



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

**CO/4193/2021**

**The Queen  
on the application of  
THE INDEPENDENT MONITORING AUTHORITY  
FOR THE CITIZENS' RIGHTS AGREEMENTS**

**Claimant**

**-and-**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

**Defendant**

**Notification of the Judge's decision on the application for permission to apply for judicial review (CPR 54.11, 54.12) and the Defendant's application for an extension of time for service of her Acknowledgement of Service**

Following consideration of the documents lodged by the Claimant, the Acknowledgement of Service filed by the Defendant and the Claimant's Reply.

**ORDER** by the Honourable Mr Justice Saini

1. The Defendant's application for an extension to 3 February 2022 to file her Acknowledgment of Service is granted with no order as to costs.
2. The application for permission to apply for judicial review is granted.
3. The substantive judicial review hearing is to be listed for a 1 day hearing (with 2 days pre-reading) before a Divisional Court
4. That hearing is to be fixed to be heard in the first half of the Court Term beginning 1 October 2022. Counsels clerks are to liaise with the ACO by later than 4.00pm on 4 July 2022 to fix a hearing date. If Counsel consider this time estimate insufficient they must agree a revised time estimate and notify the ACO as soon as possible.
5. The Defendant and any other person served with the Claim Form who wishes to contest the claim or support it on additional grounds shall by 4pm on 29 July 2022 file and serve (a) Detailed Grounds for contesting the claim or supporting it on additional grounds, and (b) any written evidence that is to be relied on. For the avoidance of doubt, a party who has filed and served Summary Grounds pursuant to CPR 54.8 may comply with (a) above by filing and serving a document which

states that those Summary Grounds shall stand as the Detailed Grounds required by CPR 54.14.

6. Any responsive evidence from the Claimant shall be served by 4.00pm on 31 August 2022.
7. The parties shall agree the contents of the hearing bundle and must file it with the Court not less than 2 weeks before the date of the hearing of the judicial review. An electronic version of the bundle shall be prepared and lodged in accordance with the Guidance on the Administrative Court website. The parties shall Court lodge 3 hard-copy versions of the hearing bundle.
8. The Claimant must file and serve a Skeleton Argument (in pdf form and WORD) not less than 21 days before the date of the hearing of the judicial review.
9. The Defendant and any Interested Party must file and serve a Skeleton Argument (in pdf form and WORD) not less than 14 days before the date of the hearing of the judicial review.
10. The parties shall agree the contents of a bundle containing the authorities to be referred to at the hearing. An electronic version of the bundle shall be prepared in accordance with the Guidance on the Administrative Court website. The parties shall prepare a hard-copy version of the authorities bundle. The electronic version of the bundle and 2 hard copy versions of the bundle, shall be lodged with the Court at the same time as the Defendant's Skeleton Argument.
11. Costs in the claim.

## **OBSERVATIONS**

This case is plainly arguable in relation to the Defendant's interpretation of the two relevant agreements. There is also a real issue as to the potential application of EU law in the interpretation of the WA. Resolution of these issues is a matter of public interest given the potentially large numbers of those with pre-settled status (2.4 million people). The claim should be resolved well-before any such individual is exposed to potential risks of a failure to apply for settled status. That date is, I understand, the start of 2023.

Signed Saini J

**The date of service of this order is calculated from the date in the section below**

**For completion by the Administrative Court Office**

Sent / Handed to

**either** the Claimant, and the Defendant [and the Interested Party]

**or** the Claimant's, and the Defendant's, [and the Interested Party's] solicitors

Date: 24/06/2022

Solicitors: IN PERSON

Ref No.

**Notes for the Claimant**

To continue the proceedings a fee is payable.

**For details of the current fee please refer to the Administrative Court fees table at <https://www.gov.uk/court-fees-what-they-are>.**

Failure to pay the fee or submit a certified application for fee remission may result in the claim being struck out.

The form to make an application for remission of a court fee can be obtained from the Justice website <https://www.gov.uk/get-help-with-court-fees>

You are reminded of your obligation to reconsider the merits of your claim on receipt of the defendant's evidence.