



**In the High Court of Justice
Queen's Bench Division
Administrative Court**

CO Ref: CO/2982/2017

In the matter of an application for Judicial Review

The Queen on the application of

(1) AYESHA SIDDIQUI
(2) KATJA PAEPRER-ROHRICHT

versus

ASSISTANT CORONER FOR THE EASTERN AREA OF GREATER
LONDON

**Application for permission to apply for Judicial Review
NOTIFICATION of the Judge's decision (CPR Part 54.11, 54.12)**

Following consideration of the documents lodged by the Claimant and the Acknowledgment of Service filed by the Defendant

Order by the Honourable Mr Justice Lavender

Permission is hereby refused.

Reasons:

1. There was no procedural unfairness. This was an inquest. Its purpose was to investigate into a death. Matters revealed by that investigation gave rise to a concern that circumstances creating a risk of other deaths would occur, or would continue to exist, in the future and, in the assistant coroner's opinion, action should be taken to prevent the occurrence or continuation of such circumstances. In those circumstances, the assistant coroner was obliged to issue a report: see paragraph 7(1) of Schedule 5 to the Coroners and Justice Act 2009.
2. The appropriate remedy for correcting any mistake of fact in the report is by responding to the report, as provided for in paragraph 7(1) of Schedule 5 to the Coroners and Justice Act 2009.
3. In any event, the Claimants could not rely on *E v SSHD* [2004] QB 1044 ~~because they were responsible for the mistake of fact. The Second Claimant's~~ letter of 8 March 2017 and the First Claimant's evidence confirmed that the deceased's discharge summary had not been followed up, but failed to explain why this had happened.
4. The assistant coroner had no power to withdraw the report once made.
 - No application has been made for the costs of preparing the Acknowledgment of Service and no order is made in respect of those costs.

Signed

Nicholas Lavender

The date of service of this order is calculated from the date in the section below

Sent / Handed to the claimant, defendant and any interested party / the claimant's, defendant's, and any interested party's solicitors on (date): **28 SEP 2017**
Solicitors: