

## Judicial Review in Immigration

**Researcher name and institution:**

Robert Thomas,  
University of  
Manchester

Joe Tomlinson,  
University of Sheffield



**Funding mode/funder:**

Nuffield Foundation

**Start and End date:**

October 2017-January 2019

**1. Brief summary of what the research is about.**

This project asks: how is the system of immigration judicial review operating in practice? The 16,000 immigration judicial reviews lodged each year are pushing at the limit of what the judicial system can cope with. However, policy-makers lack a detailed understanding of this area of litigation. We urgently need to know:

- What specific types and categories of immigration judicial reviews are lodged and why?
- What are the views and experiences of users and representatives?
- What proportion of these challenges could be resolved more effectively through an alternative dispute resolution model?

	<ul style="list-style-type: none"> <li>• What are the options for an alternative approach and how could they be modelled?</li> </ul> <p>The Ministry of Justice and HM Courts and Tribunals Service have encouraged us to undertake this research. The advice sector also wants to see research into immigration judicial reviews. With their support, this project will fill this gap. It will collect and analyse data on:</p> <ul style="list-style-type: none"> <li>• the types of immigration judicial reviews lodged and their outcomes;</li> <li>• the drivers of such litigation as well as litigant motivation and behaviour and their experiences of the system; and</li> <li>• alternative approaches to dispute resolution and system costs.</li> </ul> <p>Data will be collected from a sample of case-files and interviews with representatives, judges, and officials. The project will provide a robust evidence base and frame policy recommendations. It will provide important insights into how this dispute procedure operates in practice and the feasible alternatives. An advisory group will involve policy-makers in research design and enhance the project's impact.</p>
<b>2. What are the research questions?</b>	See above
<b>3. What, if any, outputs so far?</b>	None
<b>4. What outputs are planned?</b>	A research report, blogs and journal papers
<b>5. What is the anticipated impact?</b>	An in-depth understanding of how immigration judicial reviews are operating in practice and policy recommendations.

<b>6. Comments / additional information / requests for data or input from the broader administrative justice community</b>	
--	--