



Immigration and Asylum Bill parliamentary briefing

House of Commons' Second Reading: Monday 13th July 2026

The Immigration and Asylum Bill continues the regressive trend of recent immigration legislation by weakening human rights, undermining procedural fairness, and putting at risk the UK's compliance with international law. Moreover, there is no evidence that the Bill will achieve its policy objectives to save money or end the asylum backlog.

[Public Law Project](#) (PLP) is a national legal charity that works for social justice using public law – the rules that govern how the state makes decisions. Through strategic litigation, research, public affairs, strategic communications, convening, events and training we ensure that marginalised communities' rights are protected, everyone has access to justice and powerful state actors are held accountable. We have particular organisational expertise in immigration and asylum issues.

Public Law Project calls on Members of Parliament to oppose the Bill at second reading.

Key concerns

The Immigration and Asylum Bill:

1. **Undermines the independence and expertise of asylum appeals**
2. **Weakens the UK's commitment to international law and the protection of Article 8 (the right to private and family life)**
3. **Forces refugees to pay for Home Office delays in decision-making**

1. Undermining the independence and expertise of asylum appeals

Part 1 of the Bill creates a new **Independent Immigration Appeals Authority (IIAA)**, to replace the First-tier Tribunal (FTT) hearing immigration and asylum appeals.

IIAA adjudicators will not be judges or even legally qualified. Immigration law is notoriously complex and asylum appeals are some of the most important decisions made by tribunals about people. The complexity of immigration law was why Parliament required immigration advisers to be legally qualified in 1999, yet under this Bill adjudicators deciding immigration appeals will not need to be.

The IIAA will be significantly less independent of the Home Office than the First-tier Tribunal. For example, the Home Secretary will appoint the Chair of the IIAA (Clause 2(2)). The Chair will then appoint members of the IIAA's Procedure Board (Clause 5). By contrast, tribunal rules are created by an independent Tribunal Procedure Committee. The Home Secretary will also have the power to establish default time limits for the IIAA to decide appeals (Clause 8) and even to request that individual cases are expedited, which could lead to rushed, inaccurate decisions which return people to countries where they could face serious permanent harm.



The Government is unclear on when the IIAA will fully take over the FTT's work, conceding that there will be "[a parallel operation for some considerable time](#)" and "[the transition costs remain non-monetised](#)". One peer has estimated that the FTT will [continue to hear appeals into the 2040s](#). Several [major costs](#) will continue beyond the closure of the FTT, including judicial salaries and pensions as judges hold lifetime appointments; additional costs of training judges reassigned to another chamber; and administrative costs of judicial reassignments. According to the [Public Accounts Committee](#), a "lack of realism echoes previous failed initiatives and leaves the Home Office at continued risk of repeating the same costly mistakes".

2. **Weakening the UK's commitment to international law and the protection of Article 8 (the right to private and family life)**

Part 2 of the Bill **weakens the protection of Article 8 of the European Convention on Human Rights (ECHR) (the right to private and family life)** in immigration cases. This includes the rights of children to remain in the UK.

For example, the Bill will require the deportation of children, except when the child would not receive an education abroad; where there are very significant obstacles to their integration; or when the child's relocation would have very significant and long-lasting adverse effects (Clause 19).

The Attorney-General has also [consistently stressed the importance of upholding the rules-based international order](#). At a time of growing authoritarianism, the Government should not be putting the UK's compliance with the ECHR at risk.

3. **Forcing refugees to pay for Home Office delays in decision-making**

Part 4 of the Bill empowers the Home Secretary to require payments from recipients of asylum support. Yet many individuals claiming asylum are in receipt of support for so long because of [delays in Home Office decision-making](#) and due to poor-quality decisions, which make appeals necessary.

While the Bill does not specify the amount, a press release indicates that these payments will be around [£10,000](#). The Government provides no estimate as to how much is likely to be generated by this policy and what the administrative costs of enforcing it would be. Its financial benefits are wholly unclear.

This policy risks becoming an unethical and unfair double punishment of refugees, who have already suffered displacement and persecution. Moreover, the policy places an excessive financial burden on refugees, undermining their ability to start a new life and integrate as equal members of British society.

If you would like to discuss this further or if PLP can support you in opposing the Bill, please contact k.parker@publiclawproject.org.uk.