click '**protection**'
- If your case is based on human rights grounds, click '**human rights**'

If your case is based on more than one of the given options (for example, **protection and human rights grounds**), this would need to be raised with the Tribunal later. When you have a solicitor, make sure to let them know.

If you are unsure what kind of decision you are appealing against, we suggest that you seek legal advice before lodging the appeal.



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What date was your decision letter sent?

If you got your decision by email
Enter the date the email was sent by the Home Office.

If you got your decision by post
Enter the date stamped on the front of the envelope. If you don't have the envelope, enter the date on the first page of the decision letter.

Enter the date the letter was sent
For example, 31 3 2019

Day Month Year

[Save and continue](#) [Save for later](#)

[Contact us for help](#)



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https://www.appeal-immigration-asylum-decision.service.gov.uk/home-office-upload-decision-letter

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Upload your Home Office decision letter

If you got your decision by email
Upload the decision letter attached to the email.

If you got your decision by post
If you have a smartphone, you can use a scanner app to create a single document to upload. Or you can scan or take a photo of each page and upload each file individually.

Upload a file
 No file chosen

Uploaded file
No files uploaded

[Save and continue](#) [Save for later](#)

You must upload your decision letter from the Home Office here. You can do this by taking a photo of the letter on your phone and then uploading it to the form.

17.



HM Courts & Tribunals Service **Appeal an immigration or asylum decision** Sign out

BETA This is a new service - your [feedback](#) will help us to improve it. (opens in a new window)

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What is your name?

Given names

Family name

[Save and continue](#) [Save for later](#)

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HM Courts & Tribunals Service **Appeal an immigration or asylum decision** Sign out

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What is your date of birth?

For example, 31 3 1980

Day Month Year

[Save and continue](#) [Save for later](#)

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What is your nationality?

Please select a nationality

I do not have a nationality
This is known as being stateless. You can still appeal if you do not have a nationality.

[Save and continue](#) [Save for later](#)

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ADP Best Practice Guide...

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What is your address?

Enter a UK postcode

[I want to enter my address manually](#)

[Find address](#) [Save for later](#)

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21.

22.



How do you want your appeal to be decided?

‘I want the appeal to be decided with a hearing’
This will be where you go to the hearing in person. A hearing will allow you to put your case forward in your own words, to an independent judge. You will be able to challenge the decision made by the Home Office and you will have the chance to answer questions from the judge. This is usually the best option.



23.

If you are exempt from paying the fee, you should click **‘no, I will pay later’** (see the **‘after you have lodged your appeal’** section on the factsheet)



24.

In the UK	Yes	Change
Appeal type	Protection	Change
Home Office reference number	123456789	Change
Date letter sent	31 October 2022	Change
Address	41 BRUNSWICK SQUARE LONDON WC1N 1AZ	Change
Contact details	rs1640441@gmail.com	Change
Home Office decision letter	Test document.docx	Change
Name	Robert Smith	Change
Date of birth	1 January 1990	Change
Nationality	Afghanistan	Change
Decision Type	Decision with a hearing	Change
Payment type	Pay later	Change

Statement of truth

It is important you check your answers to make sure all of the information you have provided is correct.



25.

You need to confirm that the information you have provided in the appeal is true.

After you have lodged the appeal

Log back into your online account.

If you do not need to pay the fee, click on the link on the right-hand side of the page that says, **“Ask for something else”**. In the space provided, you can explain that you are fee exempt and explain the reasons why.

On the next page, you should be able to upload evidence to support this.

If you experience issues with this process, it is possible to email the Tribunal to explain that you do not need to pay the fee. Remember to include your evidence (your asylum support letter or your letter confirming support from the local authority).

Tribunal email: iapaymentexceptions@justice.gov.uk

Further email from the Tribunal

After you have lodged the appeal online, the Tribunal **may** send you an email asking you to log into your online appeal application to answer some more questions.

The Tribunal may ask you to tell them about any further information you want them to consider as part of your appeal.

Asking for more time to find a lawyer after lodging the appeal

You must try and lodge your appeal **before** the deadline, even if you do not have a lawyer. If you have already lodged an appeal but you are still unrepresented and struggling to find a lawyer, you may need to ask the Tribunal for more time **after** you have lodged the appeal.

If you need more time to find a lawyer, you should write to the Tribunal to let them know. Please refer to our template letter for guidance on how to ask for more time (you can download the letter as a separate document).

If you would like further information, you can contact the Tribunal general enquiry line on:
Tel: 0300 123 1711
Email: contactia@justice.gov.uk

Please note:

This step-by-step factsheet is as accurate as possible, but the process can sometimes change at short notice. The online system could look different for you when you are lodging your appeal.

We strongly advise that if you experience technical or other issues with the online system, you try to access legal advice as quickly as possible.