



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

AC-2026-LON-004607
And 11 other claims



AC-2025-LON-004607

In the matter of applications for judicial review

THE KING

on the application of

- (1) **CSG** (AC-2025-LON-004607)
- (2) **TXW** (AC-2026-LON 000294)
- (3) **FQO** (AC-2026-LON-000363)
- (4) **GRA** (AC-2026-BHM-000047)
- (5) **WRE (by his Litigation Friend HOL)** (AC-2026-LON 000533)
- (6) **DXG** (AC-2026-LON 000321)
- (7) **KMO** (AC-2026-LON 000192)
- (8) **DHV** (AC-2026-LON 000640)
- (9) **MRP** (AC-2026-LON 000879)
- (10) **HBN** (AC-2026-LON-000456)
- (11) **HHH** (AC-2025-LON 004763)
- (12) **HHD** (AC-2025-LON 004331)

-and-

Claimants

Secretary of State for the Home Department

Defendant

Upon the judgment in *R (ABW) v SSHD* [2025] EWHC 3280 (Admin) (“*ABW*”) being handed down by Morris J on 17 December 2025 and the final Order issued on 6 February 2026

And upon the Court of Appeal having granted the Defendant permission to appeal and expedited the appeal on 30 March 2026

On upon application by the Defendant for a stay in each claim, and in certain claims for an extension of time to serve an AOS

And on applications by the Claimants for anonymity orders, and in certain claims for extension of time to file a SFG

And on the Court having determined that it is just and appropriate to consider the current applications in each case together

Following consideration of the documents lodged by the Claimants and the Defendant

ORDER BY THE HONOURABLE MR JUSTICE MANSFIELD

1. Anonymity:

- (a) Pursuant to CPR 39.2(4) and/or the Court's inherent jurisdiction and/or s. 6 of the Human Rights Act 1998:
 - (i) the Claimants' names (and that of any litigation friend) are to be withheld from the public and must not be disclosed in any proceedings in public; and
 - (ii) Each Claimant (and where relevant litigation friend) is to be referred to orally and in writing by the cipher set out in the Annex to this Order.
- (b) Pursuant to s. 11 of the Contempt of Court Act 1981, there must be no publication of the identity of any Claimant or litigation friend or of any matter likely to lead to the identification of the same in any report of, or otherwise in connection with, these proceedings.
- (c) Pursuant to CPR 5.4C(4):
 - (i) the parties must within 7 days file a redacted copy of any statement of case filed, omitting the name, address and any other information likely to lead to the identification of any Claimant or litigation friend;
 - (ii) if any statement of case subsequently filed includes information likely to lead to the identification of any Claimant or litigation friend, a redacted copy omitting that information must be filed at the same time;
 - (iii) unless the Court grants permission under CPR 5.4C(6), no non-party may obtain a copy of any unredacted statement of case.
- (d) Any person wishing to vary or discharge this Order must make an application, served on each party.

2. Extensions of time for filing documents by the Claimants: The following Claimants are granted extensions of time and permission to rely on the following documents. To the extent that any such document was filed outside of the time limit required by the Court, relief from sanction is granted.

- a. AC-2025-LON-004607: permission to rely on the SFG filed 2 hours late on 18 December 2025.
 - b. AC-2026-LON 000294: permission to rely on the SFG filed on 9 February 2026 and additional evidence as per the application 9 February 2026.
 - c. AC-2026-LON-000363: permission to rely on the SFG and additional evidence as per the application filed on 19 February 2026.
 - d. AC-2026-BHM-000047: permission to rely on the SFG filed on 13 February 2026.
 - e. AC-2026-LON 000533: permission to rely on the revised SFG and further supplementary bundle as per the application filed on 9 February 2026
 - f. AC-2026-LON 000321: permission to rely on the SFG dated 11 February 2026.
 - g. AC-2026-LON 000192: permission to rely on the SFG filed on 13 February 2026 and the supplementary bundle per the application filed on 18 February 2026.
 - h. AC-2026-LON-000456: permission to file the SFG and the additional evidence as per application filed on 19 February 2026.
 - i. AC-2025-LON 004331: permission to extend time for service and filing of certificate of service as per the application dated 17 December 2025.
3. Extension of time for filing Acknowledgement of Service: Granted in each case. The Defendant shall file an Acknowledgment of Service and Summary Grounds of Defence by 4pm on 21 April 2026.
4. Stay:
- (a) Save for carrying into effect paragraph 3 of this Order, the claim be stayed until the appeal is finally determined by the Court of Appeal.
 - (b) Within 21 days of the stay expiring in accordance with paragraph (a) above, the parties shall file and serve written submissions on future case management or make a further application for a stay, if so advised.
 - (c) There be liberty to apply on 72 hours' notice to lift or vary the stay.
5. Costs in the case.

REASONS

- 1 I have considered the Defendant's applications for a stay in each of the 12 cases listed in the heading of this Order.
- 2 In addition to a stay, the Defendant also seeks an extension of time for serving an AOS until after determination of the appeal.
- 3 In some cases, the Claimants also seek an extension of time to serve SFG; one seeks an order for extension of time for serving a Certificate of Service. Each Claimant seeks an order for anonymity.
- 4 The Claimants in all 12 cases are represented by the same solicitors, Duncan Lewis. K. Nagra, Administrative Court Office Lawyer, made an order on 24 March 2026 directing that 10 of the cases should be considered on paper by the same judge. Subsequently two further cases have been identified that raise substantially the same stay issue.
- 5 Each case concerns a judicial review of the Defendant to make a public order disqualification order ("POD") in the context of modern slavery/human trafficking decision making under the Nationality and Borders Act 2022. Each claim involves at least one ground that relies on the decision of Morris J in **ABW v SSHD** [2025] EWHC 3280 Admin, handed down on 17 December 2025.

The Stay application

- 6 In each case, the Defendant seeks a stay pending its appeal against Morris J's decision in **ABW**. Application for PTA was made on 27 February 2026. In an order sealed on 30 March 2026 Arnold LJ granted PTA on all grounds and indicated that the appeal was to be expedited.
- 7 I have had regard to the Defendant's submissions dated 9 March 2026, which are the same in ten of the cases, together with the Grounds of Appeal and Skeleton Argument in support of the application for permission to appeal in **ABW**. In the other two cases the Defendant filed earlier submissions substantially to the same effect.
- 8 I have considered the following submissions from the Claimants (I set out the name of counsel and the date in each case).
 - a. AC-2025-LON-004607 - Catherine Meredith, 16 March 2026
 - b. AC-2026-BHM-000047 - Gordon Lee, 20 March 2026
 - c. AC-2026-LON 000192 - Phil Haywood, 19 March 2026
 - d. AC-2026-LON 000294 - Emma Fitzsimons, 18 March 2026
 - e. AC-2026-LON 000321 - Miranda Butler, 23 March 2026
 - f. AC-2026-LON 000533 - Charles Bishop 23 March 2026
 - g. AC-2026-LON 000640 - Michael Spencer, 19 March 2026

- h. AC-2026-LON 000879 - Zoe Harper, 23 March 2026
- i. AC-2025-LON 004331 - Alex Grigg, 12 January 2026
- j. AC-2025-LON 004763 - Josephine Fathers, 13 March 2026
- k. AC-2026-LON-000363 – Abby Buttle, 26 March 2026 (amended 1 April 2026)
- l. AC-2026-LON-000456 – Catherine Meredith, 16 March 2026

9 I have also had regard to the Defendant’s letter to the Court dated 31 March 2026 and Duncan Lewis’ letter to the Court dated 1 April 2026.

10 The Claimants’ approach across these 12 cases has caused a degree of unnecessary complexity, and there is some confusion in their positions.

a. Duncan Lewis have suggested in correspondence that the claims raise common issues and that it would be efficient for them to be case managed together. In a letter dated 30 January 2026 they wrote “*all of which raise strategic/common grounds of challenge (in addition to any client-specific grounds). There is a clear need for efficient, consistent and clear case management of these related claims.*”

b. However, some of the submissions take a different approach. For example, Mr Haywood (paragraph 12) says there is no need for his case to be linked or case managed with other claims.

c. In each case Duncan Lewis have instructed different counsel to draft submissions in opposition to the Defendant’s application. While each counsel does make some points specific to the particular claim, the same points are made repeatedly across different submissions. Sometimes in slightly different form, sometimes identically worded passages are used. That has not led to efficient use of the Court’s time in identifying and resolving the issues.

d. The similarities of theme and wording cuts across the suggestion that the Defendant’s application fails to consider that each case turns on its particular circumstances.

11 I have regard to the principles in **AB (Sudan) v SSHD** [2013] EWCA Civ 921 at paragraphs 24-32. A decision to stay proceedings is a case management decision. In immigration cases the power to stay cases pending a future appellate decision is a power to be exercised cautiously and only when, in the interests of justice, it is necessary to do so. It may be necessary to do so if the impending appellate decision is likely to have a critical impact on the current litigation.

12 I do not understand Jackson LJ to have given an exhaustive list of the circumstances in which it may be necessary to grant a stay in the interests of justice in immigration cases. The case management decision must be taken having regard to the overriding objective.

- 13 I note further that in **AB (Sudan)** a stay was sought at the beginning of trial on the basis, essentially, that an appeal may change the threshold test which the Claimant needed to satisfy to establish his claim. It appears from the judgment of Davis LJ (paragraphs 57-58) that the judge, in refusing the stay, thought that the claim lacked evidence whatever the test was, and that the claim had no realistic prospect of success. The factual context adds some colour to the question of whether a case under appeal is likely to have a critical impact.
- 14 Each of these cases involves at least one ground that depends upon the judgment in **ABW**. **ABW** is plainly relevant to the appeals, and is likely to be critical, indeed determinative, of those grounds. The decision in **ABW** will be important in each of the appeals. Duncan Lewis summed up their position in relation to the group of claims in pre-action correspondence on 19 December 2025 when they said. *“In light of **ABW** at §§180-181 and §220(2), our clients’ decisions are unlawful, on several grounds, including that the Modern Slavery Statutory Guidance applied was unlawful. The POD decisions therefore cannot be defended.”*
- 15 While the Claimants each accept that **ABW** is relevant, they argue that the decision on an appeal will not be critical in their cases because they each have other grounds that do not depend on **ABW**. The existence of other grounds is no answer to the fact that the appeal will be critical to determination of the grounds which do depend on **ABW**. Further, in each case the **ABW** grounds important points of principle as to the alleged unlawfulness of the Defendant’s decisions. I do not accept the attempts, in some of the submissions, to marginalise the **ABW** based grounds. They are significant. In any event, whilst the Claimants argue that they will succeed on the non-**ABW** grounds, they all still pursue the **ABW** grounds: so those grounds will need to be determined as part of the claims.
- 16 In their letter dated 1 April 2026 Duncan Lewis maintain their opposition to a stay but submit, in the alternative that the Court could grant a partial stay only of the grounds that relate to **ABW** while allowing the remaining grounds to proceed to a hearing. It is not in accordance with the interests of justice for the claims on some grounds to proceed at a time when a decision which forms the basis of them is subject of a pending appeal. Equally, it is plainly not in the interests of justice to separate those grounds from the remaining grounds. It will not assist the Court to have to determine some grounds of challenge, on a partial picture as to the relevant legal position, while leaving some claims to be determined at a later hearing. That is an inefficient way to proceed and will likely lead to duplication and an increase of costs.
- 17 The Claimants rely on the fact that Morris J refused a stay of his order in **ABW** and the Defendant has not renewed a stay application to the Court of Appeal. That does not indicate that a stay would be inappropriate in these claims. The stay sought in this application and the stay Morris J refused are two different things.

- a. Morris J determined the claim in **ABW** and made an order. Any stay sought would have been to delay the enforcement and implementation of the Court's order in that case.
 - b. The stay the Defendant now seeks is of the progress of these particular claims, and is a case management question as to how best to deal with these claims in the interests of justice.
 - c. See paragraph 24 of **AB Sudan** which recognises the distinction between a stay of enforcement and a stay of proceedings.
- 18 It was further submitted that the stay application is speculative as the outcome of the appeal is unknown, and that the Defendant could better consider the basis for a stay application if PTA is granted. Since the submissions were prepared, PTA has now been granted.
- 19 It is right that matters should be dealt with expeditiously. I acknowledge that the Claimant cohort comprises vulnerable individuals with recognised mental health difficulties. However:
- a. PTA has been granted and the Court of Appeal has agreed that the appeal should be expedited.
 - b. The Defendant has mitigated prejudice to the Claimants by accepting that those subject of POD decisions are eligible for re-instatement of modern slavery support from MSVCC. In its letter dated 31 March 2026 the Defendant indicates that it is undertaking urgent steps to put in place processes enabling the introduction/reinstatement of support and the backdating of financial support where applicable and eligible.
 - c. It is far from clear that the refusal of a stay would lead to any quicker final resolution. If the cases proceed now to a hearing, the cases could determine grounds in reliance on Morris J's decision. If Morris J's decision were then to be overturned by the Court of Appeal, that would potentially give rise to challenges to the decisions on the instant cases on the basis that they had been determined in error of law.
- 20 The Claimants have all variously argued that there has been a failure to deal with the individual circumstances of the cases, and that each substantially turns on their own facts and grounds. The force of that point is somewhat undermined by the fact that many of the points raised on behalf of the Claimants are very similar. In any event, as I have said above, the existence of additional fact-specific grounds does not detract from the fact that the **ABW** grounds will be critically affected by the outcome of the appeal.
- 21 I have also considered the following other cases, referred to in some of the Claimants' submissions.

- a. In **HAZ** (AC-2026-LON-000482) Lavender J refused a stay application. In his brief reasons he stated that the claim was only in part founded on **ABW**, and that it would be inappropriate to grant a stay.
 - b. In **GPL**, AC-2025-LON-000769) an order was made by Christopher Kennedy KC on 25 February 2026. He gave permission for judicial review but did not address a stay application. I am not aware of a stay application being made in that case.
 - c. A number of submissions refer to a case **SK** (UTIAC, JR-2024-LON-002996). I am not aware of the basis on which a stay was refused in that case.
- 22 I am aware that in some other cases the Court has granted a stay, for example AC-2025-LON-003474 DHCJ Crowther KC 13 February 2026 and AC-2026-LON-000305 Lieven J 16 March 2026.
- 23 I am not bound by these decisions, and there is little assistance to be gleaned from them. I have decided these applications on the matters raised in this particular group of applications.
- 24 I have considered whether there are distinctions to be drawn between individual cases within the group of 12, and whether it may be necessary to stay some but not others. I have considered what is said about the individual grounds and the circumstances of the individual claimants. Ultimately however, the issues raised in the claims are sufficiently common to all twelve that they should be treated together. The arguments raised in opposition to the stay are also very similar. While the grounds of claim in each case may differ, in each case **ABW** is central to at least some of the grounds. While individual claimants may be suffering varying prejudice from delay, none are so prejudiced as to outweigh the strong interest of justice in these claims being determined in the light of the outcome of the Court of Appeal's decision in **ABW**.
- 25 Accordingly, I will grant the stay sought by the Defendant in all 12 cases.

Extension of time for AOS

- 26 I will retrospectively extend time for each AOS. None of the Claimants seriously argue that there should be no extension of time – instead they seek an order that the AOS is filed soon, in most cases within 7 days.
- 27 The Defendant seeks an extension of time to file an AOS until after determination of the appeal. I don't agree with that approach. It is clear from the Claimants' various submissions that there are grounds of appeal that do not depend on **ABW**. They will need to be determined in any event, so the work in the AOS will need to be done in any event. There is an advantage in the Defendant preparing its AOS now, so that the parties are ready to engage as and when the stay is lifted. That will serve to focus minds and allow the claim to move on promptly

after the stay. I recognise there may be some additional work caused if the response on ABW grounds needs to be amended after appeal, but the Defendant should have its response to the current ABW grounds well developed, given its ongoing involvement in that case, and given the consideration it must have given to these claims in considering and preparing its stay application.

- 28 The 7-day deadline sought by the Claimants is unrealistic in the light of the impending Easter break. I will give the Defendant a further 21 days to file its AOS in each case.

Extension of time for the Claimants

- 29 I grant an extension in each case, to the date on which the SFG was in fact filed. The Claimants may rely on the SFG and the additional evidence filed. The delay in each case is short, and no prejudice has been caused to the Defendant. Also I grant the requested extension in respect of the Certificate of Service

Anonymity

- 30 I will grant anonymity in each Claimant's case. The facts are sensitive; the Defendant does not resist anonymity.
- 31 The Claimant in AC-2026-LON 000533 has a litigation friend by operation of CPR 21.5. The Litigation Friend should also be anonymised.

Venue

- 32 Claim AC-2026-LON-000879 has been issued in London. The Claimant's application filed on 6 February 2026 points out that the Claimant's address would normally suggest Birmingham as the appropriate court, but that London is more suitable in this case. I agree, the claim will remain in London.
- 33 Claim AC-2026-BHM-000047 has been issued in Birmingham. I have not seen an application from any party to transfer and I make no order at this stage. The parties should consider whether it would be more efficient for this claim to be transferred to London to be case managed with the remainder of these 12 claims.

Signed *Mr Justice Mansfield*

Date 1 April 2026

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: **2ND April 2026**

Solicitors:
Ref No.

ANNEX : List of Anonymity Ciphers

	<u>Case number</u>	<u>Cipher for Claimant</u>	<u>Cipher for Litigation Friend</u>
1	AC-2025-LON-004607	CSG	
2	AC-2026-LON 000294	TXW	
3	AC-2026-LON-000363	FQO	
4	AC-2026-BHM-000047	GRA	
5	AC-2026-LON 000533	WRE	HOL
6	AC-2026-LON 000321	DXG	
7	AC-2026-LON 000192	KMO	
8	AC-2026-LON 000640	DHV	
9	AC-2026-LON 000879	MRP	
10	AC-2026-LON-000456	HBN	
11	AC-2025-LON 004763	HHH	
12	AC-2025-LON 004331	HHD	