

Independent Review of Administrative Law – Response by David  
Cooper of David Cooper & Co

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26<sup>th</sup> October 2020

Dear Sirs

As a practitioner of 54 years, I find it particularly vital in Town & Country Planning matters and Taxation cases, to keep and encourage proper Judicial Reviews of Tribunal decisions, (particularly of the Planning Inspectorate - PINS), providing they are done on a credible and arguable basis. The credibility of this can be controlled by proper cost award in the cases where they are non-meritorious.

It is perfectly clear that the problems that you are having relate mainly to Immigration Tribunals. They should be treated quite separately from Employment and Planning Tribunals, where the issues are different, where the litigant is mainly if not wholly legally represented in court and in the majority of cases where leave has to be granted before the substantive matter goes to the court.

It has been part of our system for many years – previously one needed the fiat of the Attorney General and that was unsatisfactory and wasted a great deal of time. The system we now have should not be tampered with as it works well.

As a practitioner who has been involved in more than 1,200 appeals and applications, it is only in a very small minority of cases where either the Inspectorate or the Local Authority have gone badly awry, outside the parameters of their judgment and so Judicial Review must be kept sacrosanct for the sake of proper justice in the United Kingdom.

Yours sincerely

A handwritten signature in black ink, appearing to be 'D Cooper', with a large loop at the start and a long horizontal stroke at the end.

David Cooper