Join the Legal Challenge to the UK Govt Lockdown

by **Simon Dolan**

23
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Judicial review Lawyers: Wedlake Bell LLP
United Kingdom

Simon Dolan
Case Owner

UK Entrepreneur fed up with the increasing Govt control being exerted.

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Simon Dolan
Nov. 23, 2020

Update 23

SUPPORT THE CASE

Update to our second Judicial review

The legal team has made amends to the 2nd Judicial Review meaning that it's arguments are in relation not only to the first national lockdown but also include the SECOND lockdown currently taking place in England. The Re-Amended Statement of Facts and Grounds have been filed with the Court and the Government has been served with them.

Our case will argue that the "evidence" presented by Whitty and Vallance at the press conference on 31 October at which the new lockdown was announced included some old, suspect data and was misleading.

We will argue that in fact there was no serious escalation in the epidemic as evidenced by:

- Use of old data and overinflated warnings as to likely deaths – a subject already aired in the media

- The continuing relatively flat excess death figures compared to the five year average for the same period

- The unreliability of PCR tests as a diagnostic tool given their propensity to produce large numbers of "false" positives by picking up dead virus particles in people who have long since recovered from infection

- Lack of transparency about NHS capacity and bed occupancy and in relation to typical conditions at this time of year in previous years with the onset of the usual autumn/ winter upsurge in respiratory infections

That being the case, imposing a lockdown with all the disastrous consequences it has for health, economy etc was disproportionate and irrational.

It is only right that the consequences of both lockdowns imposed on the nation are properly considered by the Court. The most recent measures were pitched to England on the promise that come December 2nd, restrictions would be lifted and people up and down the nation could enjoy Christmas festivities.

Reports suggest that the UK could be plunged into yet more restrictions under the guise of a strengthened tiered approach with SAGE also suggesting further lockdowns will be needed to 'recover' from eased restrictions.

What has become evident from the first and second lockdown is that this cycle is not sustainable. Whatever economic measures and packages the Government dangles in front of us, millions are likely to lose their jobs and businesses will be forced to close down.

This flip-flop approach to lockdown, paired with the complete farce that is Test and Trace, is bringing chaos to every echelon of society. Businesses, already up against the wall, are facing another period of unsettling uncertainty. The unemployment rate continues to surge. School attendance is in chaos and with exams already cancelled for thousands, another generation is at risk of being ruined.

Lockdowns cost lives and cannot be allowed to continue.

Simon Dolan
Nov. 3, 2020

Update 22

Update following Court of Appeal hearing

I wanted to update you on our appeal, which was heard at one of the highest courts in the land last Thursday and Friday. The hearing took place in the very grand Court 4 at the Royal Courts of Justice which is the Lord Chief Justice's Court. The three appeal judges included the Lord Chief Justice himself, Lord Burnett of Maldon and two other appeal judges Lady Justice King and Lord Justice Singh. It was a 'hybrid hearing' which meant that the hearing physically took place in a courtroom but it was also being live streamed for people to watch. I was pleased to see some supporters in court – thanks for coming down.

Once again it was Philip Havers QC putting forward our side of the argument, supported by junior barrister Francis Hoar. Sir James Eadie QC was representing the government (with three other barristers at his side, handing him notes and working on their case.

The whole of the first day and the morning of the second were taken up with Philip Havers presenting our case. His main argument was that the lockdown legislation was ‘ultra vires’ or outside the scope of the 1984 Public Health Act which was used to bring them in. In other words the lockdown was illegal.

He also argued that our case was not ‘academic’. When our judicial review into the lockdown was refused in July one of the reasons given was that the case was no longer valid because the lockdown regulations had been revised numerous times (and are being reimposed as we speak). However, we say that the legal challenge is absolutely vital and necessary to stop the government doing the same thing again.

Philip also explained why we believe the regulations contravened people’s human rights which are enshrined in the European Convention of Human Rights and that they were a ‘disproportionate breach’ of those rights. He told the court the lockdown regulations ‘imposed far-reaching restrictions on the lives and businesses of the entire population of England’.

Philip said: “If the court subjects these regulations to judicial scrutiny and if the government is considering a second lockdown, the government, together with parliament and the public, will have available to them what this court has to say about the proportionality of the original lockdown.”

Philip argued that the original lockdown regulations were subjected to 'no judicial scrutiny at all.' He said: “Over five weeks elapsed between the making of the original regulations on March 26 and being approved by affirmative resolution by the House of Commons… seven weeks with both houses. These regulations were made without any parliamentary scrutiny at all and only debated weeks later.” He said the 1984 Public Health Act did not allow for 'house arrest on the whole population.'

My QC then directed his aim at the five tests the government relied on to consider an easing of the lockdown, arguing that these had to be satisfied regardless of the damage or harm being caused to other illnesses and jobs and so on. He told the hearing the five tests did not take into account 'domestic violence, cancer, disease – the consequences for all those who suffer from other illnesses'. He said: “Less restrictive measures could have been adopted without causing disproportionate harm.”

The debate moved on to deaths from Covid-19. Mr Havers said: “The chance of children, mercifully, or adults under 20 dying from Covid-19 who didn't have a pre-existing condition was and still is vanishingly small and the chance of an adult under the age of 60 dying was and still is also extremely small….To continue to keep the whole population under house arrest…to continue to ban all gatherings and so on was irrational when a more targeted approach could have been achieved.”

Lord Justice Singh asked if protecting the NHS was a good enough reason to impose the restrictions. Philip responded: “There were well over 3000 spare capacity beds… there was no realistic prospect of the NHS being overwhelmed.”

The justices then questioned whether our legal challenge was too general. They also probed into whether the legislation’s ‘reasonable excuse’ caveat meant it did not violate human rights. In other words, they were suggesting there were get-outs for people who could breach the regulations and then cite human rights law to justify why they had gone to see their grandma ? This felt like a controversial point to me. Is it realistic that the average person would think to quote human rights law to a policeman?

On the second day, Mr Havers argued the closure of schools was disproportionate. He said: “All schoolchildren with no pre-existing conditions could readily have gone back to school by July 2 and we say should arguably have gone back to school by then.”

Lord Chief Justice asked: “So you are saying because the data was showing the risks were low therefore the government should have persuaded reluctant people to restore the status quo to do so?” Philip replied: “Given the enormous harm being done to the education of every schoolchild in the country my answer is ‘yes’.”

Sir James Eadie took to his feet on the second day to put the government’s case. He said: “The structure and nature of restrictions has changed pretty fundamentally over time, reflecting the scientific understanding. The various judgements that have to be made over time and the balance governments have to strike… to keep the economy maximally open as humanly possible against the resurgence of the violence and the risk it creates.” Sir James also denied claims the coronavirus restrictions were improperly implemented.

Philip said the 1984 Public Health Act used to order the lockdown only applied to individuals and should not have been used ‘to keep everyone ‘under house arrest.’ He suggested the Government should have used the 2004 Civil Contingencies Act instead.

The Lord Chief Justice, Lord Justice Singh and Lady Justice King are now considering their judgement which could be issued any day now.

Depending on their verdict, we will have to consider our next step. It may be that we have to challenge their ruling in the Supreme Court. One thing remains certain – we will not be giving up. What’s also clear, is that this case is momentous, having brought into question significant elements of our legal system as well as the powers of our ministers.

In the meantime, we must continue to gather as much support as we can. Please continue to spread our message, by sharing our updates, our cause and the link to this Crowdjustice fund.

Together, we will Keep Britain Free.

Simon Dolan
Oct. 20, 2020

Update 21

Speaker intervenes in Simon Dolan's legal fight against lockdown

Speaker intervenes in Simon Dolan's legal fight against lockdown

Lindsay Hoyle declares the case is of 'constitutional importance'

October 20, 2020

Sir Lindsay Hoyle has applied to intervene in a legal fight brought by Simon Dolan and Cripps Barn Group against the Government's lockdown restrictions.

Hoyle, the Speaker of the House of Commons says he will intervene in the case because it raises issues of 'constitutional importance'.

Businessman Simon Dolan and leading wedding venue operator Cripps are challenging the restrictions on wedding receptions which are devastating the hospitality industry and seeking a judicial review. They argue that the Rule of Six, the 10pm curfew and the limit on wedding receptions to 15 people were introduced illegally and without proper scrutiny by parliament.

The claimants say the Government misused legislation to bring in the new regulations. They say the Government introduced the new measures through the Public Health (Control of Infectious Disease) Act 1984 by certifying the legislation as 'urgent'. That loophole allowed Ministers to make the laws effective immediately without prior approval in parliament.

However, the through his legal counsel, the Speaker has expressed concern that when the court examines this aspect of the claim it could breach Parliamentary privilege which is enshrined in Article 9 of the Bill of Rights 1689. The Speaker's Counsel has stated that, if that happened, it would "amount to an attack on the ability of each House of Parliament to determine when and how to exercise its functions in scrutinising legislation, subject to the time limits imposed by statutory provisions."

The Speaker's intervention in the case comes at the same time as UK civil liberties campaign group Big Brother Watch has applied to intervene in the separate judicial review case brought by Mr Dolan which is due to be heard by the Court of Appeal next week.

Last Thursday lawyers acting for Simon Dolan and Cripps went to the High Court to seek an injunction against the Government's latest restrictions on the grounds that they had been made unlawfully without prior Parliamentary approval. Mr Justice Swift denied the application for an injunction at the Royal Courts of Justice at an all-day hearing.

However, Simon Dolan and Cripps are continuing with the case and are applying for a judicial review into the lockdown restrictions which prevent proper weddings from taking place.

Simon Dolan said: "It is ironic that the Speaker now getting involved in this case. The whole reason we are fighting the Government in court is because Parliament was not given a chance to scrutinise the latest lockdown restrictions. Hoyle even stated himself that was unacceptable. Yet his intervention is all about the narrow issue of protecting Parliamentary privilege, rather than promoting the proper scrutiny of important legisalation. But his intervention shows how important our legal fight is and how seriously it is being taken. The Government could have decided to have the laws looked at and approved if it wished. It hasn't tried to do so – deliberately – because it does not want Parliament involved. Hiding behind the notion that its lockdown laws are too "urgent" to be subject to scrutiny by Parliament is wrong.

"The decision by Mr Justice Swift last week was disappointing. I do not think he looked closely enough at the specific data about where infections are being passed on. He was happy to rely on what he had seen in 'the news'. But that is not a detailed examination of the evidence. Coronavirus is not being spread in hospitality situations. The wedding sector is being unfairly destroyed by nonsensical laws which were imposed without proper debate or scrutiny in parliament.

"We will continue our legal fight against the restrictions on weddings. We are seeking a judicial review into those measures and how they were brought in. This comes on top of our other judicial review into the wider lockdown measures. We are also asking the Court of Appeal to rule on whether the initial lockdown measures were brought in 'ultra vires' – outside the scope of the law they relied on in the Public Health Act.

"Since we started the legal fight against the Government's lockdown in May people have been increasingly supportive of our arguments. It is now widely accepted that the harm from lockdown is greater than the risk to public health from COVID-19. The answer to coronavirus is not a circuit breaker or a three-tier system. It is to let people get on with their lives and their livelihoods."

Family-run wedding and events firm Cripps has seen their business devastated by the Government's restrictions. The business is being badly damaged by the new rule limiting weddings to 15 people – while pubs and restaurants can host unlimited numbers within individual groups.

Mark Henriques, Managing Director of Cripps & Co, said: "Last week's decision is another blow to our business and to the wider hospitality industry. We were hoping the court would see sense and halt the new restrictions until they had been properly debated. We will now seek to have the restrictions examined at a judicial review.

"It makes no sense that spacious wedding venues, including some that seat 1,500 people, have to restrict themselves to 15 people. By next March the wedding dreams of around 500,000 brides and grooms will have been shattered. A wedding meal for 100 people, with guests spaced as in restaurants, with no mingling or dancing, with modest consumption of alcohol and strict supervision, poses a very small risk indeed. We must overturn this absurd legislation so people can get on with their lives. We are doing this on behalf of wedding couples, business owners, staff and suppliers."

Simon Dolan
Oct. 1, 2020

Update 20

Filing today for an Injunction

We have joined forces with leading wedding venue operator Cripps Barn Group Ltd to seek an injunction which would immediately halt the Government's latest lockdown laws.

We are serving legal papers on the Government today, seeking urgent relief from the Court to quash the new restrictions laid down by Boris Johnson's Cabinet and to declare them illegal. We are also seeking permission to take the measures to judicial review.

We say the contradictory and confusing laws are destroying the hospitality industry and that the measures are disproportionate to the risk to public health from COVID-19.

We are arguing that the Government misused legislation to bring in the new regulations without proper scrutiny by parliament. The Government introduced the new measures through the Public Health (Control of Infectious Disease) Act 1984 by certifying the legislation as 'urgent'. That loophole allows Ministers to make the laws effective immediately without prior approval in parliament.

If the injunction is granted, and a public official attempts to impose the lockdown laws, they could be in contempt of court which is ultimately punishable by imprisonment.

Family-run wedding and events firm Cripps is a member of the £130 billion hospitality industry and – like many others - has seen their business devastated by the Government's restrictions. The business has been blitzed by the new rule limiting weddings to 15 people – while pubs and restaurants can hold unlimited numbers within individual groups.

Mark Henriques, Managing Director of Cripps & Co, said: "The latest round of lockdown restrictions, introduced through the back door without any Parliamentary scrutiny, are absurd and contradictory. They are devastating the hospitality industry and all its support businesses. We are asking the courts to halt the new restrictions at least until they have been properly debated.

"It is plainly ridiculous that spacious wedding venues, including some that seat 1,500 people, have to restrict themselves to 15 people. It's all based on the Government view that weddings are 'super-spreader' events. By next March the wedding dreams of around 500,000 brides and grooms will have been shattered. The Government's thoughtless assumption is that wedding guests will be drunkenly hugging and kissing everyone in the room as though Covid didn't exist.

"In the real world, the Government must see that most people have adapted their behaviour and, particularly around the vulnerable, are acting with great restraint. A wedding meal for 100 people, with guests spaced as in restaurants, with no mingling or dancing, with modest consumption of alcohol, poses a very small risk indeed. Wedding events can be closely supervised by venue staff and family members who would be determined to keep things safe. Weddings pose no more risk than many other permitted activities.

"We ask the Government to drop this obsession with weddings and wake up to the fact they are needlessly ruining the lives of hundreds of thousands of wedding couples, business owners, staff and suppliers."

We are applying to the Court for an urgent hearing and an injunction to stop further damage being caused by the new laws. We sent the Government's lawyers a Letter Before Action at the weekend to signal their intentions. We are issuing proceedings today and asking for a hearing to be held next week.

We are bringing this case in addition to the existing high profile legal challenge to the Government, which continues and the Appeal will be heard on 29th Oct.

This additional, fresh legal challenge comes after backbench MPs, who were demanding more say over COVID restrictions, rolled over and accepted a future vote 'wherever possible' on lockdown measures.

Simon Dolan said: "With 16m people now under draconian local restrictions, and everyone facing harsh fines for contravening rules they can't even understand, the tide is turning. More and more people believe, like us, that the Government cannot be allowed to do what it likes with no thought to the consequences of its actions.

"The new legislation has been sneaked in using a legal loophole without scrutiny from parliament. That is why the country is in a total mess and a state of confusion. Businesses are being driven into the ground and lives are being ruined. The Prime Minister himself had to apologise for getting confused by his own laws and his own father did not know to wear a mask.

"I have long argued that all the lockdown measures have been brought in illegally and are completely disproportionate to the risk from COVID-19. We have evidence which backs this up and challenges the spurious scenario presented made by Professor Whitty when he claimed that there could be 50,000 coronavirus cases per day by next month.

"Backbench MPs, led by Sir Graham Brady, made some noise about being denied a voice. But they rolled over like poodles as soon as their tummies were tickled with the promise they will be given a vote 'when possible.'

"The new measures threaten to destroy the hospitality industry. We know there are dismayed, worried and angry people in the hospitality industry and we need more people from the sector to come forward and support this legal case. They can make their voices heard. Anyone who wants to support it financially can donate to the CrowdJustice appeal. The lockdown measures are illegal, they do not work and they must be scrapped."

Simon Dolan
Sept. 17, 2020

Update 19

Appeal Delayed due to Govt lawyer holiday plans

Our legal challenge against the Government delayed by a further month - due to a Government lawyer being on holiday.

We had been scheduled to go ahead on September 23, with the court having moved the hearing forward from the original date of September 28.

But one of the Government's 11-strong team is holiday on that date, meaning it has now been moved back to October 29. The availability of suitably senior judges to hear the case on alternative dates was also a factor.

As you know, the appeal was ordered to be heard by Lord Justice Hickinbottom who said that the legal challenge "potentially raises fundamental issues concerning the proper spheres for democratically-accountable Ministers of the Government and judges."

We are all naturally incredibly frustrated that the hearing will be delayed, especially given Lord Justice Hickinbottom's direction that the case needed to be heard quickly. The case is of the utmost importance to the entire nation and we believe that further delays only highlight the Government's inability to face up to its decisions.

The better news is that the delay will mean that the appeal will be held in person, rather than virtually as all previous stages have been.

We have seen in recent weeks that the Government, by its own admission, is willing to break the law. It cannot be allowed that these actions go unchecked and I urge everyone to consider the ramifications which the lockdown has had on our freedoms and liberties.

In the meantime, we will continue to fight to expose the dangerous and damaging impacts the Government's lockdown strategy has had on the entire nation and I would urge you to join our fight by signing up to https://www.keepbritainfree.com

Simon Dolan
Aug. 5, 2020

Update 18

Appeal to be heard!

Our challenge against the UK Government lockdown will continue to be heard after the Court of Appeal yesterday ruled that the case highlighted 'fundamental' concerns over the accountability of Government Ministers.

The Judicial Review will now proceed to a rolled-up hearing expected to be held at the Court of Appeal during the week commencing the 28th September after a ruling was handed down by Lord Justice Hickinbottom.

The hearing will decide on whether the case should progress to a full Appeal which would see the Government once again pressed to defend the introduction of measures which were described by the court as "possibly the most restrictive regime on the public life of persons and businesses ever."

Lord Justice Hickinbottom said that the legal challenge "potentially raises fundamental issues concerning the proper spheres for democratically-accountable Ministers of the Government and judges."

Owing to Government restrictions, our first hearing was held virtually. However, Lord Justice Hickinbottom ordered in his review that the case should be "considered by the full court in open court, and the Applicants given any opportunity to make good their case at least on arguability."

Simon Dolan
July 17, 2020

Update 17

Appeal

Just to let you all know that the appeal documents (grounds of appeal and skeleton arguments) are up on the site. Bottom of the home page.

Well worth a read...

Simon Dolan
July 9, 2020

Update 16

Appeal announcement

I am reigniting our lockdown battle with the Government by launching an appeal against the decision denying us permission to bring a Judicial Review over the measures.

Our Judicial Review attempt was rebuffed by Mr Justice Lewis in a swiftly delivered decision, following an all-day hearing on July 2.

But after consulting with the legal team, I am now appealing the ruling.

I feel passionately about the rights which lockdown has taken away from everyone and that is why I am appealing. It cannot be right that the power to take away livelihoods, damage businesses and remove basic freedoms can be exercised by a Government Minister, with no adequate checks or balances.

I feel the judgment did not engage with, or consider on any analytical level, the vital issues – issues that affect tens of millions of people - that we set out in the case.

Neither do I feel the judgment engaged on an appropriate level with the 100s of pages of evidence the legal team put together. It appears incredibly out of touch with the devastating consequences on society.

The judge suggested the impact on family life was modest as loved-ones could catch up on video calls.

This is a statement which will not sit well with the millions of families who have been unable to visit elderly relatives and those in care homes.

Only this week we have read how this lack of contact is feared to have accelerated dementia in sufferers, with it being reported that experts suspect many indirect COVID 19 deaths in care homes were due to lack of contact with loved ones and carers, causing dementia patients to deteriorate.

We also now know there has been no consistency on political gatherings, which are effectively banned under lockdown. Piers Corbyn, who is a 73-year-old man, will face court in October, just for exercising his rights of free speech at Speaker's Corner. Yet 1000s of people who have marched on various causes – including BLM – have not faced the same measures.

Lockdown is not over. Even now, the Government's "guidance" on what people can or cannot do is at odds with the laws they have enacted. It is so confusing that many even mainstream media have misreported what the restrictions actually are. We are seeing the appalling effects of the Government decisions every day. Life in the UK could be changed forever if we do not act.

The Government's barrister argued that our case was now "academic" due to the recent easing of restrictions.

But the lockdown in Leicester – and any other city which is sent down the same path whenever the Government so chooses – shows that is plainly not the case.

I believe lockdown should never be allowed to happen again and that – and the support of nearly 7,000 people who have backed my campaign – also drives this appeal.

Papers formally requesting the appeal will be lodged at the High Court on Monday.

Simon Dolan
July 6, 2020

Update 15

High Court Decision

Disappointed beyond measure to let you know that we have received the High Court ruling and the Judge has disallowed our case - essentially this means we have no recourse to the law.

We have published the full decision on the website. Please do read through this as you will see just how lightly and with complete disdain the Judiciary have dismissed the enormous amount of evidence we provided.

We are currently considering an Appeal.

I want to say a personal and very heartfelt thank you to all of you. It has meant the world to stand alongside so many people who believe like I do that Britain should remain a free country.

We will continue the fight - either in Court of via other means. Please do consider signing up to www.keepbritainfree.com

We may have lost this battle but the war is very much just beginning.

Simon Dolan
July 3, 2020

Update 14

Breaking News

After our day in Court yesterday, the Govt have scrapped the existing Regs and tonight replaced them with much less restrictive ones. However, they are not fully scrapped and the threat of reimposition remains so we continue to fight for full Judicial Review

Our legal team will be analysing the new Regs over the weekend. We will come back on Monday with full details as to what restrictions remain.

Simon Dolan
July 2, 2020

Update 13

High Court - Day 1

Just a quick update. Our skeleton case was heard today at the High Court with our barristers laying out our arguments and the Govt's barristers countering.

The Judge, who described the case as "extremely important" has reserved judgement and will deliver his verdict early next week. This verdict will determine whether we can move forward to the full hearing which would likely be very soon after.

We are feeling quietly confident.

Thank you again for all your support. For a full rundown of the days events, you can follow me on Twitter (@simondolan) where you will be able to see the various points made throughout the hearing

Simon Dolan
June 23, 2020

Update 12

High Court date given

Our battle against the Government's lockdown will go before a High Court judge on July 2.

The date – which will mark the 101st day since the UK was placed into lockdown – has been set aside for an application for permission to seek Judicial Review. This hearing is the important first step in the process and is the first official court date in our legal challenge.

It was set just days after the Government found itself under-fire following the claim in its defence papers that it had not ordered schools to close and that it was merely a "request"that they did.

The revelation sparked backlash from schools and parents alarmed over how the trick of words from Prime Minister Boris Johnson has meant more than 11 million children being out of school since March 23. Many private schools declared they would be opening regardless in September "come what may", using hygiene measures and their own test and trace measures.

While lockdown means the hearing will take place via video link and not physically in the High Court, it will follow normal rules in terms of access to the public and media.

The Government will be represented by one of country's top QCs, First Treasury Counsel Sir James Eadie. Its legal team also includes 3 barristers.

July 2 will be just over 100 days since lockdown and what has happened every day in this period underlines how important the Judicial Review is.

In that time, £2.5bn has been wiped off the UK economyeach day, millions of children are shut out of school, the NHS faces a waiting list explosion, and the freedoms of liberties everyone in the UK have been trampled over. In all this time, the Government has shown the agility of a beached whale.

It has sought to kick this legal process into the long grasstime and time again. Even its response was issued 3 minutes before the deadline. Its strategy seems to be to label our claims as 'absurd' and to shut down any scrutiny of the most draconian set of rules this country has known.

We have already forced the publishing of the SAGE meeting minutes, and unmasked the closure of schools as a trick of words from a government now trying to weasel its way out of a decision around education which is a stain on the history of this country.

There has been no democratic process on lockdown, which is why we must turn to the courts. Few people will realise there was a debate over the lockdown in the Commons recently. It is a disgrace that only a handful of MPs attended – a point made by some of the MPs themselves – this is why I believe the legal work to unpick the Government's actions as part of the Judicial Review is so vital. Lockdown must end now.

The Judicial Review will seek to challenge the Government on three main points:

• Whether lockdown is unlawful because the Government implemented regulations under the Public Health Act 1984 instead of the Civil Contingencies Act 2004 or the Coronavirus Act 2020.

• The legality of the continuation of lockdown, and whether the tests for lifting it are too narrow, failing to take account of the economic and social impacts of lockdown.

• Whether the restrictions brought in by the Government contravene the European Convention of Human Rights, which cover the right to liberty, family life, education and property.

We are represented by Michael Gardner of law firm Wedlake Bell LLP and barrister Francis Hoar of Field Court Chambers. Philip Havers QC, a barrister and Deputy High Court Judge who specialises in public law, human rights and public inquiries, is also instructed as part of the legal team.

Simon Dolan
June 18, 2020

Update 11

Government Defence Now Published

Happy to say that we have now published the Govt Summary Grounds of Defence. Is on the website toward the bottom of the homepage (and yes, includes the schools defence in all its glory)

Also, you may want to visit

https://www.keepbritainfree.com

Which is a new movement I have set up to ensure this can never happen again

Simon Dolan
June 15, 2020

Update 10

Our second victory

Late on Friday afternoon, 3 minutes before their deadline expired, the Govt filed with us their defence against our claim. All 58 pages of it.

We will publish the whole thing on the site shortly, but the main story is that we have finally exposed that the whole schools shutdown was a lie. The Govt have admitted that they had no legal basis to close schools, and that they simply 'recommended it'.

This was something we suspected all along. The Govt says is is nonsensical for us to say that schools were closed because they remained open for key workers and there had only been a 'request' that schools should shut their doors to other pupils, yet the PM announced on March 18th that "schools will remain closed until further notice"

This is really quite an extraordinary lie, and one which never would have come out if we hadn't started this Judicial Review

Finally, if you would like to get up to the minute updates, please do feel free to follow me on Twitter (just search simondolan). I can get these out much quicker than the updates on here.

Simon

Simon Dolan
June 8, 2020

Update 9

Letter Before Action - Quarantine regs.

Our letter before action against the quarantine regulations is now up on the site - right at the bottom of the homepage. Contains our whole argument against the quarantine.

Simon Dolan
June 2, 2020

Update 8

Additional Letters Published now.

Just a very quick update to say that there is additional correspondence up on the site. Same place on the home page - is at the bottom left

Things seem to be moving very much in our favour - we keep fighting. Govt have until 12th June to issue full defence.

Simon Dolan
May 30, 2020

Update 7

First victory!

The Government have now released Sage minutes following our demands.Having formally served our Judicial Review on them demanding disclosure on 26 May,3 days later, they've performed a complete U turn and published them.

Patrick Vallance said

"Openness and transparency around this disease is a social imperative, which is why it's important we don't wait to publish minutes and evidence"

Chris Whitty said

"I am very pleased that the SAGE minutes are being published"

Make no mistake. The only reason the Govt published these was because of our legal action. The fight of course, continues. We won't stop until they have been held to account for this illegal lockdown. They have until 12th June to file their defence papers.

If you want to read the papers you can find them here:

https://www.gov.uk/search/transparency-and-freedom-of-information-releases?organisations%5B%5D=scientific-advisory-group-for-emergencies&parent=scientific-advisory-group-for-emergencies

Simon Dolan
May 27, 2020

Update 6

Evidence in Support

This document is now published in full on the home page. Well worth a read as it contains the evidence in support of our case.

Simon Dolan
May 21, 2020

Update 5

Case filed today

My lawyers have this morning filed my application to the High Court for a Judicial Review of the Government's lockdown regulations. They have filed over 1000 pages of legal documents including an 87 page Statement of Grounds. We will be publishing the entire document on this site around 1pm today, along with the initial Govt response to our first letter.

The proceedings are against Matt Hancock, the Secretary of State for Health & Social Care – whose name is on the lockdown laws – and Gavin Williamson the Secretary of State for Education, who has presided over the closure of schools and universities.

The aim of the proceedings is to lift the ruinous lockdown, restore the civil liberties taken away from the public and allow schools, healthcare services and the economy to restart.

The number of people furloughed or unemployed stands at 10 million people, and billions are being wiped off the economy with every passing day. Those lucky enough to have jobs left at the end of this crisis could see income tax increase by up to 10p in the pound. The government has spent £13,000 per household on bailout so far.

A judicial review is the only effective means of challenging what the Government is doing and holding them properly to account. BorisJohnson and his crew have sleepwalked into this mess and are taking the nation over the cliff edge with them.

Our fight begins proper today!

Simon Dolan
May 14, 2020

Update 4

Govt response received

Just a few hours ago we received a detailed response form the Govt to our letter before action. Our legal team are currently considering the various points raised. The letter runs to some 13 pages and as you can imagine contains some highly technical points. We can confirm for now that they are however refusing to release the minutes of the SAGE meetings.

Will update further just as soon as the legal team have formulated their plan of action. rest assured, the fight very much continues. Expect another update in the next couple of days.

Simon Dolan
May 7, 2020

Update 3

Government asking for more time to respond to us

Businessman Simon Dolan has accused Boris Johnson of “dragging his heels over the burning embers of the economy” after the Government said it needed more time to respond to his legal challenge to lockdown.

Mr Dolan, who owns ten UK businesses and employs 600 people, is seeking a Judicial Review over the Government’s emergency measures which continue to impose severe restrictions on personal liberty and freeze the UK economy.

His lawyers sent a Letter Before Action the Government on Thursday April 30, setting a deadline of May 7 for them to respond.

The legal challenge calls on the Government to urgently action the allowing of gatherings of up to 100 people, the reopening of schools, and to commit to a review the lockdown restrictions every two weeks

However, government lawyers have now written to Mr Dolan’s legal team requesting a further week to issue their response.

The initial deadline was also the time PM Boris Johnson was due to announce a review of lockdown. That announcement has also been pushed back – reportedly until Sunday evening.

Simon Dolan said: “The Government is playing for time in asking for more time to respond to the Letter Before Action. Time is something ministers really do not have the luxury of – every day is estimated to cost the economy £2.5billion.

“It is yet another example of the Government sitting on its hands while Britain is sent hurtling on a journey to economic and social ruin. Boris Johnson wants to be seen as Churchillian – he is behaving more like Nero, dragging his heels over the burning embers of the economy and freedom.

“We have a delay in addressing the Letter Before Action and delay in addressing nation desperate to hear a plan on how we will climb out of the mess of lockdown.

“The logic of delaying any announcement is baffling, unnecessary and damaging. Other countries are emerging from lockdown and Britain we will be left behind – ruing the rising cost with every passing hour.”

The extension request from Government comes following pressure from its own MPs over lockdown. In a House of Commons debate on Monday evening (May 4), questions over the legality of lockdown were aired. Mr Dolan’s Judicial Review was referenced in the debate.

One backbencher who took part in the debate, Steve Baker MP (Wycombe), had already called on the Prime Minster to “end the absurd, dystopian and tyrannical lockdown.” Writing in a national newspaper, he argued: “These extraordinary measures require not only legal authority but democratic consent. There is a real possibility that they have had neither.”

Mr Dolan said: “There is growing criticism and frustration over the Government’s delays, including from within its own party.

“It is now universally accepted that the lockdown will cause enormous long-term damage to both the economy and the general health of the population.

“We know from the House of Commons debate that the Government is aware of the issues over the legality of lockdown. To say it hasn’t had time to properly respond is unacceptable when so much is at stake.

““Boris will play to the crowd on Sunday by allowing picnics and visits to the garden centre. He is going to let people play golf and go fly fishing.

“But it’s just lightweight stuff which does not address the real needs of ordinary people. We need serious decisions which will get the economy moving and safeguard future generations.”

Mr Dolan’s lawyers have given the Government until Tuesday May 12 to issue its response.

Simon Dolan
May 6, 2020

Update 2

Leading barrister Philip Havers QC instructed in lockdown legal challenge

A leading human rights lawyer has been appointed to the team which is mounting a legal challenge to lockdown – and calling for all SAGE publications to be made public.

Philip Havers QC, a barrister and Deputy High Court Judge who specialises in public law, human rights and public inquiries, has been instructed to challenge the lawfulness of the Government’s restriction of civil liberties.

This comes as the campaign continues to seek greater transparency over the Government’s SAGE meetings – after a disappointing partial release of information.

Earlier today the Government released a cache of SAGE documents, but so far only a small fraction of the 122 documents which the scientific advisory group has produced have been made public.

Meanwhile, over two thousand individuals have now donated to the CrowdJustice fund behind the lockdown legal challenge, led by UK businessman Simon Dolan.

They are backing a Judicial Review into the Government’s emergency measures which continue to impose severe restrictions on personal liberty which are freezing the UK economy.

Lawyers acting on behalf of Mr Dolan delivered a ‘Letter Before Action’ to the Government last week, giving it until this Thursday May 7 to respond.

A key part of their challenge is calling for publication of all SAGE documents and minutes from their meetings.

Simon Dolan said: “Our campaign is growing stronger by the day. I am delighted that Philip Havers QC will now be working with us on the judicial review.

“There is a lot of support for what we are doing. It is incredible that over two thousand people have now donated to our CrowdJustice fund.

“Together we can encourage the Government to lift restrictions, reopen schools and get the economy moving again.

“We welcome the partial release of SAGE publications. However, it is disappointing that so much information is still being withheld. I do not understand why there is continuing secrecy. It is vital that the government releases all SAGE documents and minutes to reveal who has said what.

“One of the SAGE publications we are not allowed to see is called ‘What is the evidence for the importance of outdoor transmission and of indoor transmission of COVID-19?’. Why can’t we see that? Does it cast doubt on the likelihood of people infecting each other in the street?

“This cover up is exactly why we are pursuing a legal challenge to lockdown. We want total transparency over the decisions that took our personal freedoms away.

Simon Dolan
May 3, 2020

Update 1

First update

Thanks so much everyone for your kind support. Absolutely blown away by the level of feeling out there, and I must admit my faith in humanity has been restored. Such an important subject and I am so happy that so many people agree.

The level of press attention has been great - most nationals have picked it up in the UK and we have gone as far as Aus, US, Spain and France too.

We will carry on with the media every day up to and including 7th May which is when the Govt need to respond to our letter and also the date they announce their new lockdown measures.

We have identified an eminent QC who will be representing us at the Judicial Review. I will update with full details as soon as I can.

In the meantime, thanks again. I believe we are achieving something great here.