



Ministry
of Justice

Statistical Notice

Revision of Judicial Review figures

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Revision of Judicial Review figures

Introduction

1. This statistical notice is to advise users that a data classification error has been identified in Official Statistics published on Judicial Reviews. The error is in relation to the allocation of civil judicial review cases between the topic categories of “JR Civil (immigration and asylum) and JR Civil (other). This does not affect the overall figures on the volume of judicial reviews.
2. In addition new information on the volume of judicial reviews from 2000 to 2006 is also published.

Summary

3. In April 2013 MoJ published a set of ad-hoc statistics which provided new breakdowns of Judicial Review data.
4. On June 20th we published a repeat of these breakdowns in chapter four of “[Court Statistics Quarterly January to March 2013](#)”, which included the publication of record level data for the first time.
5. The published data on judicial reviews split the data into three classifications, based on the type (civil or criminal) and the list of 100 topics (see Annex A for more detail on type and topic categorisation). This categorisation was simplified for presentation purposes to:
 - a. Civil (Immigration and Asylum)
 - b. Civil (other)
 - c. Criminal
6. The MoJ has identified that three of the topics allocated to the ‘Other’ category should have been allocated to ‘Immigration and Asylum’.
7. The topic re-allocation increases the number of civil (immigration and asylum) cases and reduces the number of civil (other) cases. The impact of this is an even greater increase in civil (immigration and asylum) cases and a flat trend in civil (other) cases. Additionally, the category criminal (Immigration and Asylum) no longer exists.
8. The old figures are presented in table 1 below, and the revised figures in table 2. Table 3 shows the impact of this change.
9. The impact of re-allocating these topics does not affect the overall volume of judicial reviews, which has risen by 86% between 2007 and 2012. The impact only affects 2011 and 2012 data as these three topics have only existed since that time.

10. The re-allocation increases the number of civil (immigration and asylum) cases and reduces the number of civil (other) cases. The impact of this is an even greater increase in civil (immigration and asylum) cases and a flat trend in civil (other) cases. The old figures are presented in table 1 below, and the revised figures in table 2. Table 3 shows the impact of this change.

Table 1: Volumes of judicial reviews published in June 2013

Old	2007	2008	2009	2010*	2011	2012	Change 2007 2012 to 2012
Total applications lodged	6,683	7,093	9,098	10,547	11,360	12,434	86%
<i>Civil - Immigration and Asylum</i>	4,342	4,609	6,648	8,147	8,757	9,445	118%
<i>Civil - other</i>	2,052	2,167	2,145	2,064	2,264	2,631	28%
<i>Criminal</i>	289	317	305	336	339	358	24%

Table 2: Volumes of judicial reviews revised in November 2013

	2007	2008	2009	2010*	2011	2012	Change 2007 2012 to 2012
Total applications lodged	6,683	7,093	9,098	10,549	11,360	12,434	86%
<i>Civil - Immigration and Asylum</i>	4,342	4,609	6,648	8,148	8,855	9,958	129%
<i>Civil - other</i>	2,052	2,167	2,145	2,065	2,166	2,118	3%
<i>Criminal</i>	289	317	305	336	339	358	24%

Table 3: Impact of revised figures in November 2013

	2007	2008	2009	2010*	2011	2012
Total applications lodged	0	0	0	2	0	0
<i>Civil - Immigration and Asylum</i>	0	0	0	1	98	513
<i>Civil - other</i>	0	0	0	1	-98	-513
<i>Criminal</i>	0	0	0	0	0	0

* Due to a technical issue the number of JRs in the tables undercounted by two cases. The underlying data is the supporting csv file was correct.

Figure 1: Impact of revised figures, 2007 - 2012



11. Alongside this we are publishing further time series information from 2000 to 2012 (table 4). This shows the longer term trend in judicial reviews, which by 2012 were nearly three times the volume they were in 2000 (from 4,200 in 2000 to 12,400 in 2012).

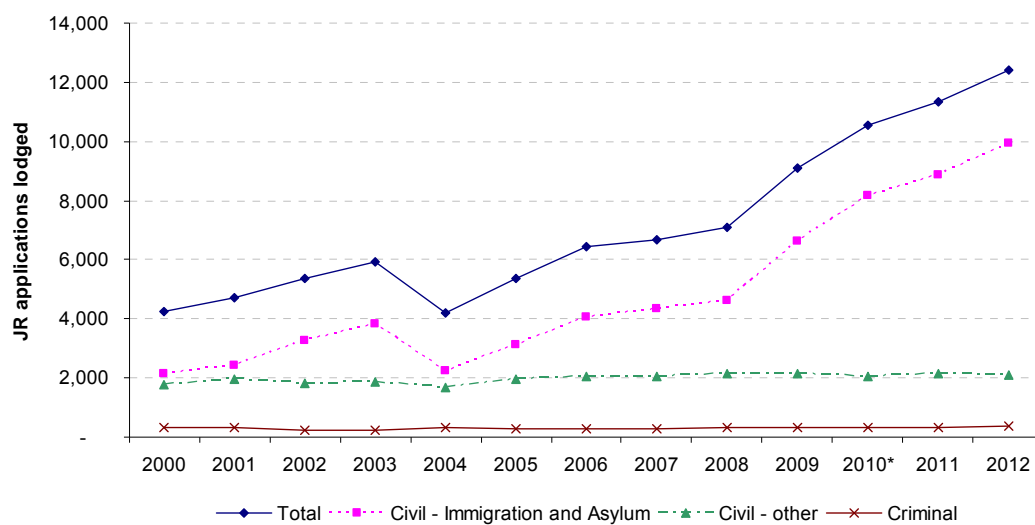
Table 4: Judicial Reviews lodged: 2000 to 2012

Year of application	Total judicial review applications lodged	Civil - Immigration and Asylum	Civil - other	Criminal
2000	4,238	2,150	1,752	336
2001	4,722	2,414	1,978	330
2002	5,371	3,280	1,841	250
2003	5,938	3,843	1,849	246
2004	4,199	2,219	1,676	304
2005	5,355	3,138	1,941	276
2006	6,422	4,067	2,069	286
2007	6,683	4,342	2,052	289
2008	7,093	4,609	2,167	317
2009	9,098	6,648	2,145	305
2010*	10,549	8,148	2,065	336
2011	11,360	8,855	2,166	339
2012	12,434	9,958	2,118	358

* Due to a technical issue the number of JRs in the tables undercounted by two cases. The underlying data in the supporting csv file was correct.

12. The growth in judicial reviews has mirrored the trend in civil (immigration and asylum) cases, which rose from 2,200 to nearly 10,000 between 2000 and 2012. The civil (other) cases rose 21% over the period, from 1,800 to 2,100. The criminal case rose 7% over the period.

Figure 2: Judicial Reviews lodged, 2007 – 2012



13. The dip in civil (immigration and asylum) cases in 2004 coincides with the introduction of statutory reviews. In 2003 a new jurisdiction was added by s101 of the Nationality Immigration and Asylum Act 2002¹ – a statutory review of decisions of the Immigration Appeal Tribunal as to whether or not to grant permission to appeal. This was removed in 2006.
14. We will explore this in more detail for our next publication.
15. Revised information on the progression of cases through the judicial review system will be published on the 19 December 2013. This will also include updated information from 2000 until September 2013. Please note as data is extracted from a live database, so there may also be some small update to the volume figures for 2007 onwards.

¹ <http://www.legislation.gov.uk/ukpga/2002/41/contents>

Contacts

The most recent publication on judicial reviews can be found in chapter four of Court Statistics Quarterly (January to March 2013)

www.gov.uk/government/publications/court-statistics-quarterly-jan-mar-2013

Information is also presented in a previous ad-hoc publication on judicial reviews.

www.gov.uk/government/publications/ad-hoc-statistical-releases

Enquires about the changes to these statistics should be directed to:

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General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: statistics.enquiries@justice.gsi.gov.uk

Other National Statistics publications, and general information about the official statistics system of the UK, are available from www.statistics.gov.uk

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Annex A: Topic list

There are two **TYPES** of Judicial review: Civil and Criminal. There are around 100 Judicial Review **TOPICS**. A number of judicial review topics can be of either the civil or criminal types (classified as 'both' below). Allocating topics is not an exact science. Users are advised this topic list is based on operational guidance. Types and Topics are allocated based on the best judgement of the clerk entering the data, and they can be changed by a case lawyer once the case progresses. Cases can contain elements of more than one topic; in these instances the case is allocated to the more prominent topic. The prominence of different elements of a case (and therefore the topic) can change during the course of a case.

As new laws are introduced and the policies and processes of public bodies evolve, new topics are introduced and old topics become obsolete.

The table below shows whether each topic comes under JR Civil, JR Criminal or both types². It also shows, for the JR Civil cases, whether the cases fall into the broader topic categories of JR Civil (other) or JR Civil (Immigration and Asylum).

The data used for judicial reviews is drawn from an administrative database and is therefore subject to human error regarding data entry. No work is done by MoJ Analytical Services to move cases from one type to another.

Topic (as classed by the court)	Type	Immigration and Asylum or other
Other	Civil	Other
Age Assessment	Civil	Other
Agriculture & Fisheries	Civil	Other
Animals	Both	Other
Anti Social Behaviour Order	Both	Other
Armed Forces	Both	Other
Asylum Fresh Claim	Civil	IA
Asylum Support	Civil	IA
Bail	Both	Both
Bind Over ³	Civil	Other
Broadcasting	Civil	Other
Bye-Laws	Civil	Other
Caravans and Gypsies	Civil	Other
Care Standards	Civil	Other
Care Proceedings ³	Civil	Other
Cart - Immigration	Civil	IA (re-classified in November 2013) ²
Cart - Other	Civil	Other
Cautions	Criminal	Other
Child Support	Civil	Other
Committal for Trial and for Sentence	Criminal	Other
Community Care	Civil	Other
Companies	Civil	Other

² Individual cases are assigned to either Civil or Criminal in the underlying data.

Topic (as classed by the court)	Type	Immigration and Asylum or other
Consumer Protection	Both	Other
Contempt	Civil	Other
Coroners	Civil	Other
Costs and Legal aid (Civil)	Civil	Other
Costs and Legal aid (Criminal)	Criminal	Other
County Court	Civil	Other
Criminal Cases Review Commission	Civil	Other
Criminal Fine Enforcement	Criminal	Other
Criminal Injuries Compensation Authority	Civil	Other
Criminal Law (General)	Criminal	Other
Crown Court	Both	Other
Custody Time Limits	Criminal	Other
Decision as to Prosecution	Criminal	Other
Disciplinary Bodies	Civil	Other
Drug Trafficking	Criminal	Other
E.C.	Civil	Other
Education	Civil	Other
Elections	Civil	Other
Employment	Civil	Other
Evidence	Criminal	Other
Extradition ¹	Criminal	IA
Extradition Part 1 ¹	Criminal	IA
Extradition Part 2 ¹	Criminal	IA
Family, Children and Young Persons	Civil	Other
Financial Penalties - Enforcement	Criminal	Other
Firearms	Both	Other
Food and Drugs	Both	Other
Freedom of Information	Civil	Other
Fresh Claim NOT Mandatory Transfer	Civil	IA (re-classified in November 2013) ²
Health and Safety	Both	Other
Highways	Both	Other
Homelessness	Civil	Other
Housing	Civil	Other
Housing Benefit	Both	Other
Human Rights Fresh Claim	Civil	IA (re-classified in November 2013) ²
Immigration Asylum Fresh Claim	Civil	IA
Immigration Asylum Only	Civil	IA
Immigration College Licensing	Civil	IA
Immigration Detention	Civil	IA
Immigration Legislation Validity	Civil	IA
Immigration Not Asylum	Civil	IA
Inquiries	Civil	Other

Revision of Judicial Review Figures

Topic (as classed by the court)	Type	Immigration and Asylum or other
Jurisdiction (Crown Office)	Civil	Other
Land	Civil	Other
Licensing	Both	Other
Local Government	Civil	Other
Magistrates Courts Procedure	Both	Other
Mental Health	Civil	Other
Naturalisation and Citizenship	Civil	IA
PACE	Criminal	Other
Parole	Civil	Other
Police (Civil)	Both	Other
Pollution	Both	Other
Prisons	Civil	Other
Prisons (not parole)	Civil	Other
Proceeds of Crime Act	Both	Other
Public Contract Regulations 2006	Civil	Other
Public Funding and Grants	Civil	Other
Public Health (Not Disciplinary matters)	Civil	Other
Public Order Act	Criminal	Other
Public Utilities (include OFTEL etc)	Civil	Other
Rates/Community Charge/Council Tax	Civil	Other
Registered Homes	Civil	Other
Road Traffic	Both	Other
Sentencing	Criminal	Other
Social Security	Civil	Other
Solicitors Disciplinary Appeal Tribunal	Civil	Other
Solicitors Regulation Authority	Civil	Other
Statutory Nuisance	Civil	Other
Tax	Civil	Other
Terrorism	Criminal	Other
Town and Country Planning	Civil	Other
Trade Descriptions	Criminal	Other
Trade and Industry	Civil	Other
Transport - Not RTA	Civil	Other
VAT	Civil	Other
Valuation Tribunal Appeals	Civil	Other
Vexatious Litigants	Civil	Other
Welsh Devolution Issues	Civil	Other

1. Can be Statutory Appeals as well as Judicial Reviews. Data used in the publication is Judicial Reviews only.
2. These topics were re-allocated from Civil (Other) to Civil (Immigration and Asylum)
3. New topics identified in the 2000-2006 data