

IN THE HIGH COURT OF JUSTICE

CO/4338/2021

(DIVISIONAL COURT)

BEFORE LORD JUSTICE LEWIS AND MRS JUSTICE HEATHER WILLIAMS

IN THE MATTER OF AN APPLICATION FOR PERMISSION TO APPLY FOR JUDICIAL
REVIEW

BETWEEN:-

R (on the application of (1) PUBLIC AND COMMERCIAL SERVICES UNION
(2) CARE 4 CALAIS

Claimants

-and-

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Defendant



CONSENT ORDER


UPON the Claimants having issued judicial review proceedings on 23 December 2021 challenging the Defendant's policy of turning around small boats and diverting them from UK territorial waters into French territorial waters (commonly referred to as the "pushback" policy), which is set out in three documents (1) "*Policy Statement: Enforcement Operations at Sea Against Migrant Boats Through Use of a Tactical Plan to Redirect Boats out of UK Territorial Waters in the English Channel*" (undated) (2) "*Preventing small boats progressing through UK Territorial Waters Guidance*" (v.1.0, 8 October 2021) and (3) "*Border Force Maritime Command (BFMC), Combined SOP for preventing small boats progressing through UK Territorial Waters*" (v.1.2, 8 October 2021)

AND UPON the Defendant confirming by letter dated 24 April 2022 that the policy and procedures which are the subject of the Claimants' challenge have been withdrawn

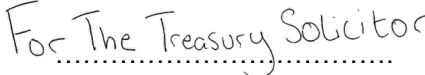
BY CONSENT, it is ordered that:

1. The Claimants withdraw their claim for judicial review.
2. The Defendant shall pay the Claimants' reasonable costs of the action on a standard basis to be subject to detailed assessment if not agreed

Dated this 25 day of April 2022


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Duncan Lewis


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Government Legal Department

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BY THE COURT