

Her Majesty's Courts Service
Customer Service Unit
5th Floor
Clive House
Petty France
London SW1H 9EX

CH/

3 October 2007

Dear Sirs

Delays in the Administrative Court

As you may know the Public Law Project, "PLP", is a national legal charity which aims to improve access to public law remedies. For this reason we are particularly concerned about access to justice in the Administrative Court.

Over the last year or so, we have become aware of increasing delays in the consideration of cases in the Administrative Court. The delays appear to arise at every stage, from the initial consideration of the papers, to oral permission applications and through to the listing of substantive cases. These delays are causing real and significant problems for Claimants, many of whom are either effectively being denied remedies, or are being put in a situation where they are suffering serious detriment.

For these reason, PLP is keen to have more information about the nature of the delays that are occurring, the causes of those delays and what steps HM Courts Service is taking to address the problem. We would therefore ask to be provided with the following information, set out below:

1. The average and the median length of time in 2005, 2006 and so far in 2007 between:
 - a. An application for judicial review and a decision on the papers;
 - b. A refusal of permission on the papers and the determination of any renewed application for permission;
 - c. The grant of permission and the substantive hearing;
 - d. A full claim for judicial review from the lodging of an application for judicial review to the substantive decision

We would like this information both for all cases and specifically for those cases where expedition was not granted.

2. The number of judges who have sat in the Administrative Court in each of those years.
3. The total number of sitting days for all the judges in the Administrative Court in each of those years.
4. The mechanism for allocating finance to the Administrative Court, and between the other parts of the High Court.
5. The amount of the funding allocation to the Administrative Court for each of those years.
6. Any steps that HM Courts Service has taken to reduce the delays and any plans you have in this regard. Two potential solutions appear to be to use more judges within the Administrative Court and to use more Deputy Judges. We would like to be informed as to whether either of these steps has been considered, and whether they are to be implemented.
7. Any relevant reports which you have generated or received on this issue, and any spreadsheets or other sources of statistical information relevant to the issue.

Please could you treat this as a request for information under the Freedom of Information Act 2000. I note that it was previously the Court's practice to publish much of the above information in its newsletters. However, this practice appears to have ceased in November 2004. Since then, no figures have been published, although the Court's newsletters contain numerous comments expressing concern as to the great increase in the Court's workload.

I am as a matter of courtesy copying this letter to the Lead Judge of the Administrative Court.

I look forward to receiving the above information within 20 working days.

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