

From: John Hemming
Sent: Friday, October 30, 2020 8:11 AM
To: ECE-Aarhus-Compliance; Angelopoulou, Danielle; Grace Adisasolanke; Samuel Dyas
Cc: geneva.un@fco.gov.uk
Subject: Re: ACCC/C/2016/142 (United Kingdom) - letter to the Party concerned and the communicant

Dear Ms Marshall,

Thank you for this.

In respect of Paragraph 3 in the questions to the party I would make the point that applications to the Magistrates Court are a different process to applications to the Administrative Court. Hence any processes that exist for a protective costs order for the Administrative Court do not provide a set of rules for the Magistrates Court. Hence to my knowledge there was neither a precedent under which an application could be made nor was there a rule that enabled such a decision to be made by the court. Hence were such an application to have been made one would have to assume it would have failed.

However, I am sure I will give a more detailed response once the party has provided its response.