

Judicial Review Claim Form

Notes for guidance are available which explain how to complete the judicial review claim form. Please read them carefully before you complete the form.

For Court use only	
Administrative Court Reference No.	
Date filed	

In the High Court of Justice Administrative Court	
Help with Fees - Ref no. (if applicable)	H W F - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>



Is your claim in respect of refusal of an application for fee remission? Yes No

SECTION 1 Details of the claimant(s) and defendant(s)

Claimant(s) name and address(es)

name Plan B. Earth & others (see Annex)	
address 62 Sutherland Square London SE17 3EL See Annex for other claimants' addresses.	
Telephone no.	Fax no.
E-mail address	

Claimant's or claimant's legal representatives' address to which documents should be sent.

name Bindmans LLP	
address 236 Grays Inn Road London WC1X 8HB DX 37904 King's Cross	
Telephone no. 020 7833 4433	Fax no. 020 7837 9792
E-mail address j.potter@bindmans.com / b.gaston@bindmans.com	

Claimant's Counsel's details

name Jonathan Crow QC / Adam Solomon / Emily Mackenzie	
address See Annex for counsel's contact details.	
Telephone no.	Fax no.
E-mail address	

1st Defendant

name Secretary of State for BEIS

Defendant's or (where known) Defendant's legal representatives' address to which documents should be sent.

name Sarah Wise / James Barry	
address Government Legal Department Litigation Group One Kemble Street London WC2B 54TS DX 12342 Kingsway 6	
Telephone no. 020 7210 2982	Fax no. 020 7210 3001
E-mail address sarah.wise@governmentlegal.com / james.barry@governmentlegal.com	

2nd Defendant

name

Defendant's or (where known) Defendant's legal representatives' address to which documents should be sent.

name	
address	
Telephone no.	Fax no.
E-mail address	

SECTION 2 Details of other interested parties

Include name and address and, if appropriate, details of DX, telephone or fax numbers and e-mail

name Committee on Climate Change	name
address 7 Holbein Place London SW1W 8NR	address
Telephone no. 020 7591 6080	Telephone no.
Fax no.	Fax no.
E-mail address Private.Secretary@theccc.gsi.gov.uk	E-mail address

SECTION 3 Details of the decision to be judicially reviewed

Decision:
The ongoing failure of the Secretary of State for Business, Energy and Industrial Strategy not to exercise his power under section 2 of the Climate Change Act 2008 to amend the percentage figure set out in section 1(1) of that Act.

Date of decision:
On or around 12 October 2017, but see Statement of Facts and Grounds at Section D.

Name and address of the court, tribunal, person or body who made the decision to be reviewed.

name State for Business, Energy and Industrial Strategy	address Department for Business, Energy and Industrial Strategy 1 Victoria Street London SW1H 0ET
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SECTION 4 Permission to proceed with a claim for judicial review

I am seeking permission to proceed with my claim for Judicial Review.

Is this application being made under the terms of Section 18 Practice Direction 54 (Challenging removal)? Yes No

Are you making any other applications? If Yes, complete Section 8. Yes No

Is the claimant in receipt of a Civil Legal Aid Certificate? Yes No

Are you claiming exceptional urgency, or do you need this application determined within a certain time scale? If Yes, complete Form N463 and file this with your application. Yes No

Have you complied with the pre-action protocol? If No, give reasons for non-compliance in the box below. Yes No

Have you issued this claim in the region with which you have the closest connection? (Give any additional reasons for wanting it to be dealt with in this region in the box below). If No, give reasons in the box below. Yes No

Does the claim include any issues arising from the Human Rights Act 1998?

If Yes, state the articles which you contend have been breached in the box below. Yes No

Article 2, Article 8, Article 14 and Article 1 of the First Protocol - See Statement of Facts and Grounds at Section J.

SECTION 5 Detailed statement of grounds

set out below attached

See attached.

SECTION 6 Aarhus Convention claim

I contend that this claim is an Aarhus Convention claim

Yes No

If Yes, indicate in the following box if you do not wish the costs limits under CPR 45.43 to apply.

Not applicable.

If you have indicated that the claim is an Aarhus claim set out the grounds below, including (if relevant) reasons why you want to vary the limit on costs recoverable from a party.

See Statement of Facts and Grounds at Section M.

SECTION 7 Details of remedy (including any interim remedy) being sought

The claimants seek:

1. a declaration that the Secretary of State has acted unlawfully;
2. a mandatory order that the Secretary of State revise the 2050 target;
3. such other relief as the Court deems just and appropriate; and
4. costs.

See further Statement of Facts and Grounds at Section L.

SECTION 8 Other applications

I wish to make an application for:-

The claimants also apply for orders that:

1. Pursuant to CPR rule 39.2, identification of the twelfth claimant and his litigation friend be prohibited, and that they be referred to in proceedings as "MHB" and "DHB" respectively;
 2. the costs payable by the claimants and by the defendant be limited in accordance with the Aarhus costs rules to £65,000 and £35,000 (inclusive of VAT) respectively.
- Please see enclosed draft order.

SECTION 9 Statement of facts relied on


Please see attached.

Statement of Truth

~~I believe~~ (The claimant believes) that the facts stated in this claim form are true.

Full name Benjamin David Gaston

Name of claimant's solicitor's firm Bindmans LLP

Signed 
Claimant('s solicitor)

Position or office held Solicitor
(if signing on behalf of firm or company)

SECTION 10 Supporting documents

If you do not have a document that you intend to use to support your claim, identify it, give the date when you expect it to be available and give reasons why it is not currently available in the box below.

Please tick the papers you are filing with this claim form and any you will be filing later.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Statement of grounds | <input type="checkbox"/> included | <input checked="" type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Statement of the facts relied on | <input type="checkbox"/> included | <input checked="" type="checkbox"/> attached |
| <input type="checkbox"/> Application to extend the time limit for filing the claim form | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Application for directions | <input checked="" type="checkbox"/> included | <input checked="" type="checkbox"/> attached |
| <input type="checkbox"/> Any written evidence in support of the claim or application to extend time | | |
| <input type="checkbox"/> Where the claim for judicial review relates to a decision of a court or tribunal, an approved copy of the reasons for reaching that decision | | |
| <input checked="" type="checkbox"/> Copies of any documents on which the claimant proposes to rely | | |
| <input type="checkbox"/> A copy of the legal aid or Civil Legal Aid Certificate (<i>if legally represented</i>) | | |
| <input checked="" type="checkbox"/> Copies of any relevant statutory material | | |
| <input checked="" type="checkbox"/> A list of essential documents for advance reading by the court (<i>with page references to the passages relied upon</i>) | | |
| <input checked="" type="checkbox"/> Where a claim relates to an Aarhus Convention claim, a schedule of the claimant's financial resources | <input type="checkbox"/> included | <input checked="" type="checkbox"/> attached |

If Section 18 Practice Direction 54 applies, please tick the relevant box(es) below to indicate which papers you are filing with this claim form:

- | | | |
|---|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> a copy of the removal directions and the decision to which the application relates | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> a copy of the documents served with the removal directions including any documents which contain the Immigration and Nationality Directorate's factual summary of the case | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> a detailed statement of the grounds | <input type="checkbox"/> included | <input type="checkbox"/> attached |

Reasons why you have not supplied a document and date when you expect it to be available:-

Original witness statements will be provided to the Court as soon as possible.

Signed



Claimant('s solicitor)

Ben Gaston, Bindmans LLP