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Your ref:
Our ref: Z2010963/LBV/JD5

9 November 2020

Dear Mr White

Terrence WHITE & Benjamin GARRETT v SECRETARY OF STATE FOR JUSTICE: CO/3650/2020

We enclose, by way of service, the following documents, filed with the Administrative Court today:

1. Acknowledgement of Service;
2. Summary Grounds of Resistance; and
3. Schedule of Costs.

Yours sincerely

Lisa Vincent
For the Treasury Solicitor

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Gilad Segal - Head of Division
Nic Newling / Sally Lister - Deputy Directors, Team Leaders MOJ, Public Law



N462

Judicial Review Acknowledgment of Service

Name and address of person to be served

name
1) Terrence White 2) Benjamin Garrett

address
1) 70 Avebury Avenue, Tonbridge, TN9 1TQ 2) 180 Charles Street, Dartford, Kent, DA

In the High Court of Justice Administrative Court	
Claim No.	C0/3650/2020
Claimant(s) <i>(including ref.)</i>	Terrence White and Benjamin Garrett
Defendant(s)	LORD CHANCELLOR AND SECRETARY OF STATE FOR JUSTICE Ref: Z2010963/LBV/JD5
Interested Parties	

SECTION A

Tick the appropriate box

- I intend to contest all of the claim.
- I intend to contest part of the claim.
- I do not intend to contest the claim.
- The defendant (interested party) is a court or tribunal and **intends** to make a submission.
- The defendant (interested party) is a court or tribunal and **does not intend** to make a submission.
- The applicant has indicated that this is a claim to which the Aarhus Convention applies.
- The **Defendant** asks the Court to consider whether the outcome for the claimant would have been **substantially different** if the conduct complained of had not occurred. [see s.31(3C) of the Senior Courts Act 1981]

- } Complete sections B, C, D and F
- Complete section F
- Complete sections B, C and F
- Complete sections B and F
- Complete sections E and F
- A summary of the grounds for that request must be set out/in accompany this Acknowledgement of Service

Note: If the application seeks to judicially review the decision of a court or tribunal, the court or tribunal need only provide the Administrative Court with as much evidence as it can about the decision to help the Administrative Court perform its judicial function.

SECTION B

Insert the name and address of any person you consider should be added as an interested party.

name		name	
address		address	
Telephone no.	Fax no.	Telephone no.	Fax no.
E-mail address		E-mail address	

SECTION C

Summary of grounds for contesting the claim. If you are contesting only part of the claim, set out which part before you give your grounds for contesting it. If you are a court or tribunal filing a submission, please indicate that this is the case.

Please see attached grounds

SECTION D

Give details of any directions you will be asking the court to make, or tick the box to indicate that a separate application notice is attached.

The Defendant requests the following directions:

1. That permission be refused and the claim marked as totally without merit; and
2. If permission to apply for Judicial Review is refused, the Defendant applies for the costs of considering this claim and preparing and filing the Acknowledgment of Service in the sum set out in the attached Schedule of Costs.

If you are seeking a direction that this matter be heard at an Administrative Court venue other than that at which this claim was issued, you should complete, lodge and serve on all other parties Form N464 with this acknowledgment of service.

SECTION E

Response to the claimant's contention that the claim is an Aarhus claim.

Do you deny that the claim is an Aarhus Convention claim? Yes No

If Yes, please set out your grounds for denial in the box below.

SECTION F

*delete as appropriate

The Defendant believes that the facts stated in this Acknowledgment of Service are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

(if signing on behalf of a firm or company, court or tribunal)

Position or office held
Lawyer

(To be signed by you or by your solicitor or litigation friend)

Signed
Lisa Vincent



Date
09/11/2020

Give an address to which notices about this case can be sent to you.

If you have instructed counsel, please give their name address and contact details below.

name Lisa Vincent	
Address Government Legal Department 102 Petty France London SW1H 9GL	
Telephone no. 020 7210 3068	Fax no. 020 7210 3433
E-mail address Lisa.Vincent@governmentlegal.gov.uk	

name Sarah Hannett	
address Matrix Chambers Griffin Building Gray's Inn London WC1R 5LN	
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GaryCollins@matrixlaw.co.uk	

Completed forms, together with a copy, should be lodged with the Administrative Court Office (court address, over the page), at which this claim was issued within 21 days of service of the claim upon you, and further copies should be served on the Claimant(s), any other Defendant(s) and any interested parties within 7 days of lodgement with the Court.

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

BETWEEN:

THE QUEEN
(on the application of
(1) TERRENCE WHITE
(2) BENJAMIN GARRETT)

Claimants

-and-

THE LORD CHANCELLOR

Defendant

SUMMARY GROUNDS
FOR RESISTING THE CLAIM

References: [SoG/X] is to paragraphs in the Claimants' Statement of Grounds (undated); [SoF/X] is to paragraphs in the Claimants' Statement of Facts (undated); [FR/X] is to pages in the Report; [LR/X] is to pages in the Literature Review; [CE/X] is to pages in the Call for Evidence; [IP/X] is to pages in the Implementation Plan.

Essential reading: *Assessing Risk of Harm to Children and Parents in Private Law Children Cases Final Report* pages 1 – 24;
Assessing Risk of Harm to Children and Parents in Private Law Children Cases: Implementation Plan

I. Introduction

1. On 25 June 2020 the Lord Chancellor and Secretary of State for Justice (hereinafter referred to as "**the Lord Chancellor**") published a report of an expert panel, "*Assessing Risk of Harm to Children and Parents in Private Law Children Cases Final Report*" ("**the Report**").
2. The Report sets out to provide an understanding of how effectively the family courts identify and respond to allegations of domestic abuse and other serious offences in private law children proceedings. It makes findings in relation to both the processes and

the outcomes for parties and children involved in such proceedings, drawing conclusions from individual submissions from those with personal experience in private law children proceedings (including victims of domestic abuse). The Report makes several recommendations for improvements to be made to the family justice system. The Report states expressly that it is not a statement of government policy [FR/13].

3. At the same time, the Lord Chancellor published research by Dr Adrienne Barnett that had informed the Report, *“Domestic abuse and private law children cases: A literature review”* (2020) (**“the Literature Review”**). Further, the Lord Chancellor published an implementation plan, *“Assessing Risk of Harm to Children and Parents in Private Law Children Cases: Implementation Plan”* (June 2020) (**“the Implementation Plan”**). The Implementation Plan sets out the initial steps the Lord Chancellor propose to take in response to the Report.
4. The Claimants, Terrence White and Benjamin Garrett, are, or have been, involved in private law children proceedings. They apply for permission to seek judicial review of the following decisions:
 - (i) The publication of the Report, the Literature Review and the Implementation Plan; and
 - (ii) The purported commitment to implement the Report.
5. For the reasons set out below, the claim is unarguable, permission should be refused and the claim should be marked as totally without merit. Specifically:
 - (i) The publication of the Report is not a decision that is amenable to judicial review.
 - (ii) Whilst the Implementation Plan is, in principle, amenable to judicial review, the Claimants do not identify any matters in the Implementation Plan that are alleged to be unlawful. Alternatively any such claim is premature.
 - (iii) In any event all the grounds advanced by the Claimants are plainly unarguable.
6. The Claim Form identifies the defendants as the Lord Chancellor and the Ministry of Justice. The correct defendant to the claim is the Lord Chancellor.

II. Factual background

7. On 21 May 2019 the Lord Chancellor announced a public call for evidence to be steered by a panel of experts from across the family justice system: *Call for Evidence: Assessing risk of harm, to children and parents in private law children cases* (**“the Call for Evidence”**). It aimed to gather evidence on how the family courts protect children and parents in private law cases concerning domestic abuse and other serious offences. The aim of the work was to better understand the experiences of those involved in such proceedings,

identify any systemic issues and to build a more robust evidence base to inform improvements.

8. The Call for Evidence ran from 19 July to 27 August 2019. The Call for Evidence was open to *“any person or organisation who [could] offer insight or evidence based on their personal or professional experiences”* [CE/iii]. It received 1,115 useable responses from individuals and organisations across England and Wales [FR/para. 2.2.2].
9. The Panel also held three roundtable events: (i) in London with members of the judiciary, (ii) in London, with a broader range of practitioners, including those working in social care, domestic abuse support services, the third sector, Cafcass, the legal sector and other relevant services in England; and (iii) in Cardiff, with a broad range of practitioners and professionals from across family justice in Wales, including legal professionals, Cafcass Cymru, domestic abuse support services and men’s support services. Further, the Panel held ten focus groups across England and Wales. Sessions were held with mothers who had been involved in private family law proceedings as victims of domestic abuse and other serious offences including a session specifically for women of BAME backgrounds.
10. To aid the work of the panel, the Lord Chancellor commissioned the Literature Review, namely a review of the literature on the risk to children and parents involved in private law cases of domestic abuse and other serious offences. The Literature Review explains the quality assurance undertaken, namely by searching only for peer-reviewed literature and practice-based research undertaken by or with academic researchers for nationally and internationally recognised organisations (paragraph 3.1). The Literature Review identified and reviewed 44 peer reviewed academic journals, articles or books and 39 reports. Nevertheless, the Literature Review also explains and acknowledges the limitations on the research undertaken (paragraph 3.2).
11. The evidence was considered by an expert panel. The panel included members of the judiciary, MOJ representatives, the Chief Social Worker for England (Children and Families), and representatives from organisations with relevant expertise such as the Association of Lawyers for Children, Women’s Aid, and Respect [FR/2]. The Report recognised that it had some evidential limitations [FR/21 -23]. For example, the report recommended that there be further quantitative data collection and analysis [FR/186-187]. The panel’s analysis informed the Report’s findings and recommendations.
12. The Report’s introduction from the joint chairs provides *“the below findings should not be read as an indication of MOJ or wider government policy”* [FR/13]. The Literature

Review has a similar statement on its imprint page, “the views expressed are those of the authors and are not necessarily shared by the Ministry of Justice (nor do they represent government policy)”. The Implementation Plan sets out the Lord Chancellor’s response to the Report, including some policy changes. It does not address, or implement, the entirety of the Report.

III. Response: Preliminary Issues

13. The Lord Chancellor’s primary position is that permission should be refused on grounds of amenability (in respect of the Report) and prematurity (in respect of the Implementation Plan).

(a) *Amenability*

14. Judicial review is concerned with decisions which have substantive legal consequences (see, for example, *R (Shrewsbury and Atcham Borough Council) v. Secretary of State for Communities and Local Government* [2008] EWCA Civ 148; [2008] 3 All ER 548 at [32]-[33]). The Report is not a policy statement. It does not have any legal effect. It is not a preparatory step to any identified future decision, nor does it oblige the Lord Chancellor to take any particular step. The same points apply with to the Literature Review. The decision to publish either document is therefore not a decision which is amenable to judicial review. Insofar as the claim relates to the Report or the Literature Review, that is a complete answer to this application.
15. The Claimants’ reliance on *R (on the application of Hillingdon LBC) v. Secretary of State for Transport* [2010] EWHC 626 (Admin) [SoF/18-24] is misplaced. The relevant part of that case considered the amenability of policy statements which were preparatory to statutory authorisation for the construction of a third runway at Heathrow. Ouseley J held that the documents challenged in that case were amenable to judicial review, but in a limited manner. He noted that the relevant statements were “high level” and preliminary and, as such, “any grounds of challenge at this stage need to be seen in the context, not of an individual decision or act, but of a continuing process towards the eventual goal of statutory authorisation” [69]. He noted that alleged flaws were unlikely to require the intervention of the court if they could be put right at a later stage. He contrasted this with “show-stoppers”, namely “a policy or factual consideration which makes the proposal so obviously unacceptable that the only rational course would be to abort it altogether without further ado” [69].
16. There is no such “show-stopper” in this case. Rather, and as explained in the Implementation Plan, almost all of the recommendations made in the Report will be subject to further trial or pilot before being adopted. Some of the recommendations,

including that of the presumption of parental involvement, would require primary legislation to alter (on which, see below).

(b Prematurity

17. The Lord Chancellor accepts in principle that the publication of the Implementation Plan is a decision amenable to judicial review. However, the Claimants do not seek to challenge any aspect of the Implementation Plan. To the extent that the Claimants seek to review the panel's recommendation that the presumption of parental involvement (section 1 (2A) of the Children Act 1989 ("**the CA 1989**")) should be reviewed, any such challenge is premature. The Implementation Plan commits to undertake a review of the presumption but does not commit to any changes. Indeed, it recognises that there is further work to do to investigate how the balance of competing rights should be struck [IP/4 - 5].

IV. Substantive Response to Grounds of Review

18. The substantive grounds of judicial review are all, in any event, unarguable for the following reasons.

(a) Ground one: illegality per the Constitutional Reform Act 2005

19. The Claimants contend that the Report seeks to influence the outcomes of private law family proceedings and, as a result, undermines judicial independence contrary to section 3 of the Constitutional Reform Act 2005.
20. This ground is unarguable. Private family law proceedings are resolved according to the relevant law and evidence before the particular court. The Report cannot and does not alter that position. The publication of the Report does not arguably undermine judicial independence.

(b) Ground two: breach of EU law

21. The Claimants contend that the report breaches EU law by stating that there is "*no automatic right to contact between a parent and child*" [FR/26]. The Claimants say this statement is in breach of Article 24 of the EU Charter of Fundamental Rights ("**the Charter**").
22. This ground is unarguable. The Charter is not applicable, since it applies only within the scope of EU law (i.e. it only applies to Member States in their implementation of EU law), and the relevant areas of family law are not a matter of EU law but rather domestic law.

23. In any event, the Report is not a statement of the law, it is not capable of changing the law, nor is it a basis on which the UK government could be said to violate EU law. Statements in the Report have no effect on the UK's implementation of EU law.
24. In any event, the Report does not misstate the law. There is no automatic right to parental contact. A child's welfare is paramount under section 1 of the CA 1989; and in respect of family law proceedings involving contact matters, there is a presumption in section 1(2A) of the CA 1989 which directs the Court to presume that parental involvement, where that parent falls within section 1(6)(a), will further the child's welfare. A parent falls within section 1(6)(a) if that parent can be involved in the child's life in a way that does not put the child at risk of suffering harm. By section 1(6)(b), a parent falls within the section 1(6)(a) unless there is evidence that parental involvement would put the child at risk. These provisions are consistent with the qualified right to family life afforded by Article 8 of the European Convention on Human Rights.

(c) Ground three: breach of Article 8 and/or Article 6

25. The Claimants contend, first, that the Lord Chancellor has "*acted in a way that is incompatible with its Article 8 obligations to diligently undertake its policy formation and implementation in an area concerning a child's contact and relationship with her parents.*" [SoG/12].
26. The Claimants rely on *Piscia v. The Republic of Moldova* [2019] ECHR 779 to establish that Article 8 requires "*exceptional diligence*" in this context. The Claimants complain of insufficient diligence in the public call for evidence, the Literature Review, the constitution of the panel, and in "*the process overall*" [SoF/44-46].
27. *Piscia* does not assist the Claimants. *Piscia* establishes that the state must show exceptional diligence in specific cases concerning a person's relationship with their child (see *Piscia* [66]). The key question is whether "*the domestic authorities have taken all necessary steps to facilitate contact that can reasonably be demanded in the special circumstances of each case*" (see [64]). This relates to state conduct in specific cases. It does not extend to what is required of the state in publicising research reports about family law proceedings.
28. The Claimants' complaints do not sufficiently relate to family life to engage Article 8. They are mere disagreements with the evidence collection and analysis process used by the panel. Article 8 does not require the Lord Chancellor to use a particular method of evidence collection or quality assurance.

29. The Claimants contend, second, that “*in the determination of civil rights, the Defendant failed to establish an ‘impartial tribunal established by law’*” as required by Article 6 [SoG/13]. This ground is plainly misconceived. The Claimants do not identify any relevant civil right, nor could they since the publication of the Report has no legal consequences.

(d) Ground four: unacceptable risk of systemic unfairness

30. The Claimants contend that the Report gives rise to an unacceptable risk of systemic unfairness [SoG/15-18]. To establish this, the Claimants must show that: (i) there is a policy or system, (ii) there is more than the possibility of aberrant decisions and unfairness in individual decisions (iii) the unfairness is inherent in the policy itself (iv) the system does not have capacity to react appropriately to ensure fairness and (v) the irreducible minimum of fairness is not respected by the policy. The threshold for showing unfairness is high. (*R (Detention Action v First Tier Tribunal (Immigration and Asylum Chamber)*) [2015] EWCA Civ 840; [2015] 1 WLR 5341 at [27]).

31. The Claimants’ case does not meet any of these requirements. There is no relevant policy or system. The Claimants cannot identify any concrete examples of unfairness that have any relation to the Report. That is because the Report does not influence individual decisions, let alone render such decisions systemically unfair.

(e) Ground five: ‘defective reasoning’

32. The Claimants contend that the report failed to “*properly consider and balance relevant considerations*” and made conclusions based on “*errors of fact*” [SoG/19].

33. Disagreement with the weight given to relevant considerations and the factual conclusions reached is not, absent irrationality, a ground for judicial review. Weight is a matter for the decision maker (*Secretary of State for the Home Department v. AP* [2010] UKSC 24; [2011] 2 AC 1 at [12]).

34. The Literature Review was conducted by academic members of the Lord Chancellor’s panel of experts [LR/13]. It considered a wide range of quality assured evidence from multiple sources [LR/141-163]. Other evidence was collected from parents, service providers, former children, organisations, and legal practitioners. The Claimants’ complaints about the types of evidence relied on do not give rise to legal error. The panel was aware of the Report’s evidential limitations [FR/21-22] when the recommendations were made. The recommendations do not extend beyond that which the evidence could rationally justify. The Claimants’ reference to anxious scrutiny [SoE/31-32] is misplaced. The Claimants do not identify relevant fundamental right to which such anxious scrutiny could attach.

(f) Ground six: procedural fairness, bias, and pre-determination

35. The Claimants contend, first, that the panel failed to operate with procedural fairness [SoG/27]. The Claimants' case on procedural fairness amounts to saying (i) the call for evidence was unfair because it asked for responses from people with particular experience, and (ii) the call for evidence amounted to a consultation, which was not done fairly.
36. The call for evidence was a preparatory step to inform the panel's recommendations as to any future policy developments. It did not amount to consultation on particular proposals. As set out above, the call for evidence sought a range of views from those with experience or expertise. The Lord Chancellor was "*particularly keen to receive evidence of any harm caused to children and/or parents during or following private law children proceedings.*" [CE/4]. The criterion applied was therefore one of relevance. All respondents had an equal opportunity to submit evidence. There was an additional comments box for any respondent who felt their perspective would not be adequately captured by the questions [CE/15]. The process did not preclude anyone with relevant views from taking part.
37. The Claimants contend, second, that the decision was tainted by actual and apparent bias. The Claimants complain that the Lord Chancellor failed to counteract "*confirmation bias and groupthink*" and that the constituency of the panel members and choice of the Literature Review author created the real possibility of bias.
38. Actual bias arises whereby the decision maker is either influenced by partiality or prejudice, or is actually prejudiced (*In re Medicaments and Related Classes of Goods (No.2)* [2001] ICR 564 at [38]). The test for apparent bias is whether a fair minded and informed observer, having considered the facts, would conclude that there was a real possibility of bias (*Magill v. Porter* [2001] UKHL 67; [2002] 2 AC 357 per Lord Hope at [103]).
39. The Claimants contend that the inclusion of "*2 single-gendered advocacy groups...without appropriate countervailing balance*" and "*an ideological weighting towards feminism*" rendered the panel actually or apparently biased. Neither argument is correct. The panel included representatives from both Respect and Women's Aid. The panel collected evidence from both fathers and mothers. The sex of individuals on the panel is not relevant (see *Locabail (UK) Ltd v. Bayfield Properties Ltd* [1999] EWCA Civ 3004; [2000] QB 451 at [25]). The examples of 'bias' given by the Claimants [SoF/57] are merely disagreements with the conclusions reached on the evidence before the panel. They do not amount to legal error.

40. The Claimants contend, third, that the report was tainted by predetermination in two ways. First, that the panel's choice to primarily rely on qualitative rather than quantitative data was a "*mere exercise in symbolic reassurance*" [SoF/23(d)]. Second, they contend the Dr Barnett, the author of the Literature Review, was "*immune to contrary argument*" on the ground that she wrote an article for Women's Aid in April 2020 on parental alienation [SoF/56].
41. The test is whether a fair-minded and informed observer, knowing the facts, would think that there was a real possibility that the decision-maker had predetermined the decision (*R (Lewis) v. Redcar and Cleveland BC* [2008] EWCA Civ 746; [2009] 1 WLR 83 at [68]).
42. An informed observer would plainly not think there had been a real possibility of predetermination. The panel's choice to rely primarily on qualitative data is explained in the report [FR/21-23]. The description of how the panel went about their work [FR/20] makes it clear that there were differing views within the panel and no conclusions were pre-determined. Further, Dr Barnett is an academic with relevant expertise. That she has expressed views on parental alienation does not indicate she was immune to contrary argument. Indeed, the Literature Review makes clear that she considered at least five different studies on parental alienation [LR/129-137].

(g) Ground seven: failure to take into account relevant considerations

43. The Claimants contend that the Report fails to consider factors such as harm to children from non-contact, parental alienation, non-molestation orders, and false allegations. This is incorrect. Consideration of such issues can be found both in the Report, see examples [FR/49-53; 78 - 79; 104-105; 135; 158-60] and in the Literature Review, see examples [LR/49-53; 59-62; 65-70].

V. Other Applications/Procedural Issues

(a) Interim relief

44. The Claimants seek interim relief in the form of a mandatory order to (i) withdraw the publication and (ii) "*undertake all reasonable efforts to ensure that Cafcass officers, the judiciary and family lawyers are made aware of the withdrawal and of the existing right of the child to direct contact with both their parents.*" The Claimants do not make any additional submissions on interim relief.
45. Applications for interim relief against public authorities are governed by the modified *American Cyanamid* principles as set out in *R (Medical Justice) v. Secretary of State for the*

Home Department [2010] EWHC 1425 (Admin) at [6]. The Claimants must demonstrate they have a real prospect of succeeding at trial. If they do, the court will then consider the balance of convenience. There is a strong public interest in permitting public authorities to carry on applying lawful policies. This public interest cannot be measured simply in terms of financial or individual consequences to the parties (see *Medical Justice* at [12]).

46. The Claimants do not have a real prospect of success for the reasons set out above. Although there is no policy in this case, there is public interest in the continued publication of the Report and the work being done to consider its implementation. The Claimants would derive no benefit from the Report's withdrawal. The balance of convenience favours the Lord Chancellor.

(b) Costs capping order

47. The Claimants apply for a Costs Capping Order ("CCO") to the value of £0 (see the Claim Form at section 8). It is not clear whether this is proposed to be a mutual cap of £0.
48. The test to be applied in making a CCO is contained in the Criminal Justice and Courts Act 2015 ("**the 2015 Act**"). Section 88(6) provides that the court may only make such an order if it is satisfied that "*(a) the proceedings are public interest proceedings, (b) in the absence of the order, the applicant for judicial review would withdraw the application for judicial review or cease to participate in the proceedings, and (c) it would be reasonable for the applicant for judicial review to do so.*"
49. Section 88(7) provides that proceedings are "*public interest proceedings*" only if "*(a) an issue that is the subject of the proceedings is of general public importance, (b) the public interest requires the issue to be resolved, and (c) the proceedings are likely to provide an appropriate means of resolving it.*"
50. An application for a CCO must be supported by evidence setting out why it should be made, a summary of the claimant's financial resources, and costs which the claimant considers the parties are likely to incur (CPR 46.17 (1) (b)).
51. The Lord Chancellor opposes the application for a CCO. The claim does not contain an issue of general public importance. Further, the Claimants have failed to provide any supporting evidence, financial or otherwise. Accordingly, the Court cannot be satisfied that in absence of the CCO the Claimants would withdraw the application, or that it would be reasonable for the Claimants to do so. A CCO should therefore be refused.

(c) Limitation

52. The Lord Chancellor does not oppose an extension of time to allow the Claimants to bring the claim.

VI. Conclusion

53. Permission should be refused for the reasons set out above. The Lord Chancellor also seeks an order that the Claimants pay his costs of preparing the Acknowledgement of Service, to be summarily assessed.

Sarah Hannett
Matrix
9 November 2020

**Statement of Costs
(summary assessment)**

In the High Court of Justice	
Administrative Court	
Case Reference	CO/3650/2020

Judge/Master

Case Title Terence White & Ors v The Secretary of State for Justice

[Party]'s Statement of Costs for the hearing on (date) (interim application/fast track trial)

Description of fee earners	Rate
(a) (Lisa Vincent) (grade 7) (£170 per hour)	Grade 7 & Legal Officer post-1st April 2017 £170.00

Attendances on (party)

Personal Attendances

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Letters out/Emails

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	

(i) (number)

hours at £

£

Telephone

(a) (number)	0.4	hours at £	170.00	£	68.00
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Attendances on opponents (including negotiations)

Personal Attendances

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Letters out/Emails

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Telephone

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Attendances on others:

Personal Attendances

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Letters out/Emails

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Telephone

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Site Inspections etc.

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

Work done on documents, as set out in schedule:

£680.00

Attendance at hearing:

(a) (number)		hours at £		£	
(b) (number)		hours at £		£	
(c) (number)		hours at £		£	
(d) (number)		hours at £		£	
(e) (number)		hours at £		£	
(f) (number)		hours at £		£	
(g) (number)		hours at £		£	
(h) (number)		hours at £		£	
(i) (number)		hours at £		£	

(e) Fixed Costs

£

(a) (number)		hours travel and waiting time £		£	
(b) (number)		hours travel and waiting time £		£	
(c) (number)		hours travel and waiting time £		£	
(d) (number)		hours travel and waiting time £		£	
(e) (number)		hours travel and waiting time £		£	
(f) (number)		hours travel and waiting time £		£	
(g) (number)		hours travel and waiting time £		£	
(h) (number)		hours travel and waiting time £		£	
(i) (number)		hours travel and waiting time £		£	

Sub Total £

£748.00

* 4 grades of fee earner are suggested:

(A) Solicitors with over eight years post qualification experience including at least eight years litigation experience.

(B) Solicitors and legal executives with over four years post qualification experience including at least four years litigation experience.

(C) Other solicitors and legal executives and fee earners of equivalent experience.

(D) Trainee solicitors, para legals and other fee earners.

“Legal Executive” means a Fellow of the Institute of Legal Executives. Those who are not Fellows of the Institute are not entitled to call themselves legal executives and in principle are therefore not entitled to the same hourly rate as a legal executive.

Brought Forward £748.00

Counsel's fees (*name*) (*year of call*)

Sarah Hannett (2003)

Fee for [advice/conference/documents]

£540.00

Fee for hearing

Other expenses

Court fees

Others (*give brief discription*)

Total

£1,288.00

Amount of VAT claimed

on Solicitors and Counsel's fees

on other expenses

Grand Total £

£1,288.00

The costs stated above do not exceed the costs which the [party] is liable to pay in respect of the work which this statement covers. (See CPR 44 PD 9.5(3)(d)) Counsel's fees and other expenses have been incurred in the amounts stated above and will be paid to the persons stated.

Signed:

For The Treasury Solicitor

Date: 09/11/2020



