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Peter Bone MP and Albert Owen MP  
Chairs, Public Bill Committee considering Immigration Bill  
House of Commons  
London  
SW1A 0AA

10<sup>th</sup> November 2015

Dear Peter & Albert,

**IMMIGRATION BILL: COMMITTEE STAGE CONSIDERATION OF CLAUSE 31 –  
AVAILABILITY OF LEGAL AID FOR JUDICIAL REVIEW OF CERTIFICATION UNDER  
SECTION 94B**

During the course of our constructive debate on Clause 31 of the Immigration Bill [Appeals within the United Kingdom: certification of human rights claims] on 5 November the honourable member for South Shields asked how a judicial review against a decision to certify a claim under this power would be funded. I promised to write setting out the position.

Legal aid is generally available for judicial review, subject to the case having sufficient merit and the individual satisfying the financial means test. In order for legal aid to be made available, the judicial review must be of specific benefit to the individual and cannot be on a repeat immigration matter that was previously determined within one year.

Subject to meeting these exceptions and exclusions, legal aid would therefore be available for judicial review of certifications under s94B.

I hope this provides the honourable member with the assurances she was seeking.

Yours ever,

Robert

**ROBERT BUCKLAND QC MP  
SOLICITOR GENERAL**