

ILPA immigration update 33

The ILPA information service is funded by the Joseph Rowntree Charitable Trust

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23rd December 2010

Legal Aid

The last update promised that ILPA would be producing information sheets on the Government's proposals to make cuts and other changes to Legal Aid. Some of these are now available. The Government's consultation document is long and complex. The information sheets are designed to set out important information in straightforward and short form. The proposals affect asylum and immigration law, but they affect many other areas of law. The information sheets are designed to give some help understanding some of the big changes affecting all areas of law, not just asylum and immigration. The information sheets now available are:

- "Legal Aid 6 – The Latest Proposals" – This gives general information about the proposals.
- "Legal Aid 7 – Immigration Proposals" – This focuses on key proposals affecting asylum and immigration.
- "Legal Aid 8 – The Consultation" – This gives a short introduction to the consultation to assist those who wish to respond to it.

Other information sheets are being prepared to assist those who want to respond to specific parts or questions of the consultation. These will be available shortly.

Additionally, ILPA has made a detailed initial response to the consultation. ILPA will be making further responses. The initial response is available in the 'Submissions' section on the ILPA website at www.ilpa.org.uk

Age requirement for married and civil partners

In November 2008, the Government raised the age requirement normally required by the Immigration Rules for couples to be permitted to live together in the UK from 18 years to 21 years. The Court of Appeal has, this month, ruled that this raised requirement is not lawful in two cases each concerning a British citizen and his or her partner. The "Marriage Age Judgment 2" information sheet provides more information.

Interim Economic Migration Cap

The Home Secretary announced interim caps on applications to come to the UK under Tiers 1 (General) and Tier 2 (General) of the Points Based System. However, the High Court has ruled that the interim caps are unlawful because they were not introduced by the correct process allowing for parliamentary scrutiny. The Government has responded by making changes to the Immigration Rules. See:

<http://www.ind.homeoffice.gov.uk/sitecontent/newsarticles/2010/dec/61-t1g-closure-overseas>

Migrant students

The UK Border Agency has issued a new consultation on student migration, and announced changes to the student visitor visa. More information is available at:

<http://www.ind.homeoffice.gov.uk/sitecontent/newsarticles/2010/dec/16student-visa-system>

<http://www.ind.homeoffice.gov.uk/sitecontent/newsarticles/2010/dec/34-extended-student-visitor-visa>