



IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND  
QUEENS BENCH DIVISION (JUDICIAL REVIEW)

BEFORE THE HONOURABLE MR JUSTICE TREACY

on Tuesday the 7th day of November 2017

IN THE MATTER OF AN APPLICATION BY EDWARD BARNARD FOR JUDICIAL  
REVIEW

UPON MOTION pursuant to Notice dated 10 February 2015 made to this Court on 7 and 8 May 2015 and 21 November 2016 by Counsel on behalf of Edward Barnard (hereinafter referred to as "the Applicant") for Judicial Review,

AND UPON READING the documents recorded on the Court file as having been read,

AND UPON HEARING Counsel for the Applicant and Counsel for the Respondent,

AND UPON the Judgment of the Court having been delivered on 28 July 2017 by the Honourable Mr Justice Treacy in the presence of Counsel for the parties,

AND UPON the Court being so satisfied,

IT IS DECLARED that the impugned decision was unlawful and in breach of Article 2 European Convention on Human Rights and thereby s. 6 of the Human Rights Act 1998 for the reasons set forth in the written Judgment of this Honourable Court.

AND IT IS ORDERED that;

1. the decision made by the Respondent, be forthwith removed into the Queen's Bench Division here for the purpose of being quashed,
2. upon the said decision being removed into the Queen's Bench Division as aforesaid the same be quashed without further Order,
3. the said decision be remitted to the Respondent with a direction to reconsider it and reach a decision in accordance with the ruling of this Court;

"An Order of Mandamus to compel the Respondent to expeditiously honour its enforceable public commitment to provide an overarching report into the Glenanne group of cases and to do so in accordance with the necessary minimum elements

summarised at paragraphs 169-170 of the main Judgment”,

4. the Respondent shall pay to the Applicant the costs of this application and the costs reserved by the Order dated 2 February 2015 such costs shall be taxed in default of agreement and;
5. the Applicant’s costs be taxed in accordance with Schedule 2 to the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.

Stephen O'Hara  
Proper Officer

Time Occupied: 7 November 2017 15 mins  
6 November 2017 1 hour 5 mins

Filed Date 27 November 2017