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**26<sup>th</sup> April 2004**

## **Practice Direction No 3 of 2004**

### **JUDICIAL REVIEW**

I am directed by the Bailiff to issue the following Practice Direction.

The following guidance is given by the Court to those seeking the remedy of judicial review.

1. Every claim for judicial review shall be instituted by tabling a Cause at the Friday Ordinary Court.
2. The Cause must:
  - (a) seek permission to proceed with the claim for judicial review contained therein;
  - (b) name the defendant and all other parties considered to have a sufficient interest in the subject matter of the claim.
3. The usual Notice of the proposed tabling of the Cause shall be given to the defendant and other parties named therein by service of a summons in accordance with the Rules.
4. The claim shall include:
  - (a) details of the decision which it is sought to review;
  - (b) a detailed statement of the grounds for bringing the claim for judicial review;
  - (c) details of the remedy being sought (including any interim remedy); and

- (d) a statement of the facts relied upon, together with details of any prior communications in respect of the claim with the defendant and any interested party.
5. The facts contained in the statement, or such of them as is appropriate, must be verified by a supporting affidavit which shall exhibit such relevant documents as are then reasonably available.
6. Claimants are reminded that they are under a duty to make full and frank disclosure of all material facts, that proceedings must be instituted promptly, and they must satisfy the Court that they have sufficient interest in the subject matter complained of.
7. Unless otherwise ordered all Causes to which this Practice Direction relates which are to be tabled at the Friday Court are to be lodged with the Greffe by 4.00 p.m. the preceding Tuesday. At the first tabling of the Cause the matter may be adjourned by the presiding judge to the Interlocutory Court the following Friday. The presiding judge will give such directions as he sees fit with regard to the conduct of the proceedings and the participation of the parties therein. Defendants and other named parties are not to assume that any participation will be necessary on their part, other than responding to the initial summons, until so informed or requested by the Court.

S.M.D.Ross

Her Majesty's Deputy Greffier