HM Courts & Tribunals Service

Office stamp (date received)

IAUT1

Application for permission to appeal against a decision made by the First-tier Tribunal (Immigration and Asylum Chamber)

Use this form to apply for permission to appeal to the Upper Tribunal (Immigration and Asylum Chamber) if you think the First-tier Tribunal has made an error of law and has:

- refused you permission to appeal
- refused to admit your application because it was late
- granted you permission to appeal but on limited grounds only and you wish to apply to the Upper Tribunal for permission to appeal on any of the grounds

You can also use this form if your appeal has been certified by the Home Office as an accelerated detained appeal (ADA).

If you need help

Contact the First-tier Tribunal (Immigration and Asylum Chamber) if you have questions about your appeal, this form or how the tribunal works.

The helpline cannot give you legal advice.

Email:

FieldHouseCorrespondence@justice.gov.uk

Phone:

+44 (0) 300 123 1711
(Monday to Friday,
9am to 4pm)

Guidance on completing this form

You can find notes to help you understand questions on the right side of the page.

Use another sheet of paper if there is not enough space for you to say everything. Add your name at the top of any additional sheets.

Write clearly if you are completing this form by hand.

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Applying for anonymity

The tribunal will publish documents relating to your case, which can be viewed publicly. If you do not want your name to be published, you can apply to keep your name private. This is known as **anonymity.**

If anonymity is granted, the tribunal will remove your name from all published documents. Your name will only be used by the tribunal for the purposes of your appeal.

☐ **I have** an anonymity order from the First-tier Tribunal

or

☐ **I want to apply** for anonymity to the Upper Tribunal
Give your reasons:

Section 1 – First-tier Tribunal appeal information

1.1 First-tier Tribunal reference number

1.2 Home Office reference number

1.3 What date was the First-tier Tribunal's permission to appeal decision sent to you?

Day Month Year

1.4 Which First-tier Tribunal hearing centre was the appeal decided in?

1.5 Choose a reason why are you applying to the Upper Tribunal for permission to appeal:

- ☐ The First-tier Tribunal refused me permission to appeal
- ☐ The First-tier Tribunal refused to admit my application because it was late
- ☐ The First-tier Tribunal granted me permission to appeal but on limited grounds only and I wish to apply to the Upper Tribunal for permission to appeal on any of the grounds.

  If you have already been given an Upper Tribunal UI reference number for this appeal, put it in the box below:

Note for Section 1

You can find the First-tier Tribunal reference number and Home Office reference number on the decision letter.

Note 1.3

This is the date on the decision letter you received.

Section 2 – Appellant's information

2.1 Details of the appellant

First name

Last name

Date of birth

Day Month Year

2.2 Your nationality

☐ Nationality (if more than one, include all)

☐ I do not have a nationality

2.3 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

2.4 Contact details

Phone number

Mobile number

Email address

2.5 Do you have a legal representative?

☐ Yes. **Go to Section 3.**

☐ No. **Go to Section 4.**

Note for Section 2

The appellant is the party in a case that is making an appeal. It may be an individual or an organisation.

Use a separate sheet if you need to include details of more than one appellant.

Note 2.3

You must provide the appellant's address even where there is a sponsor or legal representative.

Note 2.4

We will use email to send documents and contact you when needed.

Section 3 – Appellant's legal representative information

3.1 Details of appellant's legal representative

First name

Last name

Organisation name

3.2 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

3.3 Reference for correspondence

3.4 DX number for correspondence (optional)

3.5 Contact details

Phone number

Mobile number

Email address

Note for Section 3

A legal representative is someone who is authorised by law to represent you in tribunal proceedings.

If you appoint a legal representative, the tribunal office will only correspond with your legal representative.

Note 3.5

Provide all contact details, including mobile number and email address, if you have them.

Section 4 – Accelerated detained appeal (ADA)

This section is only for accelerated detained appeals.

An accelerated detained appeal is when the First-tier Tribunal must make a decision on the appeal, and give notice of that decision to the parties, no later than 25 working days after the date on which the appellant before the First-tier Tribunal gave notice of appeal to that tribunal.

4.1 Is your appeal an accelerated detained appeal?

☐ Yes. **Go to question 4.2.**

☐ No. **Go to Section 5.**

4.2 An accelerated detained appeal must be received by the Upper Tribunal no later than **7 working days*** after you receive the refusal of permission to appeal from the First-tier Tribunal.

If your **appeal is late**, or you are not sure if it will be received in time, explain why and include any evidence you have with this application:

Note 4.2

*** Working day** means any day except:

- Saturday or Sunday, Christmas Day, Good Friday or 26 to 31 December
- any day that is a bank holiday

Evidence can be many things, including medical evidence, such as letters from your doctor, or police arrest records.

List the evidence you are attaching in the Checklist at the end of the form.

You can provide the evidence later if you do not have it now.

Section 5 – Late appeals

5.1 If your appeal is late, or you are not sure if it will be received in time, explain why and include any evidence you have with this application:

Note for Section 5

You must send this form to the Upper Tribunal office so that it is received at the office within the time limit:

- if the person who appealed to the First-tier Tribunal is **in the UK** at the time this application is made, the period is **14 days** after the date notice of the First-tier Tribunal's refusal of permission was sent
- if the person who appealed to the First-tier Tribunal is **outside the UK** at the time this application is made, the period is **one calendar month** after the date notice of the First-tier Tribunal's refusal of permission was sent

If it is likely to reach the tribunal after this time, you must ask the tribunal to extend the time limit for making the application, giving full reasons why it is late.

The tribunal will consider your reasons to decide whether to extend time or not.

It is important to explain the reasons in detail.

If needed, continue on another sheet of paper, adding your name and the appeal reference number at the top.

Evidence can be many things, including medical evidence, such as letters from your doctor, or police arrest records.

List the evidence you are attaching in the Checklist at the end of the form.

You can provide the evidence later if you do not have it now.

Section 6 – Reasons for your appeal

6.1 Tell us what error of law you think the First-tier Tribunal has made:

Note for Section 6

You must explain why you believe the First-tier Tribunal decision is wrong in law.

If the First-tier Tribunal granted you permission to appeal only on limited grounds and you also wish to apply for permission to appeal on any other grounds, explain why you think permission should be granted in respect of those grounds.

Examples of mistakes that may mean the decision is wrong in law include:

- the tribunal did not apply the correct law or wrongly interpreted the law
- the tribunal had no evidence, or not enough evidence, to support its decision
- the tribunal did not give adequate reasons for the decision

This list is not exhaustive, and the tribunal's decision may be wrong in law for some other reason. You should explain why the decision in your case is wrong in law in as much detail as possible.

Use another sheet of paper if there is not enough space for you to say everything.

Add your name at the top of any additional sheets.

Section 7 – Hearings

7.1 Do you want to request that your **application for permission to appeal** is considered at a hearing?

☐ Yes. Explain why.

☐ No

Note 7.1

Your request will be considered, but the judge will decide whether a hearing will be required for your application for permission to appeal.

7.2 Will you need any support at any **permission hearing** or **final hearing** if permission to appeal is granted, such as wheelchair access, a hearing loop or an interpreter?

Tell us what support you need and why you need it

Note 7.2

Some people need support to access information and use our services, for example:

- access and mobility support (wheelchair)
- help with communication, sight, hearing, speaking, interpretation or translation
- documents in alternative formats, colours or fonts

Statement of truth

☐ **I, the appellant, believe** that the facts and matters stated in this application are true and complete.

or

☐ **The appellant believes** that the facts and matters stated in this application are true and complete. **I am authorised** by the appellant to sign this statement.

Signature

Note for Signature
Sign or type your name in the signature box.

☐ Appellant

☐ Appellant's legal representative

Date

Day Month Year

Name

Full name

Checklist

List of documents that need to be included with the application:

- ☐ a copy of the Home Office decision letter
- ☐ a copy of the First-tier Tribunal's decision letter either:
  - refusing permission to appeal to the Upper Tribunal
  - refusing to admit the application for permission to appeal
  - granting permission only on limited grounds
- ☐ a copy of the written statement of reasons from the First-tier Tribunal
- ☐ a copy of your application for permission to appeal sent to the First-tier Tribunal (including reasons for your appeal)
- ☐ copies of any evidence to support:
  - ☐ a late appeal for accelerated detained appeal (Section 4)
  - ☐ a late appeal for all other appeals (Section 5)
  - ☐ reasons for your appeal (Section 6)

List all the evidence you are sending with this form:

- ☐ If there are any supporting documents that you intend to provide later, state what they are, when you expect them to be available, and the reasons why they are not available now:

- ☐ any additional sheets of paper you used if you did not have enough space to write everything

Note for Checklist

Complete this Checklist so the Upper Tribunal knows which documents to expect.

If you do not send these documents, your appeal may be delayed or not admitted.

What to do next

If you are legally represented or are acting for the Secretary of State for the Home Department, **you must** send this form and documents from the Checklist using the **HM Courts and Tribunals E-Filing service**.

For those that are **not legally represented**, the preferred method is the E-filing service. Alternatively, unrepresented appellants can email or send signed and completed form and documents from the Checklist to:

Email address

UTIACPermissionApplications@justice.gov.uk

or

Address

Upper Tribunal (Immigration and Asylum Chamber)
IA Field House
15 to 25 Breams Buildings
London
EC4A 1DZ
UK

How to use HM Courts and Tribunals E-Filing service

To register and access the E-Filing service, go to:
https://efile.cefile-app.com/login

For guidance, support and information about the E-Filing service, go to:
www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals

Contact us about changes to your details

You must write to the tribunal if you change your address or legal representative.

Send your new details or the details of your new legal representative to the same address to which you are sending this form.

Next steps

The tribunal will check this form and let you know if you need to provide any more information. If no further information is required, the tribunal will write to you or your legal representative (if you have one) to confirm the next steps.

You can find out more at: www.gov.uk/immigration-asylum-tribunal

For information on how HM Courts and Tribunals Service process and store your data visit:
www.gov.uk/hmcts/privacy-policy