



Neutral Citation Number: [2022] EWHC 3297 (Admin)

Case No: CO/3769/2022

IN THE HIGH COURT OF JUSTICE
KINGS'S BENCH DIVISION
ADMINISTRATIVE COURT
SITTING IN MANCHESTER

Manchester Civil Justice Centre
Manchester M60 9DJ

Issued: 20th December 2022

Handed down: 21st December 2022

Before:

MR JUSTICE FORDHAM

Between:

**THE KING (on the application of ROBERT
EDWARD O'BRIEN)**

Claimant

- and -

METROPOLITAN POLICE COMMISSIONER

Defendant

The **Claimant** in person

Determination as to Venue

I direct that no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

.....
THE HON. MR JUSTICE FORDHAM

MR JUSTICE FORDHAM:

1. This is a judicial determination on the papers, but where it is, in my judgment, appropriate to give reasons by way of a short judgment. This is a claim for judicial review in which a minded to transfer order (“MTTO”) was made on 24 October 2022, to transfer this case to Manchester. The Claimant acts in person. He answered “yes” to the question in Form N461: “Have you issued this claim in the region with which the claim is most closely connected?” The MTTO is a mechanism to allow the parties to file representations “to indicate opposition to transfer”.
2. The Claimant’s representations involve two themes. One is that, although he is detained at HMP Garth in Leyland (postcode PR26) the Defendant MPC is head of “the senior police force in the country”, the Royal Courts of Justice is “the senior court in the country”, and the claim has “national significance”. I reject these reasons. The Administrative Court in London is the regional venue for the South-East. It is not the “national” court dealing with “national” cases. It is not the “senior” court dealing with “senior” public authorities. The non-London regional venues are not provincial courts dealing with local issues. The key question is whether the claim has its closest connection with the South-East region.
3. The second theme is that the “claim” has its “closest connection” with the South-East region. That is because it is framed as a claim about whether the MPC, based in London (WC1N) has breached any legal duty as to the recording of crimes said to have been reported to the MPC in July and August 2022. I express no view on any aspect of the case. But in venue terms, the Claimant’s point has force and I accept it. The Claimant says he would not anticipate being in attendance at any hearing, if there is one, but even if he did appear it would be by video link. The Defendant has not filed representations and can be taken not to oppose the transfer to Manchester. But I am persuaded, in the particular circumstances of this case, that the papers can and should be dealt with in London as the regional venue for the South-East. If a Judge considers that there is anything in the case, informed directions can be given as appropriate.

20.12.22