



Ministry
of Justice

The Right Honourable
Robert Buckland QC MP
Lord Chancellor & Secretary of
State for Justice

Baroness Taylor
Chair, Lords Constitution Committee
House of Lords
SW1A 0AA

MoJ Ref: 86346

17 March 2021

Dear Lady Taylor,

INDEPENDENT REVIEW OF ADMINISTRATIVE LAW

I am writing to let you and your Committee know that the Independent Review of Administrative Law has now concluded its work and the Panel's report has been submitted to Ministers. Despite the circumstances under which the Panel worked, with the majority of their discussions having to take place virtually, they have produced an excellent, comprehensive report. I believe it goes much further than previous reviews in the use of empirical evidence and in consideration of some of the wider issues of Judicial Review, such as the evolving approach to justiciability and the arguments for and against codification.

The Panel set out a number of recommendations for reform which the Government has considered carefully. I agree with the Panel's analysis and am minded to take their recommendations forward. However, I feel that the analysis in the report supports consideration of additional policy options to more fully address the issues they identified. Therefore, I will very shortly be launching a consultation on a range of options which I want to explore before any final policy decisions are made.

The IRAL call for evidence elicited many helpful submissions on Judicial Review and we are not seeking to repeat that exercise. Rather, we want consultees to focus on the measures in the consultation document. They set out our full range of thinking, which is still at an early stage, and respondents' contributions to the consultation will help us decide which of the options to take forward.

The consultation will last for six weeks, during which we will hold a series of roundtables and webinars between officials, representatives of the legal sector and others. I would be very happy to discuss the rationale for our proposals with you and your Committee should you think that would be worthwhile.

Yours ever

RT HON ROBERT BUCKLAND QC MP