

## **PRACTICE DIRECTION 54D - ADMINISTRATIVE COURT (VENUE)**

**This Practice Direction supplements Part 54.**

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### **Scope and purpose**

- 1.1 This Practice Direction concerns the place in which a claim before the Administrative Court should be started and administered and the venue at which it will be determined.
- 1.2 This Practice Direction is intended to facilitate access to justice by enabling cases to be administered and determined in the most appropriate location. To achieve this purpose it provides flexibility in relation to where claims are to be administered and enables claims to be transferred to different venues.

### **Venue – general provisions**

- 2.1 The claim form in proceedings in the Administrative Court may be issued at the Administrative Court Office of the High Court at—
- (1) the Royal Courts of Justice in London; or
  - (2) at the District Registry of the High Court at Birmingham, Cardiff, Leeds, or Manchester unless the claim is one of the excepted classes of claim set out in paragraph 3 of this Practice Direction which may only be started and determined at the Royal Courts of Justice in London.
- 2.2 Any claim started in Birmingham will normally be determined at a court in the Midland region (geographically covering the area of the Midland Circuit); in Cardiff in Wales; in Leeds in the North-Eastern Region (geographically covering

the area of the North Eastern Circuit); in London at the Royal Courts of Justice; and in Manchester, in the North-Western Region (geographically covering the Northern Circuit).

### **Excepted classes of claim**

- 3.1 The excepted classes of claim referred to in paragraph 2.1(2) are—
- (1) proceedings to which Part 76 or Part 79 applies, and for the avoidance of doubt—
    - (a) proceedings relating to control orders (within the meaning of Part 76);
    - (b) financial restrictions proceedings (within the meaning of Part 79);
    - (c) proceedings relating to terrorism or alleged terrorists (where that is a relevant feature of the claim); and
    - (d) proceedings in which a special advocate is or is to be instructed;
  - (2) proceedings to which RSC Order 115 applies;
  - (3) proceedings under the Proceeds of Crime Act 2002;
  - (4) appeals to the Administrative Court under the Extradition Act 2003;
  - (5) proceedings which must be heard by a Divisional Court; and
  - (6) proceedings relating to the discipline of solicitors.
- 3.2. If a claim form is issued at an Administrative Court office other than in London and includes one of the excepted classes of claim, the proceedings will be transferred to London.

### **Urgent applications**

- 4.1 During the hours when the court is open, where an urgent application needs to be made to the Administrative Court outside London, the application must be made to the judge designated to deal with such applications in the relevant District Registry.
- 4.2 Any urgent application to the Administrative Court during the hours when the court is closed, must be made to the duty out of hours High Court judge by telephoning 020 7947 6000.

### **Assignment to another venue**

- 5.1. The proceedings may be transferred from the office at which the claim form was issued to another office. Such transfer is a judicial act.
- 5.2 The general expectation is that proceedings will be administered and determined in the region with which the claimant has the closest connection, subject to the following considerations as applicable—
- (1) any reason expressed by any party for preferring a particular venue;
  - (2) the region in which the defendant, or any relevant office or department of the defendant, is based;
  - (3) the region in which the claimant's legal representatives are based;
  - (4) the ease and cost of travel to a hearing;
  - (5) the availability and suitability of alternative means of attending a hearing (for example, by videolink);
  - (6) the extent and nature of media interest in the proceedings in any particular locality;
  - (7) the time within which it is appropriate for the proceedings to be determined;
  - (8) whether it is desirable to administer or determine the claim in another region in the light of the volume of claims issued at, and the capacity, resources and workload of, the court at which it is issued ;
  - (9) whether the claim raises issues sufficiently similar to those in another outstanding claim to make it desirable that it should be determined together with, or immediately following, that other claim; and
  - (10) whether the claim raises devolution issues and for that reason whether it should more appropriately be determined in London or Cardiff.
- 5.3 (1) When an urgent application is made under paragraph 4.1 or 4.2, this will not by itself decide the venue for the further administration or determination of the claim.

- (2) The court dealing with the urgent application may direct that the case be assigned to a particular venue.
  - (3) When an urgent application is made under paragraph 4.2, and the court does not make a direction under sub-paragraph (2), the claim will be assigned in the first place to London but may be reassigned to another venue at a later date.
- 5.4 The court may on an application by a party or of its own initiative direct that the claim be determined in a region other than that of the venue in which the claim is currently assigned. The considerations in paragraph 5.2 apply.
- 5.5. Once assigned to a venue, the proceedings will be both administered from that venue and determined by a judge of the Administrative Court at a suitable court within that region, or, if the venue is in London, at the Royal Courts of Justice. The choice of which court (of those within the region which are identified by the Presiding Judge of the circuit suitable for such hearing) will be decided, subject to availability, by the considerations in paragraph 5.2.
- 5.6. When giving directions under rule 54.10, the court may direct that proceedings be reassigned to another region for hearing (applying the considerations in paragraph 5.2). If no such direction is given, the claim will be heard in the same region as that in which the permission application was determined (whether on paper or at a hearing).