



Judiciary of England and Wales

Press Summary

**THE KING
ON THE APPLICATION OF ATB (BY HIS LITIGATION FRIEND, ATL)**

- and -

THE WELSH MINISTERS

Neutral Citation Number: [2025] EWHC 3114 (Admin)

Tuesday 25 November 2025

REPORTING RESTRICTIONS ARE IN PLACE

Important note for press and public: this summary forms no part of the court's decision. It is provided so as to assist the press and the public to understand what the court decided. The full judgment of the High Court is the only authoritative document. Judgments are public documents and are available at: www.judiciary.uk, <https://caselaw.nationalarchives.gov.uk>

1. The judgment relates to the claimant's renewed application for permission to apply for judicial review. The claimant is a child who, by his litigation friend ATL, challenged two sets of Regulations made by the Welsh Ministers:
 - The National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc) (Wales) (Amendment) Regulations 2024 - **"the 2024 Regulations"**.
 - The National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc) (Wales) (Amendment) (No 2) Regulations 2024 - **"the No 2 Regulations"**.
2. The combined effect of these two sets of Regulations is that puberty blockers cannot be prescribed to children by GPs – and other medical practitioners working in GP surgeries in Wales – for the purpose of puberty suppression in respect of gender dysphoria or gender incongruence, other than as part of a clinical trial.
3. The claimant did not seek to challenge the merits or underlying policy reasons for the prohibition. The case was about the decision-making process that preceded the Regulations.
4. The claimant argued that, when making the 2024 Regulations and the No 2 Regulations,

the Welsh Ministers unlawfully failed to:

- Have due regard to the requirements of the United Nations Convention on the Rights of the Child contrary to section 1 of the Rights of Children and Young Persons (Wales) Measure 2011; and
- Comply with the public sector equality duty, contrary to section 149 of the Equality Act 2010.

5. Among other arguments, the Welsh Ministers submitted that:

- As regards the 2024 Regulations, the claim was started out of time, so that permission to apply for judicial review should be refused on grounds of delay in line with relevant case law on delay. The grounds of challenge were in any event not arguable and so did not warrant permission.
- As regards the No 2 Regulations, the grounds of challenge were not arguable because all they did was correct an anomaly in the 2024 Regulations which had treated nurses in GP surgeries and trainee GPs differently from GPs for the purposes of prescribing puberty blockers.

6. The High Court held that the challenge to the 2024 Regulations was out of time. The Court held that there was no good reason for extending time. In reaching the conclusion that time should not be extended, the Court gave a number of reasons, including:

- Delay is inimical to good administration: public authorities need to have certainty as to the validity of their decisions and actions.
- There was no clear or adequate explanation for the delay in starting the claim.
- The Regulations aimed to implement the Cass Review. So the case had its own features which would not be easily replicated in, or relevant to, other cases. It was far from clear that wider principles of law would emerge if the case went forward to a full judicial review hearing.
- It appeared highly likely that the outcome for the claimant would not have been substantially different even if the Welsh Ministers had taken the steps that the claimant contended they should have taken.

7. The High Court found that the challenge to the No 2 Regulations was not arguable. The No 2 Regulations had cured an anomaly in the 2024 Regulations so that it was difficult to see what the claimant objected to.

8. For these reasons, the renewed application for permission to apply for judicial review was refused.