

## Overview of JRs handled by OAG

| Home Office JRs | JR petitions | Reclaiming motions (merits appeals) | UKSC             | Oral Permission Hearings   | Reclaiming motions (refusal of permission appeals) |
|-----------------|--------------|-------------------------------------|------------------|----------------------------|--|
| 2013            | 233          | Data unavailable                    | Data unavailable | Data unavailable           | Data unavailable                                   |
| 2014            | 311          | Data unavailable                    | Data unavailable | Data unavailable           | Data unavailable                                   |
| 2015            | 406          | 13                                  | 0                | 11                         | 0  |
| 2016            | 292          | 12                                  | 11               | 81 (incl reviews on paper) | 8  |
| 2017            | 239          | 12                                  | 3                | 23                         | 7  |
| 2018            | 322          | 7                                   | 0                | 32                         | 3  |
| 2019            | 269          | 3                                   | 1                | 87                         | 26   |
| 2020(to 30/9)   | 153          | 3                                   |                  | 60                         | 18   |

### Home Office

This table shows that in 2015 OAG received a very high number of petitions for review challenging Home Office decisions. This was caused by the introduction of a 3 month time limit and permission stage in November 2015. Prior to that no time limit for judicial reviews existed in Scotland, nor was permission required. This led to a last minute rush of petitions to ensure they were raised within three months of the decision challenged.

Thereafter between 2016 & 2019 OAG received on average 280 judicial review petitions per annum challenging Home Office decisions. The petitions were generally wide ranging but have reflected similar trends to England and Wales (Dublin Convention, English language testing, Eba/Cart, fresh representations).

Most noticeable in the last 2 years is the significant increase in oral permission hearings and the number of refusals of permission reclaimed (appealed) in Home Office cases.

### Other Departments

With regard to judicial review petitions for other departments, a list which contains most of these can be found on the Office of the Advocate General website – <https://www.gov.uk/government/publications/involvement-in-cases>

OAG conducted 5 judicial reviews on behalf of HMRC since 2016, and over the last 2 years has conducted around 18 judicial reviews on behalf of departments other than Home Office/HMRC. They have covered a wide range of topics and have included a number of constitutional challenges. More detail in relation to these can be provided if required.