



1 CROWN OFFICE ROW

**The interaction of the duty to consult with
the common law duty of fairness - how far
can you push the Court?**

**When does fairness require you to re-
consult?**

Sarabjit Singh QC

Case list

1. *R v Devon County Council, ex parte Baker* [1995] 1 All ER 73
2. *R (Moseley) v Haringey London Borough Council* [2014] UKSC 56, [2014] 1 WLR 3947
3. *R (Doody) v Secretary of State for the Home Department* [1994] 1 AC 531
4. *R (Davies) v Revenue and Customs Comrs* [2011] UKSC 47, [2011] 1 WLR 2625
5. *Council of Civil Service Unions v Minister for the Civil Service ("CCSU")* [1985] AC 374
6. *R (Bhatt Murphy) v Independent Assessor* [2008] EWCA Civ 755
7. *R (Article 39) v Secretary of State for Education* [2020] EWCA Civ 1577, [2021] PTSR 696
8. *R v Brent LBC, ex p Gunning* (1985) 84 LGR 168
9. *R v North and East Devon Health Authority, ex p Coughlan* [2001] QB 213
10. *R (Holborn Studios Ltd) v Hackney LBC* [2017] EWHC 2823 (Admin), [2018] PTSR 997
11. *R (Hoareau) v Secretary of State for Foreign and Commonwealth Affairs* [2019] EWHC 221 (Admin), [2019] 1 WLR 4105
12. *R (Nettleship) v NHS South Tyneside Clinical Commissioning Group* [2020] EWCA Civ 46
13. *Keep Wythenshawe Special Ltd v NHS Central Manchester CCG* [2016] EWHC 17 (Admin)