

Some decisions by the immigration authorities come with a right of appeal. These appeals include consideration of the facts of the case and the relevant legal framework.

Other decisions have a restricted right of appeal where the applicant can only appeal on certain limited grounds.

Many other decisions have no right of appeal. However, in some circumstance it may be possible to pursue a judicial review against a decision if it is arguable that the decision was unlawful.

The law is regulated by a system of courts and tribunals at progressively senior levels. The higher courts' decisions are binding on lower courts and decisionmakers. Permission to appeal is required in all but the First-tier Tribunal (IAC).

Sources of law include:

- Primary legislation
- Secondary legislation
- Common law (court judgments)
- European law
- International law
- Rule of practice and policy

See below for diagram illustrating the court structure and possible appeal routes.

European Court of Human Rights (ECHR)

Court of Justice of the European Union (CJEU)

HIGH COURT Administrative Court: Queen's Bench Division

Permission only

Judicial Review (Public Law) of powers exercised by public bodies.

Retains power of Judicial Review over all areas other than the JR categories dealt with by the UT (IAC)

HIGH COURT Upper Tribunal (IAC) jurisdiction

Permission only

Judicial Review (Public Law) of decisions relating to immigration status (but not citizenship), decisions from FT where no appeal to UT, fresh claims and age disputes.



Refused without a right of appeal or the case is "certified"



Granted leave to enter or remain



SUPREME COURT

Permission only granted on an arguable point of law of public importance



COURT OF APPEAL

Initial permission application to UT then to COA Permission only granted on an important point of principle or practice or some other compelling reason for the court to hear the appeal



UPPER TRIBUNAL (IAC)

Error of Law jurisdiction
Can only appeal if permission granted Initial permission application to FtT then to UT



FIRST-TIER TRIBUNAL

(Immigration and Asylum Chamber)
Appeal either Allowed or Dismissed



Refused with a right of appeal



Initial application to the Home Office or Entry Clearance Officer