



DIXCART
LEGAL

Immigration costs information for individuals Appeals to the First-tier Tribunal (Immigration and Asylum Chamber) – legal costs based on an hourly rate

We will only be able to act for you in lodging an appeal to the First-tier Tribunal (Immigration and Asylum Chamber) if we have either had an [initial consultation](#) with you or assisted you with an application to the Home Office which has been refused.

If we act for you in lodging an appeal to the First-tier Tribunal (Immigration and Asylum Chamber) we will carry out the work on an hourly rate basis. We have provided below a typical range of our legal costs, exclusive of VAT. These costs are based on [Vincent Chung's](#) hourly rate (£190 per hour, excluding VAT). The legal costs are based on an appeal for one individual and would not cover dependants.

	Average time to complete work	Our legal costs (exclusive of VAT)
Lodging appeal notice, preparing for and representing you at your full appeal hearing	16 – 22 hours	£3,040 to £4,180

The work we will do for you

When acting for you in relation to an appeal to the First-tier Tribunal (Immigration and Asylum Chamber), our work will involve:

- discussing your circumstances in connection with your intended appeal in detail
- giving you advice about your appeal rights
- advising you of the Tribunal process and documents required to be lodged with the appeal
- taking witness statement(s) from yourself (and other relevant persons where appropriate). The above legal costs range is on the basis that we will only need to prepare 1 witness statement and spend no more than 4 to 6 hours preparing the statement
- taking your instructions
- engaging in correspondence with you and/or third parties
- considering the supporting evidence you provide to us, giving feedback, and advising whether additional evidence is required. The above legal costs range is on the basis that we will spend no more than 2 to 4 hours reviewing, giving feedback and advising on additional evidence.
- liaising with other parties (with your approval) about supporting evidence where necessary

- advising of any deadlines in relation to your appeal
- lodging an appeal notice/ grounds of appeal
- preparing for your appeal including legal research
- considering the Home Office's bundle of evidence
- preparing, copying, and sending your bundle of evidence to the Tribunal and Home Office by Royal Mail "Signed For", "Special Delivery"
- negotiating with the Home Office (where appropriate). The above legal costs range is on the basis that we will spend no more than 2 hours negotiating with the Home Office
- representing you/ advocacy at the Tribunal for your full appeal hearing. The above legal costs range is on the basis that the full appeal hearing (including travel time and waiting time) lasts no more than 5 hours
- keeping you updated throughout the process
- advising you about the outcome of the application

Factors which usually push our legal costs towards the higher range include (but please note that this is not an exhaustive list):

- where you don't clearly meet all the requirements
- where you have previously been refused a visa/ have an adverse immigration background
- lengthy/ numerous correspondence
- where you wish to request an adjournment (request to reschedule your hearing)

In some circumstances a combination of some or all of the above may cause our legal costs to exceed the higher costs range. We would tell you if this was likely to occur.

Where the Tribunal directs that further procedures/ documents are necessary, this will likely push our legal costs to the higher range, and may in some instances exceed the range for example, where we are directed by the Tribunal to:

- submit a chronology (timeline of event)
- skeleton arguments (summary of your case)
- attend at an adjournment hearing
- attend at a case management review hearing
- lodge written submissions (more detailed skeleton arguments)

Where the range will be exceeded, each of the above will usually cost between £475 and £950 exclusive of VAT.

The exact number of hours it will take depends on the circumstances of your case, including the amount of supporting evidence we need to consider (dependent on your specific appeal), the levels of correspondence and the complexity of your case. Please note the above average number of hours and legal costs are based on the facts set out below. All appeals are likely to vary and of course, we can give you a more accurate estimate once we have more information about your specific case.

Timeframes

As an appeal is a form of litigation, the speed and length of time required is not wholly within our control and can be subject to the actions of the Home Office and/or Tribunal.

The timetable to lodge your appeal is normally dictated by the Tribunal. By way of example:

- Your appeal notice (in effect to register your intention to appeal) will normally need to be submitted to the Tribunal within 14 days after receiving the Home Office decision refusing your application
- Copies of your bundle of evidence requires to be lodged (sent) to the Home Office and Tribunal, as soon as possible, but usually no later than 7 days before the full appeal hearing. The date of the full appeal hearing is out of our control.

As you will see the above timeframes are short and in order to achieve the timelines we need your full co-operation, and the co-operation of any third parties whom you engage to provide evidence or assistance.

We have no control over how long the Tribunal will take to make a decision on your appeal. The Tribunal will not usually make a decision at the end of your full appeal hearing, and can take between 1 week and 6 months (if not more) to issue a written decision.

Additional costs - third parties

The legal costs set out above do not include costs payable to third parties in connection with the application. Such additional costs that you are likely to incur can be categorised into payments to the Tribunal and/or the Home Office and payments to other third parties.

Costs related to your matter which we pay to third parties on your behalf or in connection with your matter are known as disbursements and will be charged to you by us in addition to the legal costs set out above. Usually you will pay the third party direct, but if we are to pay the third party on your behalf then you will be required to reimburse us.

Tribunal and/or the Home Office - In most instances, we will let you know how to make payments directly to the Home Office, rather than us incurring costs on your behalf as disbursements. The likely costs are:

- Any mandatory [Tribunal fees](#)
- Any [Biometric Enrolment costs](#) (which might be payable if your appeal is successful)

Other third parties - Depending on the nature and complexity of the appeal, there may be additional costs which need to be incurred. We set out a non-exhaustive list below. In most cases, these will not apply, but if they do, we will discuss matters with you in advance. We may incur these on your behalf or you may choose to engage the third party direct.

- Expert report – may be required if for instance, the Home Office have relied on an expert report to make a negative finding in your case. The costs will be dependent on the nature, experience and skills of the expert. This may range between £500 to £5,000 (if not more) exclusive of VAT, depending on what is being disputed and they may also have disbursements which they need to charge
- Counsel – a barrister may be instructed to represent you at the full appeal hearing, though this is unusual. A barrister will usually be required if for instance, your case is extremely complicated and a complex area of law needs to be argued. The costs will be dependent on the complexity of matter and the skills and experience of the barrister. This may range between £500 to £5,000 (if not more) exclusive of VAT,

depending on what is being disputed and they may also have disbursements which they need to charge

- [Certified translations](#) where your documents are not in English or Welsh. The costs will be dependent on the document being translated and how the translation company structures its costs. This may range between £50 to £500 exclusive of VAT.

If you ask for any recommendation on the use of third parties, you will not be obligated to instruct those third parties we have suggested. In most instances, you will not be able to directly instruct a barrister, in which case we will instruct the barrister of your choosing after we have discussed this with you.

Excluded services

The following items are not included in the above legal costs range and will attract additional costs:

- The above legal costs range is based on our review of the documents required for your appeal. If you consider that we need to see and advise on documents that are not set out in the detailed list we provide to you then this work would not be covered in the above legal costs range and would involve you incurring additional costs, which will be dependent on the number of documents and complexity of the documents.
- Travelling and waiting time at the Tribunal for the full hearing in excess of 5 hours (including the hearing) and/or external meetings
- Attendance, travel and waiting time for procedural hearings required in addition to the full hearing, although these do not usually happen
- Attendance, travel and waiting times at any rescheduled hearings
- Any advice or work carried out if your appeal is dismissed
- Ad hoc immigration enquiries not immediately related to your case

Version: 1

Effective Date: 6th December 2018

Dixcart Legal Limited