



Neutral Citation Number: [2025] EWHC 1410 (Admin)

Case No: AC-2025-LON-000665

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

Date: 06/06/2025

Before:

MRS JUSTICE HILL DBE

Between:

THE KING

(on the application of)

UMER YOUSAF

Claimant

-and-

**(1) UPPER TRIBUNAL IMMIGRATION and
ASYLUM CHAMBER**

**(2) SECRETARY OF STATE FOR THE
HOME DEPARTMENT**

Defendants

The Claimant is a litigant in person
Government Legal Department for the **Defendants**

Claimant's written submissions on venue: 20 March 2025

Determination as to Venue

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 5 March 2025 the Claimant seeks judicial review of the Upper Tribunal (Immigration and Asylum) (“UTIAC”) decision on his appeal, dated 13 March 2024.
3. The Claimant filed this judicial review claim in Lonon. 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” on the following basis:

“This application for judicial review is applied under Human Rights Act 1998 and Common Law. UTIAC is a public authority (in England) under section 6 (3) of Human Rights Act 1998; and it has breached the applicant's right to a fair trial under Article 6 of ECHR; it acted unlawfully under section 6(1) of Human Rights Act 998. Hence, this application is brought forward under Section 7 of Human Rights Act 1998 to the respective authority in England, (by the victim himself who has sufficient legal interest under the Human Rights Act 1998).

4. On 6 March 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 North-Eastern Region 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 the NE Region and no reasons have been stated why this claim cannot properly proceed in Leeds. *R (Thakor/Parmar) v SSHD* [2022] EWHC 2556 (Admin).”.

6. The MTTO gave the parties liberty to indicate opposition to transfer by way of written submissions within 7 days. The Claimant provided submissions after that date, on 20 March 2025, but I have taken them into account. The Defendant has not filed any submissions.
7. The case was referred to me for a determination of venue on 14 May 2025.
8. On receipt of the draft version of this judgment the Claimant indicated that he may not be pursuing the claim. Accordingly, I permitted the parties some time to see if an order

could be agreed. That has not proved possible. It is therefore appropriate to proceed with completing the MTTO process.

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. 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.
15. This claim is most closely connected with the Northern region: the Claimant lives in the region (in Rotherham); and the subject-matter of the claim is a decision of UTIAC made in the region (in Bradford).
16. The following factors further militate in favour of the case being transferred to Leeds.
17. *First*, the Claimant is currently representing himself, such that it would be cheaper and easier for him to travel to a hearing in Leeds rather than one in London. This is a relevant factor under (b).
18. *Second*, the Combined Court Centre in Leeds where Administrative Court hearings are conducted has video-link facilities should they be required, under factor (c).
19. *Third*, there is a need under factor (f) to have regard to the capacity, resources and workload of the London court, and to transfer cases to the regions in pursuance of that objective, where appropriate.
20. Factors (d), (e), (g) and (h) do not apply.
21. The only factor in favour of the case remaining in London is the Claimant’s preference for that course. That is relevant under (a).
22. However, I do not consider that I can afford it much weight in this case, because I do not accept the reasons on which it is based. These are the Claimant’s beliefs that a court in London would have “wider exposure [to] relevant human rights matters”; and that there is “local bias” in the North-East which “may result in narrow interpretation and application of section 3 of the Human Rights Act 1998 as compared to the Administrative Court in London (being a metropolitan [city] with wider diversity”.
23. The judges who sit in the Administrative Court in Leeds can be taken to be familiar with Human Rights Act. It has been a key part of the work of the Administrative Court for over two decades. Leeds is also a very diverse city. If the Claimant has concerns

about bias in relation to a particular judge, he can make the appropriate application for recusal in advance of or at the hearing.

Conclusion

24. For all these reasons, I have concluded that the claim should be transferred to the North-Eastern region, for administration and determination in Leeds.