**FOREWORD**

by Lord Woolf, former Lord Chief Justice

Previous editions of this Handbook have established such high standards that no endorsement is required from me. However, I would like to make two points. The first is how delighted I am at Mike Fordham’s recent appointment as a High Court judge. His career has demonstrated how appropriate his appointment is. The second point relates to the fact that the government has recently made it clear that they are seriously considering reforming judicial review. For that reason, they have established what is described as an ‘Independent Review of Administrative Law’ and a Panel chaired by Lord Faulks QC. He has now issued a call for evidence. In doing so, he asks: “Does judicial review’s strike the right balance between enabling citizens to challenge the lawfulness of government action and allowing executive and local authorities to carry on the business of government?” I intend to respond to the call, but my main response is to suggest that the Panel should in the first instance, acquire a copy of this Handbook and study its contents carefully because it is my belief that in the light of its contents, they should proceed with great caution. A study of its contents demonstrates the result of growth in the range and extent of the of judicial review over the seven successive editions of the Handbook. However, the reason for this growth is not primarily the consequence of inappropriate activity of the judiciary, but the response to the public seeking redress in respect of an increase in actions of public bodies behaving in a manner which does not accord with the rule of law.

**Lord Woolf**

House of Lords

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**From Lord Woolf’s Previous Forewords:**

*January 1994 (First Edition):* This ‘Handbook’ adopts an entirely novel approach to make available the vast volume of material which now constitutes the corpus of administrative law. It is an approach which I have found, having used a pre-publication version of the book, works extremely well in practice. Over the years administrative law, which is the law applied on applications for judicial review, has grown like Topsy. The application of the law involves, so far as this is possible, identifying from a mass of case law the underlying principles. This is just what the Handbook helps to achieve. It works by identifying the principles and then setting out the authorities which support those principles. The principles may have to be reconsidered as the case law develops but in their present form they provide an admirable base from which to start and the copious references by which they are supported provide an extremely important resource. The Handbook is therefore a valuable addition to the literature which is available on judicial review. As its virtues become known I feel confident it will prove popular with everyone who is concerned with judicial review and in particular those who practise in the public law field, among whom I include the judiciary. Its title includes the word ‘Handbook’. While I understand the use of this word as part of the title and appreciate that practitioners will certainly find the book ‘handy’, I very much hope that the use of the word ‘Handbook’ will not give the impression that it deals with the subject superficially. This is very far from the case. The ‘Handbook’ skilfully absorbs a remarkable amount of learning. I hope that it has the extremely bright future it deserves.

*March 1997 (Second Edition):* I have the highest expectations of the second edition having frequently used the first edition.

*September 2001 (Third Edition):* I expressed the hope in 1994, that the Handbook would have the bright future it deserved. I am delighted that my hopes have been fulfilled. If we needed the first edition our needs are greater now for a third edition. In the intervening seven years the pace of the development of judicial review has continued to accelerate and the Human Rights Act has now acted as a catalyst. During those seven years the Handbook has regularly come to my aid. I, like many other lawyers and jurists, have become addicted to it. It is our first port of call when we have an administrative law problem. So I am delighted that there is to be an up to the minute third edition. I am also delighted to be able to predict that it will be at least as successful and as valuable to those involved in public law as the two previous editions.

*September 2004 (Fourth Edition):* I am delighted to have this opportunity of welcoming the 4th edition of this most valuable Handbook. One of the great strengths of judicial review is that it has been entirely created through the decisions of the courts over the years. As it has evolved so have the principles around which it is structured. The foundations are sound and courts continue to build upon them. However, as a result the number of authoritative cases continues to grow. Not even the most able and experienced practitioners or judges can possibly keep abreast with the continuously increasing number of authorities. For both, the Handbook is a most valuable resource. Certainly, in my work I find the Handbook extremely valuable and I am delighted that there is once again an up-to-date edition so I can again, having consulted it, know that there is no important decision which I have overlooked. The Human Rights Act made the author’s task even more difficult but he can be relied upon not to let standards slip. I am confident that this new edition will cause public lawyers, irrespective of the sphere in which they work, to share my enthusiasm for the Handbook.

*October 2008 (Fifth Edition):* I am delighted to welcome the 5th edition of this volume, which has become an institution for those who practise public law. Ever since the first edition, I have been a great admirer of the Handbook and its author. When I wrote the foreword for the first edition, I was very optimistic about its prospects and it gives me pleasure in regard to the Handbook to have had my judgements proved correct. This edition has of necessity been the subject of significant and strategic pruning. The Handbook was in danger of being smothered by its own success. Such has been the growth of its contents, matching the growth of judicial review that there was a danger of its no longer being so convenient to use. However, unsurprisingly, Michael Fordham has recognised this danger and ensured that his pruning has eradicated it. As with the previous editions, the subject is still treated in sufficient depth; it retains the best of the past while including the most recent cases, with which practitioners, judges and academics have to keep abreast. In the first edition, Michael Fordham made clear that as a practitioner of judicial review, he was a novice. That is far from the position today. He is now one of the most distinguished leaders in this field at the Bar, as has been acknowledged by his being declared Chambers UK’s Human Rights and Public Law Silk of the Year 2008; an award which, from my own knowledge, he richly deserves. The selection of the cases included in the latest edition has, therefore, an authority which was absent from the first edition. It has the authority that comes from being compiled by an author of singular distinction.

*July 2012 (Sixth Edition)*: The *Handbook* has become an important part of the Judicial Review landscape. The sixth edition will ensure its continued pre-eminence. For this to happen it has to be up to date, both in the views it expresses and the cases that it cites. This is what the new Edition will ensure. Michael Fordham QC still writes the book singlehandedly and the users of the new edition can have the same confidence in its contents as they had in the earlier editions. I have no doubt practitioners engaged in public law litigation will find that the “Handbook” continues to be an essential aid. It is with confidence that I wish this edition the same success as its predecessors. Once more, it has been completely updated. In addition, it contains new sections, for example that relating to the Principle of Legality. Readers will also be helped by the introduction of separate sections on Judicial Review as an Inalienable Constitutional Protection and Judicial Review of Primary Legislation.