



JUDICIARY OF  
ENGLAND AND WALES

**MR JUSTICE FOSKETT**  
HIGH COURT JUDGE

**Reilly - CO/260/2012 and Wilson - CO/1087/2012**

For the reasons given in the judgment handed down I have concluded that the Jobseeker's Allowance (Employment and Enterprise) Regulations 2011 were validly made in accordance with section 17A of the Jobseekers Act 1995 (as introduced by the Welfare Reform Act 2009), that the two schemes or programmes directly under challenge in these proceedings, namely, the sector-based work academy scheme and the Community Action Programme, were properly "prescribed" under the Regulations as required by the Act and that the implementation of neither scheme breached Article 4 of the European Convention on Human Rights. In Miss Caitlin Reilly's case it was accepted on behalf of the Secretary of State for Work and Pensions that there was a breach of Regulation 4 (which requires certain details of the programme to be given to a participant in the programme in writing). In Mr Jamieson Wilson's case there was a dispute about whether Regulation 4 was complied with and I have concluded that it was not complied with sufficiently. I am proposing to make declarations to that effect in each of their cases.

Each party has intimated that they wish to apply for permission to appeal against the conclusions that are adverse to their respective cases. I anticipate being able to rule on those applications in the next few days.

06 August 2012