



LORD CHIEF JUSTICE
OF ENGLAND AND WALES

THE RIGHT HONOURABLE THE LORD BURNETT OF MALDON

Lord Faulks
House of Lords
London
SW1A 0PW

Via email: IRAL@justice.gov.uk

16 October 2020

Dear Lord Faulks,

Independent Review of Administrative Law – call for evidence

Thank you for your letter of 7 September 2020 inviting my views on the Independent Review of Administrative Law (IRAL) and enclosing the call for evidence. I understand that you wrote in similar terms to the Master of the Rolls, the Senior President of Tribunals and the President of the Queen's Bench Division. I have discussed the call for evidence with them and am responding on their behalf.

I read the call for evidence and IRAL's terms of reference with interest and am very grateful to you for extending the opportunity to engage with the IRAL panel and submit evidence.

Having carefully considered the questions set out in the call for evidence, I and the other Senior Judges approached by the IRAL panel have concluded that it would not be appropriate for us to comment substantively on the topics raised in the consultation. We are of course acutely conscious of the need to maintain and promote judicial independence and consider it would not be appropriate for us to comment on issues which involve accumulated judicially made law, unless proposals were to be made that would adversely affect the independence of the judiciary and the rule of law.

I wish you and the other members of the IRAL panel well in your consideration of options for reform of judicial review and look forward to reading the panel's final report on the subject.

With best wishes,

LORD BURNETT OF MALDON