In the High Court of Justice
King's Bench Division
Administrative Court

AC-2026-LON-004538



AC-2025-LON-004588

In the matter of an application for judicial review

THE KING

on the application of

ELDA SYLA

Claimant

-and-

SECRETARY OF STATE FOR HOME DEPARTMENT

Defendant

Notification of Judge's Decision (CPR 54.11, 54.12)

Following consideration of the documents filed by the Claimant, the Defendant's Acknowledgement of Service and Summary Grounds of Defence and the Claimant's Reply

ORDER BY ANNELI HOWARD KC (sitting as a Deputy High Court Judge)

1. Permission to apply for judicial review: Permission is granted on all grounds.

2. Case Management Directions:

   (a) The Defendant must, within 35 days of the date of service of this Order, file and serve (i) Detailed Grounds for contesting the claim or supporting it on additional grounds and (ii) any written evidence to be relied on.

   (b) The Defendant may comply with sub-paragraph (a)(i) above by filing and serving a document which states that its Summary Grounds are to stand as the Detailed Grounds required by CPR 54.14.

   (c) Any application by the Claimant to serve evidence in reply must be filed and served, together with a copy of that evidence, within 21 days of the date on which the Defendant serves evidence pursuant to (a) above.

   (d) The parties must agree the contents of the hearing bundle. An electronic version of the bundle must be prepared and lodged, in accordance with the Administrative Court Judicial Review Guide Chapter 21 and the Guidance on the

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Administrative Court website, not less than 28 days before the date of the substantive hearing. The parties must, if requested by the Court, lodge 2 hard-copy versions of the hearing bundle.

(e) The Claimant must file and serve a Skeleton Argument (maximum 25 pages), complying with CPR 54 PD para. 15 and the Administrative Court Judicial Review Guide paras 20.1 to 20.3, not less than 21 days before the date of the substantive hearing.

(f) The Defendant must file and serve a Skeleton Argument (maximum 25 pages), complying with CPR 54 PD para. 15 and the Administrative Court Judicial Review Guide paras 20.1 to 20.3, not less than 14 days before the date of the substantive hearing.

(g) The parties must agree the contents of a bundle containing the authorities to be referred to at the hearing. An electronic version of the bundle must be prepared in accordance with the Guidance on the Administrative Court website. The parties must, if requested by the Court, prepare a hard-copy version of the authorities bundle. The electronic version of the bundle and if requested, the hard copy version of the bundle, must be lodged with the Court not less than 7 days before the date of the substantive hearing.

(h) The time estimate for the substantive hearing is 1/2 day. If either party considers that this time estimate should be varied, they must inform the court as soon as possible.

OBSERVATIONS AND REASONS

[redacted]

(2) The Claimant raises two grounds (i) Procedural unfairness/ Tameside breach and Misapplication of a higher standard of proof than the low reasonable grounds threshold and refusal to take account of relevant evidence; and (ii) Breach of candour and reliance on new materials from the First Responder and the Home Office that had not been disclosed to the Claimant in advance of the decision being adopted. Both grounds are arguable.

(3) The Defendant points out that the Claimant did not comply with the CPR as she failed to send a PAP letter in respect of the two later decisions prior to issuing the Claim. Although that is a technical breach, it has not had a material effect on the substance of the grounds or the scope of the challenge or caused prejudice to the Defendant who was able to address the issues in its Summary Grounds and will have further opportunities in its Detailed Grounds and evidence and at trial.

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Case NOT suitable for hearing by a Deputy High Court Judge ☐

Case to be referred to Judge in Charge for allocation ☐

Signed:

ANNELI HOWARD KC (sitting as a Deputy High Court Judge)
Date: 3 August 2026

The date of service of this order is calculated from the date in the section below

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For completion by the Administrative Court Office

Sent to:

The Claimant / The Claimant's solicitors [Lexmark Legal]

The Defendant / The Defendant's solicitors [Government legal department]

The Interested party / The Interested Party's solicitors [ ]

Date: **06/08/2026**

Ref No. **AC-2025-LON-004588**

Notes for the Claimant

To continue the proceedings, a fee is payable.

For details of the current fee please refer to the Administrative Court fees table at https://www.gov.uk/court-fees-what-they-are.

Failure to pay the fee or submit a certified application for fee remission may result in the claim being struck out.

The form to make an application for remission of a court fee can be obtained at https://www.gov.uk/get-help-with-court-fees

You are reminded of your obligation to reconsider the merits of your claim on receipt of the Defendant's evidence.

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