



Neutral Citation Number: [2025] EWHC 320 (Admin)

Case No: AC-2025-LON-000017

**IN THE HIGH COURT OF JUSTICE**  
**ADMINISTRATIVE COURT**

Royal Courts of Justice  
Strand, London, WC2A 2LL

Date: 14/02/2025

**Before:**

**MRS JUSTICE HILL DBE**

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**Between:**

**THE KING**

**(on the application of)**

**ANDRZEJ SZCZURKOWSKI**

**Claimant**

**-and-**

**DIRECTOR OF LEGAL AID CASEWORK**

**Defendant**

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**Anti Trafficking and Labour Exploitation Unit for the Claimant**  
**Government Legal Department for the Defendant**

Written submissions on venue: 13 January 2025  
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**Determination as to Venue**

**Approved Judgment**

This judgment was handed down remotely at 2:00pm on 14<sup>th</sup> February 2025 by circulation to the parties or their representatives by e-mail and by release to the National Archives.

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MRS JUSTICE HILL

**Mrs Justice Hill:**

**Introduction**

1. This is a judicial determination on the papers, but where it is appropriate to give reasons by way of a short judgment. It addresses the issue of where this claim should be administered and determined.

**The procedural history**

2. By a claim issued on 20 December 2024 the Claimant seeks judicial review of the Defendant’s decision dated 20 September 2024 to grant ‘legal help’ rather than a certificate of legal representation in the form of ‘full representation’ or ‘investigative representation’.
3. The Claimant filed the claim in London. In answer to question 4.6 on the claim form, “Have you issued this claim in the region with which you have the closest connection?”, the Claimant answered “Yes”.
4. On 8 January 2025 a minded to transfer order (“MTTO”) was made. This is a mechanism by which the Court invites and considers “the views of the parties” before any finalised decision to transfer the claim: see the Administrative Court Judicial Review Guide 2024 at paragraph 7.7.5. The MTTO was made by Martin Lee, Administrative Court Lawyer, in the exercise of powers delegated by the President of the Queen’s Bench Division under CPR 54.1A; see also the Administrative Court Judicial Review Guide 2024 at paragraph 13.4.5.10.
5. The MTTO recorded that Mr Lee was minded to transfer the case to the Administrative Court in Leeds in light of the following:

“Although the claimant has ticked in section 4, N461 that the claim has been filed in the region with which the claim has the closest connection that does not appear to be accurate: the claimant is in Leeds. The claimant has provided no reason for filing the claim in the London region. It is inefficient use of Court resources for a party to file a claim in the wrong region and to further over-burden the London region without good reason. Although the claimant refers to another claim (issued in 2003) there is no obvious reason why this claim should be ‘linked’ to it”.
6. Mr Lee also cited *R (Thakor, aka Parmar) v Secretary of State for the Home Department* [2022] EWHC 2556 (Admin). There, Fordham J transferred a claim for judicial review relating to a decision of the Secretary of State refusing the Appellant’s further asylum and human rights submissions from London to Leeds. The position of both parties had been that the claim should remain in London as they had instructed London counsel and any hearing in Leeds would involve additional burdens as to time and cost and could impact on availability.

7. Mr Lee’s reference to another claim from 2003 was a typographical error: in fact it is a case from 2023, namely *R (Janicki) v Director of Legal Aid Casework* (AC-2023-LON-001065).
8. The MTTO gave the parties liberty to indicate opposition to transfer by way of written submissions within 7 days. The parties provided submissions on 13 January 2025.

### The legal framework

9. CPR PD 54C is intended to facilitate access to justice by enabling cases to be administered and determined in the most appropriate location: paragraph 1.1.
10. It explains that the administration of the Administrative Court is organised by geographical area; and that, in addition to the central Administrative Court Office at the Royal Courts of Justice in London, there are Administrative Court Offices in Birmingham, Cardiff, Leeds and Manchester. Claims on the North-Eastern Circuit are administered from (and should be filed in) Leeds and claims on the Northern Circuit are administered from (and should be filed in) Manchester: paragraph 1.2(1).
11. The Administrative Court applies the principle that “where a claim has a specific connection to a region (by subject matter, location of the claimant or defendant or otherwise) it should, if at all possible, be administered and determined in that region”: paragraph 1.2(2).
12. PD 54C makes provision for certain “excepted classes of claim” at paragraph 3.1. In all other cases, proceedings should be commenced “at the Administrative Court office for the region with which the claim is most closely connected, having regard to the subject matter of the claim, the location of the claimant, or the defendant, or otherwise”: paragraph 2.1.
13. Paragraph 2.5 reiterates the “general expectation” that “proceedings will be administered and determined in the region with which the claim has the closest connection”. This will be determined “having regard to the subject matter of the claim, the region in which the claimant resides and the region in which the defendant or any relevant office or department of the defendant is based”. In addition, the court may consider any or all other relevant circumstances including the following:
  - “(a) any reason expressed by any party for preferring a particular venue;
  - (b) the ease and cost of travel to a hearing;
  - (c) the availability and suitability of alternative means of attending a hearing (for example, by video-link);
  - (d) the extent and nature of any public interest that the proceedings be heard in any particular locality;
  - (e) the time within which it is appropriate for the proceedings to be determined;

(f) whether it is desirable to administer or determine the claim in another region in the light of the volume of claims issued at, and the capacity, resources and workload of, the court at which it is issued;

(g) whether the claim raises issues sufficiently similar to those in another outstanding claim to make it desirable that it should be determined together with, or immediately following, that other claim;

(h) whether the claim raises devolution issues and for that reason whether it should more appropriately be determined in London or Cardiff; and

(i) the region in which the legal representative[s] of the parties are based”.

### **Submissions and decision**

14. The Claimant submits that the most appropriate location for the case is London because the Defendant is based in London; both parties’ legal representatives are based in London; the Claimant himself is unlikely to be required to give oral evidence; and he is content for the case to remain in London.
15. The Claimant contends that this case should be joined with *Janicki* because there is a significant overlap between the issues raised: both cases involve the same practice of the Defendant (namely, allegedly granting legal help inappropriately in circumstances where another form of civil legal services is more appropriate); and the same alleged misunderstanding of the statutory scheme as it applies to victims of trafficking seeking criminal injuries compensation.
16. The Defendant takes the same position regarding venue; emphasising that not only is the Defendant’s Director based in London, but so is the Exceptional and Complex Cases Team which took the decision under challenge.
17. Further, although the Defendant objects to this case being formally joined with *Janicki*, in the event that the court concludes that joint case management is appropriate, the Defendant accepts that that would be a factor that militates in favour of the claim being heard in London.
18. The Defendant suggested deferring a decision on venue until the application for joint case management has been determined by the court. I respectfully disagree: a prompt decision on venue is necessary so that the case can be progressed for a decision on permission and joint case management, using the resources of the appropriate court to do so.
19. It is necessary to determine the region with which the claim is “most closely connected” by reference to the factors set out in paragraphs 2.1 and 2.5.
20. As to those in paragraph 2.1 the “region in which the claimant resides” is the North-Eastern region: he lives in Leeds. The “region in which the Respondent or any relevant

office or department of the Respondent is based” is the London region. The “subject matter of the claim” is the decision about the Claimant’s entitlement to legal aid funding, made by a team based in London.

21. In light of these factors, the appeal has connections with both the North-Eastern region and the London region, and it is not more closely connected with either.
22. As to the factors in paragraph 2.5, those at (d) and (h) do not apply. Factor (c) is neutral, because both the North-Eastern region and the London region have suitable alternative means of attending a hearing, such as by video-link, available, should the same be needed.
23. Factors (e) and (f) militate slightly in favour of transfer to the North-Eastern region: as Mr Lee has said, it is desirable to reduce the workload of the London court where possible, and it is possible that the claim would be progressed more quickly if it were transferred to Leeds.
24. However, on balance, I am persuaded that the case should remain in London for two reasons.
25. *First*, application of factors (a), (b) and (i) justifies that course. Both parties’ legal representatives are based in London, meaning that that is their preferred location. One is a charity and the other is a public body. Preserving their costs by avoiding travel costs is a relevant factor. If the Claimant wishes to attend the hearing himself and preserve costs by not travelling to London, there may well be the option of a hybrid hearing with him joining by video-link.
26. *Second*, and more persuasively in my judgment, factor (g) applies in part. While I make no binding decision on joint case management, I am satisfied that this claim raises issues sufficiently similar to those in *Janicki* that it is desirable that the cases are administered by the same court. That course is likely to be logistically easier and lead to more consistent decision-making, even if the cases are not formally case managed and/or determined together.

### **Conclusion**

27. For all these reasons, I conclude that this claim should remain in the London region.