



**In the High Court of Justice
King's Bench Division
Administrative Court**

AC-2024-LON-001704



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In the matter of applications for judicial review

THE KING

on the application of

ASYLUM AID

Claimant

-and-

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Defendant

On the claimant's application dated 20 May 2024 for urgent consideration and directions

Following consideration of the documents lodged by the claimant and the response by email on 21 May 2024 from the Government Legal Department on behalf of the defendant (to the effect that the claimant's suggested timetable is agreed)

ORDER by the Hon. Mr Justice Chamberlain:

- 1. Time for filing and serving an Acknowledgement of Service and Summary Grounds of Defence is abridged to 4pm on 28 May 2024.**
- 2. The papers are to be referred to Chamberlain J immediately thereafter for a decision on (i) permission to apply for judicial review and/or (ii) directions for the resolution of the claim.**

REASONS

The claimant is a registered charity which delivers legal representation to people seeking asylum. It challenges a Home Office policy entitled "Safety of Rwanda Version 2.0", which explains to decision-makers how to consider claims made by persons subject to removal to Rwanda, giving guidance about how to apply the provisions of the Safety of Rwanda (Asylum and Immigration) Act 2024 ("the 2024 Act"). The policy has already been revised in one respect in response to the claimant's letter before claim. The claimant challenges the new version, published on 13 May 2024, on the ground that it continues to misstate the effect of s. 4(2) of the 2024 Act.

The claimant contends: first, that on its true construction s. 4(2) does not prevent decision-makers from considering in the case of an individual to be removed to Rwanda whether there is a real risk that he will be subject to onward removal to an unsafe third country (i.e. refoulement); and, in the alternative, that if it does have that effect, s. 4(2) represents such

a serious incursion into the rule of law that the court should decline to give effect to it.

Given the Government's position that removals to Rwanda may commence as soon as the week commencing 24 June 2024, the parties agree that normal timescales for the filing and service of an Acknowledgement of Service should be abridged.

It would not be appropriate to say anything about the merits of the case at this stage, but given that the Home Office is apparently applying the challenged policy to take decisions now, and aims to commence removals very shortly, an expedited timetable is appropriate. The directions contained in this Order will allow for an expedited consideration by the Court of (i) permission and/or (ii) directions.

Signed: Mr Justice Chamberlain

Dated: 22/5/2024