



The Human Rights Lawyers Association Judicial Review Competition oral permission round took place on 10 March 2016, where the remaining 12 teams were whittled down to just two finalists, who will go head-to-head in the grand final at Middle Temple Hall on 14 April.

12 teams met in Doughty Street Chambers to argue their cases before a panel of three judges. Two courts sat, each composed of three experienced human rights practitioners. The contestants were challenging the lawfulness of fictitious regulations which amend welfare provisions to restrict state benefits on the basis of nationality or residence.

The teams were selected from a strong field on the basis of their excellent written submissions to apply for judicial review. Their arguments at the oral hearings for permission for judicial review were critical, carefully structured and at times impassioned, and they gave the judges a very hard task indeed in deciding which two teams would progress to the final. It was submitted that the regulations were incompatible with Article 8 of the European Convention on Human Rights, as well as with Article 14 when read together with Article 8. It was also submitted that the regulations were *ultra vires* the enabling Act of Parliament, because they were inconsistent with the purpose of that Act. The judges were persuaded by these submissions, and the finalists have permission to address these grounds in the final. Some teams submitted that the regulations were irrational in a public law sense. The judges found these submissions to be unarguable, and therefore refused permission on this ground.

Congratulations to the two teams selected as finalists to argue the case:

- Hannah Gardiner and Lucy Meredith will represent the Claimant in the final.
- Emma Foubister and John Fitzsimons will represent the Defendant in the final.

On 14 April 2016, these teams will appear at Middle Temple Hall before a panel of distinguished members of the Judiciary and witnessed by Benchers and students of the Inn.

Jeremy Bloom and William Horwood
HRLA Young Lawyers' Committee