



Ministry  
of Justice

**Alex Chalk MP**  
Parliamentary Under-  
Secretary of State for Justice

**Dame Sara Thornton DBE QPM**  
Independent Anti-Slavery Commissioner

**MoJ ref:** ADR 79675

By email only: Shelley.Perera@iasc.independent.gov.uk

22 July 2020

Dear Dame Sara,

**LEGAL AID CHANGES FOR IMMIGRATION AND ASYLUM APPEALS:  
THE CIVIL LEGAL AID (REMUNERATION) (AMENDMENT) (CORONAVIRUS) REGULATIONS 2020**

Thank you for your letter dated 3 July. I appreciate you writing to me outlining the impact that the recent changes to legal aid fees for immigration and asylum appeals through the Amendment Regulations may have on the ability of victims of trafficking and modern slavery to access legal advice.

As you detailed in your letter, you are aware that these fees are temporary and were introduced as part of our swift response to the COVID-19 pandemic. This is to ensure that the tribunal system could continue to function, and appellants could still access justice. Our consideration that the Amendment Regulations are not likely to have any or significant adverse impact on access to justice was based on the immigration and asylum system as a whole, not on individual appellants or appeal types. These fees were, in fact, introduced to increase the remuneration practitioners would receive and cater to changes to the tribunal process that were required as a result of COVID-19.

I am, however, pleased to confirm that the Lord Chancellor has brought forward our plans to consult on the future fees. The consultation is due to be opened in the next six weeks. I have asked my officials to ensure that your office receives a copy of the consultation, and I would be grateful for your input on the specific impact the proposals may have on victims of trafficking and slavery. I would also welcome you circulating the consultation further to others who have an interest in this area.

You may also be interested to learn of a piece of work that we have recently started in relation to the sustainability of the whole civil legal aid market. We aim to understand current concerns around long-term sustainability across the market, to include concerns relating to specific categories of law, such as immigration and asylum. We are already working closely with key stakeholders on this and consideration of access to legal advice, amongst other considerations such as the fee schemes, will necessarily be a part of this work.

Thank you again for getting in touch.

Yours sincerely,

**ALEX CHALK MP**