

Judicial Review Update:

April 2014 - Issue 1

1. R (EM (Eritrea)) v SSHD [2014] 2 WLR 409; [2014] UKSC 12

Immigration Law

19.2.14 Lord Neuberger of Abbotsbury PSC, Lord Kerr of Tonaghmore*, Lord Carnwath, Lord Toulson, Lord Hodge JJSC

Presumption rebuttable (without evidence of systemic failures) that EU states comply with obligations to asylum seekers.

2. Regina (Gray and Another) v Crown Court at Aylesbury [2014] 1 WLR 818; [2013] C.T.L.C. 157; [2013] A.C.D. 64; [2013] EWHC 500 Admin

Criminal law

12.3.13 Toulson LJ*, Silber J*

- a) Are costs disproportionate to a fine permitted? Yes
- b) Should costs be divided equally amongst defendants? No.

3. Regina (JB (Jamaica)) v SSHD [2014] 1 WLR 836; [2013] EWCA Civ 666

Immigration Law

12.6.13 Moore-Bick*, Black*LJJ, Sir Malcolm Pill*
Could SSHD designate Jamaica a safe country for homosexuals? No.

4. Regina (Khan) v SSFCA [2014] 1 WLR 872; [2014] EWCA Civ 24

Immigration Law

20.1.14

Lord Dyson MR*, Laws, Elias LJJ

To judge the acts of foreign states requires exceptional circumstances.

5. San Vicente and Another v SSCLG and Others [2014] 1 WLR 966; [2014] 1 P. & C.R. 7; [2013] EWCA Civ 817

Planning Law

5.7.13

Lloyd*, Jackson, Beatson* LJJ

To amend claims under s.288 TCPA 1990 cite CPR r 17.1 not 17.4.

6. Regina (British Sky Broadcasting Limited) v Central Criminal Court (B and Another Intervening) [2014] 2 WLR 558; [2014] UKSC 17

Criminal Law

12.3.14

Baronnes Hale of Richmond DPSC, Lord Kerr of Tonaghmore, Lord Reed, Lord Hughes, Lord Toulson* JJSC
No secret evidence during inter partes production order applications (PACE 1984 Sch1 para 4)



KCH Garden Square is the largest set of chambers in the East Midlands. Our Public Law team consists of highly experienced advocates with wide ranging expertise, covering the whole spectrum of legal areas through Family, Civil and Crime. We can advise on your Judicial Review case from initial assessment right through to court hearings.

Our team are committed to ensuring the untapped reserve of local JR cases can be brought before the Administrative Courts of the regions. There is no longer any incentive to bring cases at the RCJ in London; it will now be swifter and more cost effective to have the cases dealt with in the city in which they arise.



Iain Goldrein QC

Iain is Queen's Counsel, specialising in Civil and Family work with a particular interest in Judicial Review. He sits as a Deputy High Court Judge, is a qualified mediator and he broke the mould of legal writing, having published major practitioner manuals in the fields in which he practice; most of his books are forwarded by senior members of the judiciary.



Sam Skinner

Sam is a specialist civil practitioner, and one of the Attorney General's Panel of Counsel for the Regions. He has a specific interest in judicial review cases and appears regularly for claimants and the Government in the Administrative Court throughout England and Wales.