



Chief Executive Statement to Authority about Judicial Review proceedings

9 May 2007

Judicial Review proceedings were commenced against the Authority relating to the obtaining and execution of warrants at two London clinics, the ARGC and the RGI. In order to proceed to a full hearing in a claim for Judicial Review, permission has to be granted by the court. The Administrative Court considered the permission application on 22 -26 March 2007. The claim was initially brought on 4 grounds. One of those grounds relating to the manner of execution of the warrants was abandoned at the permission hearing. The court refused to grant permission to proceed with a claim that the Authority had acted for an improper purpose in obtaining and executing the warrants. Permission to proceed to a hearing was granted in relation to the remaining 2 out of 4 claims

1. that the Authority had acted disproportionately and
2. that there had not been disclosure of all relevant material in obtaining the warrant.

Permission was refused to proceed with claims for relief other than the quashing of the warrants. The remaining claims will be considered at a hearing which has been fixed for 4 to 6 July 2007.

Licence Committee proceedings relating to the ARGC and RGI are ongoing. It is anticipated that a determination will be made by the Licence Committee before the end of June.

As the JR and Licence Committee proceedings are both ongoing, this report is limited to an update of the current position. It is not appropriate to comment further at this stage