



Neutral Citation Number: [2025] EWHC 259 (Admin)

Case No: AC-2024-LON-002882

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
ADMINISTRATIVE COURT

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 07/02/2025

Before:

MRS JUSTICE HILL DBE

Between:

THE KING

(on the application of)

ANDREW MICHAEL WARDLEY

Claimant

-and-

GENERAL MEDICAL COUNCIL

Defendant

The **Claimant** acts in person
GMC Legal for the **Defendant**

Written submissions on venue: 5 and 9 December 2024

Determination as to Venue

Approved Judgment

This judgment was handed down remotely at 10.30am on 7th February 2025 by circulation to the parties or their representatives by e-mail and by release to the National Archives.

.....

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 27 August 2024 the Claimant seeks judicial review of the Defendant's decision dated 21 May 2024 to communicate certain regulatory concerns to the Responsible Officer at a third party, which later suspended him from his medical practice and circulated the allegation to his insurers.
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 "No", explaining that the claim had been filed in London "due to location and access" and "ongoing...treatment" for a medical condition which he named.
4. On 3 December 2024 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 final decision is made to transfer the claim: see the Administrative Court Judicial Review Guide 2024 at paragraph 7.7.5. The MTTO was made by Kam Nagra, 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 the Court Lawyer was minded to transfer the case to the Administrative Court in the North-Eastern region to be administered and determined at the Leeds Combined Court Centre in light of the following:

"The appeal has not been filed in the region with which the appellant has the closest [connection]. The appeal has been filed in London but the appellant resides in Huddersfield (North East Region). The appeal hearing can take place in Leeds".
6. The MTTO gave the parties liberty to indicate opposition to transfer by way of written submissions within 7 days. The parties provided submissions on 5 and 9 December 2024.

The legal framework

7. 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. 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).

8. 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).
9. 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.
10. 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 certain listed factors.¹

Submissions and decision

11. The Claimant has asked that the claim remain in London because of “accessibility for both parties”. He has noted that the Defendant’s headquarters are in London and that although he is “based in London” (I assume, for professional purposes), he does not live there.
12. The Defendant has not opposed transfer, indicating a neutral position on the issue.
13. The factors set out in paragraphs 2.1 and 2.5 show that the region with which the claim is “most closely connected” is the North-Eastern region.
14. This is the “region in which the claimant resides” in that the Claimant’s home address as given at section 1 of the claim form is in Huddersfield, West Yorkshire.
15. The “subject matter of the claim” is the Claimant’s relationship with the Defendant as his professional regulator.

¹ These are: “(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.”

16. As to the “region in which the defendant or any relevant office or department of the defendant is based”, although the Defendant was served in London, it has offices around the country. The Defendant’s submissions in response to the MTTO also confirmed that its legal team is based in Manchester. The Defendant has made no point about the fact that its counsel is based in chambers in London.
17. Against this starting point are the Claimant’s reasons for asking that the claim remain in London as set out at [11] above. The fact that the Defendant’s headquarters are in London is rather mitigated by the fact that its legal team is based in Manchester. The Claimant accepts that he lives near Leeds. Although he has mentioned medical treatment as a reason for the case to remain in London the only medical evidence I have seen is from his GP in Huddersfield, provided in support of a different application. I therefore I have no information before me as to the nature of the Claimant’s treatment, its frequency or how that might render it difficult for the Claimant to attend a hearing in Leeds, given that he lives nearby.
18. In respect of PD 54C, paragraph 2.5(b), the “ease and cost of travel to a hearing” militates in favour of transferring the case to Leeds: it is easier and cheaper for the Claimant to travel from his home in Huddersfield to Leeds than to London. The same is true of the Defendant’s legal representatives travelling from Manchester.
19. Under paragraph 2.5(c), Leeds has video-link hearing facilities should they be needed.
20. All these factors point strongly in favour of the claim, if at all possible, being administered and determined in the North-Eastern region and the “general expectation” that that would occur, given the terms of PD 54C, paragraphs 1.2(2) and 2.5.
21. This is a claim that can be administered and determined in the North-Eastern region. The regional Administrative Court has a team of ticketed specialist judges as well as visiting High Court Judges who sit in the region each court term.

Conclusion

22. For all these reasons, I have concluded that this claim should be transferred to the North-Eastern region to be administered and determined in Leeds.