

Education and the Courts
Education and the Courts
Education and the Courts
Education and the Courts
Education and the Courts

Education and the Courts

Education and the Courts

Third Edition

J Richard McManus QC

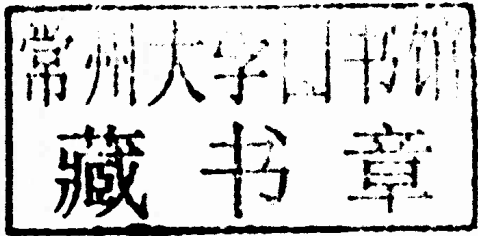


JORDANS

Education and the Courts

Third Edition

Richard McManus QC



JORDANS

Published by
Jordan Publishing Limited
21 St Thomas Street
Bristol BS1 6JS

Whilst the publishers and the author have taken every care in preparing the material included in this work, any statements made as to the legal or other implications of any transaction, any particular method of litigation or any kind of compensation claim are made in good faith purely for general guidance and cannot be regarded as a substitute for professional advice. Consequently, no liability can be accepted for loss or expense incurred as a result of relying in particular circumstances on statements made in this work.

© Jordan Publishing Limited 2012

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any way or by any means, including photocopying or recording, without the written permission of the copyright holder, application for which should be addressed to the publisher.

Crown Copyright material is reproduced with kind permission of the Controller of Her Majesty's Stationery Office.

British Library Cataloguing-in-Publication Data

A catalogue record for this book is available from the British Library.

ISBN 978 1 84661 328 9

Typeset by Letterpart Ltd, Reigate, Surrey

Printed in Great Britain by CPI Antony Rowe, Chippenham and Eastbourne

Education and the Courts

Third Edition

FOREWORD TO THE SECOND EDITION

In the four years that have elapsed since the publication of the first edition, there has been considerable activity both by Parliament and the courts in connection with education. The Human Rights Act 1998 has played a part in this activity but there has been much more. Major Education Acts or amendments to existing Acts have been a feature.

The result is a virtual doubling in length of this book. It remains, however, an invaluable aid both to the lawyer and the non-lawyer alike who wish to discover the relevant law which covers whatever problem they may have. I described the first edition as comprehensive but succinct. I do not, despite the increase in length, resile from that description since it has had to deal with so much more from primary and secondary legislation through ministerial guidance to decisions of the courts.

Richard McManus and those who have helped him with contributions to, or assistance with, parts of this book are all experts in this field. The relevant principles are expounded with admirable clarity. Where there are doubts as to what the law is in any particular area, the author most helpfully indicates his views and is not afraid to criticise decisions of the courts (including my own) which seem to him to be erroneous. A little more use of the first edition of this book might have prevented judges from making decisions in ignorance of prior contrary decisions or the principles which were applicable.

It is still the position that most cases involving education turn on public law principles. There are useful references to authorities drawn from other areas of public law which have relevance to issues which arise in the education field. This is a book which will, I have no doubt, appeal both to those who regularly practise in the field of education and those who may enter it for the first time. All that is necessary is to be found here and found in a thoroughly readable and comprehensible form.

The Hon Mr Justice Collins
Royal Courts of Justice
December 2003

PREFACE TO THE THIRD EDITION

It is now some eight years since the last edition. In that time much has changed. The Law of School Transport has a new statutory framework and those who have statements of special educational needs now not only can litigate pure transport issues in the First-tier Tribunal but also have a right to free transport to the school of their choice even if it is not the nearest suitable school providing this is not prejudicial to the efficient use of resources as a result of the decision of the Court of Appeal in *Dudley MBC v Shurvinton*.

In the field of school organisation Academies now loom large. This has exacerbated the long-standing problems created for local authorities by the discrimination legislation in this field. The Equality Act 2010 has overhauled the law in this area but regrettably no attempt was made to address the problems created by single sex schools and equality duties.

Religion and school dress codes has been a fertile source of litigation. In *R (Begum) v Denbigh High School* the House of Lords held that Ms Begum's rights under Article 9 of the ECHR had not been interfered with when the school did not permit her to wear strict Islamic dress in school, but that in any event the school uniform policy was justified. Further litigation by claimants in the area was largely unsuccessful although this trend seemed to have been halted by Silber J in *R (Watkins-Singh) v Governors of Abderdare High School for Girls*.

In disputes concerning Special Educational Needs the vast majority of litigation now takes place in the First-tier Tribunal. The role of the courts has been much reduced following the introduction of the right of appeal to the Upper Tribunal.

The aim of the book remains, as before, to illustrate the approach of the courts to litigation in this area. I have endeavoured to state the law as at 1 September 2012 although it has been possible to take account of some later changes.

I am indebted to a wide range of people who provided draft Chapters, sometimes in conjunction with each other. They were Anna Bicaregui (Chapters 1 and 4), Heather Emmerson (Chapter 1), Annabel Lee (Chapter 2), Paul Greatorex (Chapter 3), Sarah Hannett (Chapter 4), Saima Hanif (Chapter 5), Jonathan Auburn (Chapter 6), Michelle Pratley (Chapter 6), Jack Anderson (Chapter 7) and Estelle Dehon (Chapters 8 and 9).

Richard McManus QC
October 2012

TABLE OF CASES

References are to paragraph numbers.

A (A child) (Application for Judicial Review), Re [2001] NI 454	5.59
A v Birmingham City Council [2004] EWHC 156 (Admin), [2004] ELR 563, [2005] ACD 7	4.169
A v Essex County Council [2010] UKSC 33, [2011] 1 AC 280, [2010] 3 WLR 509, [2010] PTSR 1332, [2010] 4 All ER 199, [2010] HRLR 32, [2010] UKHRR 937, 30 BHRC 1, [2010] ELR 531, (2010) 13 CCL Rep 314, (2010) 154(28) SJLB 30, <i>The Times</i> , July 15, 2010	4.263, 7.171, 7.178, 7.189–7.203, 7.205, 7.210
A v Head Teacher and Governors of Lord Grey School [2005] UKHL 14, [2005] 1 WLR 673, [2005] 2 All ER 240, [2005] HRLR 13, [2005] UKHRR 323, 18 BHRC 252, [2005] 2 Prison LR 129, (2005) 102(16) LSG 30, (2005) 155 NLJ 298, <i>The Times</i> , February 18, 2005	10.28
A v Hertfordshire County Council [2006] EWHC 3428 (Admin), [2007] ELR 95	4.199
A v Hoare and other appeals [2008] UKHL 6, [2008] 1 AC 844, [2008] 2 WLR 311, [2008] 2 All ER 1, [2008] 1 FLR 771, [2008] 1 FCR 507, (2008) 11 CCL Rep 249, (2008) 100 BMLR 1, [2008] Fam Law 402, (2008) 105(6) LSG 27, (2008) 158 NLJ 218, (2008) 152(6) SJLB 28, <i>The Times</i> , January 31, 2008	7.281, 7.285, 7.292
A v Kirklees MBC [2001] EWCA Civ 582, [2001] BLGR 448, [2001] ELR 657, <i>The Times</i> , May 1, 2001	4.84, 4.262
A v Staffordshire County Council (1996) <i>The Times</i> , 18 October	6.119
Abromava v Oxford Institute of Legal Practice [2011] EWHC 613 (QB), [2011] ELR 385	7.96, 8.15
Adams (FC) v Bracknell Forest Borough Council [2004] UKHL 29, [2005] 1 AC 76, [2004] 3 WLR 89, [2004] 3 All ER 897, [2004] ELR 459, [2005] PIQR P2, (2004) 101(26) LSG 28, (2004) 148 SJLB 761, <i>The Times</i> , June 24, 2004	7.280, 7.287–7.289
AH (Sudan) v Secretary of State for the Home Department (United Nations High Commissioner for Refugees Intervening) [2007] UKHL 49, [2008] 1 AC 678, [2007] 3 WLR 832, [2008] 4 All ER 190, [2008] Imm AR 289, [2008] INLR 100, (2007) 151 SJLB 1500, <i>The Times</i> , November 15, 2007	4.86
Airey v Ireland (1981) 3 EHRR 592, ECHR	7.134
Aitken v Commissioner of Police of the Metropolis [2011] EWCA Civ 582, [2011] All ER (D) 165, [2012] ICR 78	3.15
Albion Water Ltd v Dŵr Cymru Cyf [2008] EWCA Civ 536, [2008] Bus LR 1655, [2009] 2 All ER 279, [2008] UKCLR 457	4.253
Alexis v London Borough of Newham [2009] EWHC 1323 (QB), [2009] ICR 1517, [2009] ELR 453, <i>The Times</i> , July 15, 2009	7.249–7.251
Ali v Headteacher and Governors of Lord Grey School [2006] UKHL 14, [2006] 2 AC 363, [2006] 2 WLR 690, [2006] 2 All ER 457, [2006] HRLR 20, [2006] UKHRR 591, 20 BHRC 295, [2006] ELR 223, <i>The Times</i> , March 27, 2006, <i>The Independent</i> , March 28, 2006	1.124, 4.263, 6.17, 6.18, 6.80, 6.127, 7.144, 7.171–7.180, 7.203, 7.204, 8.68, 8.83, 10.28

- Ali v United Kingdom [2011] ECHR 40385/06, [2011] ELR 85, (2011) 53
EHRR 12, 30 BHRC 44 6.130, 7.204–7.210, 8.68, 10.6, 10.7, 10.19
- Amann v Switzerland (2000) 30 EHRR 843 8.76
- Anderton v Clywd County Council *See* Phelps and others v London
Borough of Hillingdon and others 7.15, 7.21
- Andreou v Lord Chancellor's Department [2002] EWCA Civ 1192, [2002]
IRLR 728 4.123
- Anheuser-Busch Inc v Portugal (2007) 45 EHRR 36 9.18
- Anufrijeva and others v Southwark and others [2003] EWCA Civ 1406,
[2004] QB 1124, [2004] 2 WLR 603, [2004] 1 All ER 833, [2004] 1
FLR 8, [2003] 3 FCR 673, [2004] HRLR 1, [2004] UKHRR 1, 15
BHRC 526, [2004] HLR 22, [2004] BLGR 184, (2003) 6 CCL Rep
415, [2004] Fam Law 12, (2003) 100(44) LSG 30, *The Times*, October
17, 2003, *The Independent*, October 23, 2003 7.125, 7.134, 7.147–7.151, 7.154, 7.155,
7.158–7.161, 7.166, 7.167, 7.169
- AP (Trinidad and Tobago) v Secretary of State [2011] EWCA Civ 551 4.89
- Appleby v United Kingdom (2003) 37 EHRR 783, ECtHR 8.90
- Arac v Turkey (unreported) 23 September 2008 (ECtHR) 8.67
- AS v Buckinghamshire County Council [2010] UKUT 407 (AAC), [2011]
ELR 1 3.94, 5.56
- Associated Provincial Picture Houses v Wednesbury Corporation [1948] 1
KB 223, [1947] 2 All ER 680, (1947) 63 TLR 623, (1948) 112 JP 55,
45 LGR 635, [1948] LJR 190, (1947) 177 LT 641, (1948) 92 SJ 26 2.70, 6.125, 9.17
- Audergon v La Baguette Ltd [2002] EWCA Civ 10, [2002] CP Rep 27, [2002]
CPLR 192, (2002) *The Times*, 31 January, CA 4.105
- Avon County Council v Buscott [1988] QB 656, [1988] 2 WLR 788, [1988] 1
All ER 841, CA 5.156
- AW v Essex County Council [2010] UKUT 74 (AAC), [2010] ELR 349 4.66, 4.258
- B (Children) (Sexual Abuse: Standard of Proof), Re [2008] UKHL 35,
[2009] 1 AC 11, [2008] 3 WLR 1, [2008] 4 All ER 1, [2008] 2 FLR
141, [2008] 2 FCR 339, [2008] Fam Law 619, [2008] Fam Law 837,
The Times, June 12, 2008 6.161
- B v Harrow LBC (No 1), *sub nom* F v Harrow LBC, F v SENT, B v SENT
[2000] 1 WLR 223, [2000] 1 All ER 876, [2000] ELR 109, HL, [1998]
ELR 351, [1998] Ed CR 176, [1998] 3 FCR 231, CA 1.98, 4.128
- B v Harrow LBC (No 2) [2000] Ed CR 62, [2000] ELR 1 4.129, 4.130
- B v Isle of Wight Council [1997] ELR 279, QBD 4.205
- B v Islington [2010] EWHC 2539 (Admin), [2011] PTSR 716, [2010] ELR
794, *The Times*, October 6, 2010 4.214
- B v London Borough of Harrow [1998] 3 FCR 231, [1999] BLGR 144,
[1998] Ed CR 176, [1998] ELR 351, (1998) 42 BMLR 88, (1998)
95(17) LSG 32, (1998) 142 SJLB 134, *The Times*, March 26, 1998 5.126
- B v London Borough of Harrow and Others [2000] 1 WLR 223, [2000] 1 All
ER 876, [2000] 3 FCR 1, [2000] BLGR 162, [2000] Ed CR 188, [2000]
ELR 109, (2000) 97(6) LSG 34, (2000) 144 SJLB 83, *The Times*,
January 28, 2000, *The Independent*, February 2, 2000 4.173, 4.179, 4.180
- B v Worcestershire County Council [2010] UKUT 292, AAC 4.67, 4.144, 4.252
- Baker, Re [1962] Ch 201, [1961] 3 WLR 694, [1961] 3 All ER 276, (1961) 125
JP 591, 59 LGR 475, (1961) 105 SJ 682 5.151
- Barber v Somerset County Council [2004] 1 WLR 1089, [2004] 2 All ER
385, [2004] UKHL 13, HL 7.252
- Barnes v Hampshire County Council [1969] 1 WLR 1563, [1969] 3 All ER
746, (1969) 113 SJ 834 7.229
- Barnfather v London Borough of Islington [2003] EWHC 418 (Admin),
[2003] 1 WLR 2318, [2003] ELR 263, [2003] ACD 57, *The Times*,
March 20, 2003, Admin 5.152, 5.163
- Barrett v Enfield [2001] 2 AC 550, [1999] 3 WLR 79, [1999] 3 All ER 193,
[1999] 2 FLR 426, [1999] 2 FCR 434, (1999) 1 LGLR 829, [1999]
BLGR 473, (1999) 11 Admin LR 839, [1999] Ed CR 833, (1999) 2

Barrett v Enfield [2001] 2 AC 550, [1999] 3 WLR 79, [1999] 3 All ER 193, [1999] 2 FLR 426, [1999] 2 FCR 434, (1999) 1 LGLR 829, [1999] BLGR 473, (1999) 11 Admin LR 839, [1999] Ed CR 833, (1999) 2 — <i>continued</i>	
CCL Rep 203, [1999] PIQR P272, (1999) 49 BMLR 1, [1999] Fam Law 622, (1999) 96(28) LSG 27, (1999) 143 SJLB 183, <i>The Times</i> , June 18, 1999	7.23, 7.28, 7.65, 7.68, 7.71, 7.72, 7.75, 7.76, 7.80, 7.98
Barrie v Cardiff City Council, CA [2001] EWCA Civ 703, [2002] ELR 1	7.221
Bastick v James Lane (Turf Accountants) Ltd [1979] ICR 778, EAT	4.122
Bates v Parker [1953] 2 QB 231, [1953] 2 WLR 642, [1953] 1 All ER 768, (1953) 97 SJ 226	7.260
Bath and North East Somerset District Council v Jennifer Warman [1999] Ed CR 517, [1999] ELR 81	5.161, 5.163
Beaumont v Surrey County Council (1968) 12 SJ 704, (1968) 66 LGR 580	7.217, 7.219, 7.245
Bedfordshire County Council v Dixon-Wilkinson [2009] EWCA Civ 678, [2009] ELR 361, (2009) 12 CCL Rep 479, (2009) 153(28) SJLB 30	1.122
Bedfordshire County Council v Haslam [2008] EWHC 1070 (Admin), [2008] ELR 333	4.241
Belgian Linguistic Case Judgment of 23 July 1968, Series A No 6, (1979–80) 1 EHRR 252	7.127, 7.205, 10.4
Bentham v Netherlands (1985) 8 EHRR 1, ECHR	9.13
Best v Attorney General [1999] IESC 90, Irish Sup Ct	5.152
Blamire v South Cumbria Health Authority [1993] PIQR Q1	7.271
Boddington v British Transport Police [1999] 2 AC 143, [1998] 2 WLR 639, [1998] 2 All ER 203, (1998) 162 JP 455, HL	5.154
Bolam v Friern Hospital Management Committee [1957] 1 WLR 582, [1957] 2 All ER 118, 101 SJ 357, QBD	7.10, 7.18, 7.37
Bolitho v City and Hackney Health Authority [1998] AC 232, [1997] 3 WLR 1151, [1997] 4 All ER 771, [1998] PIQR P10, [1998] Lloyd's Rep Med 26, (1998) 39 BMLR 1, [1998] PNLR 1, (1997) 94(47) LSG 30, (1997) 141 SJLB 238, <i>The Times</i> , November 27, 1997	7.41
Bradbury v Enfield LBC [1967] 1 WLR 1311, 111 SJ 701, 65 LGR 115, CA	2.169, 2.175
Bradford MBC v A [1997] ELR 417, [1996] COD 449	4.206
Bradford-Smart v West Sussex County Council [2002] EWCA Civ 7, [2002] 1 FCR 425, [2002] BLGR 489, [2002] ELR 139, (2002) 99(10) LSG 32, (2002) 152 NLJ 142, (2002) 146 SJLB 46, <i>The Times</i> , January 29, 2002, <i>The Independent</i> , January 29, 2002	7.242, 7.243
Bradley v The Jockey Club [2004] EWHC 2164	4.82
Brighton Corporation v Parry (1972) LGR 576, 116 SJ 483	8.25
Brooks v Metropolitan Police Commissioner [2005] UKHL 24, [2005] 1 WLR 1495, [2005] 2 All ER 489, [2005] Po LR 157, (2005) 155 NLJ 653, <i>The Times</i> , April 26, 2005	7.81
Budd v Office of the Independent Adjudicator [2010] EWHC 1056 (Admin), [2010] ELR 579	8.40, 8.55
Burke v College of Law [2012] EWCA Civ 37, [2012] Eq LR 279, [2012] ELR 195	3.77
Bury Metropolitan Council v SU [2010] UKUT 406 (AAC), [2011] ELR 14	4.10, 4.13
Button v Norfolk County Council [2003] All ER (D) 211	7.89
C (a minor), Re [1994] ELR 273	1.72
C v Special Educational Needs Tribunal [1997] ELR 390, QBD	4.179, 4.205
C v The Police [2006] 1 Pol LR 151	8.78
C, Re [1994] ELR 273, CA	1.73, 1.92
Cadder v Her Majesty's Advocate [2010] UKSC 43, [2010] 1 WLR 2601, 2011 SC (UKSC) 13, 2010 SLT 1125, 2010 SCL 1265, 2010 SCCR 951, [2011] HRLR 1, [2010] UKHRR 1171, 30 BHRC 257, (2010) 107(43) LSG 21, (2010) 154(41) SJLB 30, <i>The Times</i> , October 28, 2010	8.66
Cairnstores Ltd v Aktiebolaget Hassle [2002] EWCA Civ 1504, [2003] FSR 23, (2002) 25(12) IPD 25081	4.226
Calvin v Carr and Others [1980] AC 574, [1979] 2 WLR 755, [1979] 2 All ER 440, PC	9.48

- Campbell and Cosans v United Kingdom (No 2) (Application Nos 7511/76, 7743/76) (1982) 4 EHRR 293, ECHR 4.274, 7.128–7.132, 10.6, 10.7
- Caparo v Dickman [1990] 2 AC 605, [1990] 2 WLR 358, [1990] 1 All ER 568, [1990] BCC 164, [1990] BCLC 273, [1990] ECC 313, [1955–95] PNLR 523, (1990) 87(12) LSG 42, (1990) 140 NLJ 248, (1990) 134 SJ 494, *The Times*, February 12, 1990, *The Independent*, February 16, 1990, *Financial Times*, February 13, 1990, *The Guardian*, February 15, 1990, *Daily Telegraph*, February 15, 1990 7.26, 7.27, 7.75, 7.217
- Carmarthenshire County Council v M & JW [2010] UKUT 348, AAC 4.77, 4.141
- Carter v Credit Change Ltd [1980] 1 All ER 252, [1979] ICR 908, [1979] IRLR 361, (1979) 123 SJ 604 4.122, 4.125
- Cartledge v Jopling [1963] AC 758, [1963] 1 All ER 341, [1963] 2 WLR 210, HL, [1962] 1 QB 189, [1961] 3 All ER 482, [1961] 3 WLR 838, CA 7.281
- Carty v Croydon London Borough Council [2005] EWCA Civ 19, [2005] 1 WLR 2312, [2005] 2 All ER 517, [2005] 1 FCR 554, [2005] BLGR 319, [2005] ELR 104, (2005) 102(10) LSG 30, *The Times*, February 3, 2005 7.25–7.33, 7.36, 7.43, 7.91
- Catchpole v Buckinghamshire County Council [1999] BLGR 321, [1999] ELR 179, [1999] COD 227, *The Times*, March 18, 1999, *The Independent*, March 12, 1999 4.218
- Caughey, Re [2011] UKSC 20, [2012] 1 AC 725, [2011] 2 WLR 1279, [2011] 3 All ER 607, [2011] NI 122, [2011] HRLR 25, [2011] UKHRR 720, [2011] Inquest LR 22, (2011) 155(20) SJLB 35, *The Times*, May 20, 2011 8.66
- CB v London Borough of Merton and Special Educational Needs Tribunal [2002] EWHC 877 (Admin), [2002] ELR 441 2.138, 4.279
- CCC v London Borough of Tower Hamlets [2011] UKUT 393 4.9, 4.11
- CD v First-tier Tribunal [2010] UKUT 181, AAC 4.106, 4.108
- CG v United Kingdom (43373/98) (2002) 34 EHRR 31, [2002] Crim LR 313, *The Times*, January 4, 2002 4.226
- Chandler v Secretary of State for Children Schools and another [2009] EWHC 219 (Admin), [2009] Eu LR 615, [2009] BLGR 417, [2009] ACD 50 2.53, 2.100, 2.149
- Chapple v Suffolk County Council [2011] EWCA Civ 870, [2012] ELR 105 4.89
- Chassagnou v France (1999) 29 EHRR 615 8.95
- Cheshire West and Chester Council v P [2011] EWCA Civ 1257, [2012] 1 FLR 693, (2012) 15 CCL Rep 48, [2011] MHLR 430, [2012] Fam Law 137 4.284
- Ching v Surrey County Council [1910] 1 KB 736, CA 7.264
- Christmas v Hampshire CC [1998] ELR 1, QBD 7.87, 7.273
- CIN Properties v Rawlins [1995] 2 EGLR 130, [1995] 39 EG 148, [1995] EG 16 (CS), (1995) 69 P & CR D36, *The Times*, February 9, 1995 8.90
- City of Bradford Metropolitan Council v A CO/3788/95 4.203
- Clark v University of Lincolnshire and Humberside [2000] 1 WLR 1988, [2000] ELR 345, [2000] 3 All ER 752, CA 7.96, 8.5, 8.12, 8.14, 8.23, 8.24
- CM v London Borough of Bexley [2011] UKUT 215 (AAC), [2011] ELR 413 1.98, 4.179, 4.180, 4.219
- Connor v Surrey County Council [2010] EWCA Civ 286, [2011] QB 429, [2010] 3 WLR 1302, [2010] PTSR 1643, [2010] 3 All ER 905, [2010] IRLR 521, [2010] ELR 363, (2010) 13 CCL Rep 491, *The Times*, March 29, 2010 7.46, 7.47, 7.49–7.61, 7.253
- Copland v United Kingdom (2007) 45 EHRR 37 8.64, 8.75, 8.76, 8.78
- Copsey v WBB Devon Clays Ltd [2005] EWCA Civ 932, [2005] ICR 1789 8.83
- Council of Civil Service Unions v Minister for the Civil Service [1985] AC 374, [1984] 1 WLR 1174, [1994] 3 All ER 935, CA 2.142, 9.19
- Coventry City Council v SENDIST and AB and MB [2007] EWHC 2278 (Admin), [2008] ELR 1, Admin 4.186
- Coventry v Browne [2007] EWHC 2278 (Admin), [2008] ELR 1 4.172
- CP v M Technology School [2010] UKUT 314 (AAC), [2010] ELR 757 3.11
- Crean v Somerset County Council [2002] ELR 152 4.99

Croskery's Application for Judicial Review, Re [2010] NIQB 129, [2011] ELR 102	8.71
Crowley (by his Mother and Litigation Friend Patricia Crowley) v Surrey County Council and Others [2008] EWHC 1102	7.41
Crump v Gilmore (1969) 68 LGR 56, 113 SJ 998, [1970] Crim LR 28, QBD	5.161, 5.163
Cummings v Birkenhead [1972] Ch 12, [1971] 2 WLR 1458, [1971] 2 All ER 881, 69 LGR 444, (1971) 115 SJ 365	2.81, 4.218, 5.31, 5.176
D v Bedfordshire CC [2009] EWCA Civ 678, [2009] ELR 361, (2009) 12 CCL Rep 479, (2009) 153(28) SJLB 30	3.59
D'Mello v Loughborough College of Technology (1970) <i>The Times</i> , 17 June	8.8
Dahlab v Switzerland 42393/98 (unreported) 15 February 2001 (ECtHR)	8.82, 10.11
Davis v Jacobs [1999] Lloyds Rep Med 72, CA	7.290
DC v London Borough of Ealing [2010] UKUT 10, AAC	4.84, 4.86, 4.248, 4.262
Dee Thomas-Ashley v Drum Housing Association Ltd [2010] EWCA Civ 265, [2010] L & TR 17, (2010) 107(13) LSG 17, [2010] NPC 36, [2010] 2 P & CR 17	3.18
Department for the Environment, Food and Rural Affairs v Downs [2009] EWCA Civ 257	4.77
Department of Health v Information Commissioner and Pro-Life Alliance Information Tribunal, 15 October 2009, 71	8.76
Derbyshire County Council v Times Newspapers Ltd and Others [1993] AC 534, [1993] 1 WLR 449, [1993] 1 All ER 1011, HL	8.93
Devon County Council v Clarke [2005] EWCA Civ 266, [2005] CP Rep 42, [2005] 2 FLR 747, [2005] 1 FCR 752, [2005] ELR 375, <i>The Times</i> , April 22, 2005	7.256, 7.271, 7.273
DH v Czech Republic (2007) 47 EHRR 3, (2007) 23 BHRC 526	3.109, 7.135–7.139, 8.67
DN (by his Father and Litigation Friend RN) v London Borough of Greenwich [2004] EWCA Civ 1659, [2005] 1 FCR 112, [2005] BLGR 597, [2005] ELR 133, (2005) 149 SJLB 25, <i>The Times</i> , December 23, 2004	7.92, 7.93, 7.256, 7.271
Dobbie v Medway Health Authority [1994] 1 WLR 1234, [1994] 4 All ER 450, [1994] 5 Med LR 160, CA	7.283
Dogru v France (2008) 49 EHRR 179	8.82
Dove and Another v Decision of Scottish Ministers [2001] Scotts CS 291, 2001 GWD 40-1519, Ct of Sess, OH	2.135
DP v Governing Body of Radley College [2011] UKUT 66 (AAC), [2011] ELR 155	3.18, 3.95
DPP v Wright [2009] EWHC 105 (Admin), [2010] QB 224, [2010] 2 WLR 497, [2009] 3 All ER 726, (2009) 173 JP 169, <i>The Times</i> , February 17, 2009	5.152
DR v LB Croydon [2010] UKUT 387 (AAC), [2011] ELR 37	3.11
Drayton Manor High School, R v The Schools Adjudicator & Anor [2008] EWHC 3119 (Admin), [2009] ELR 127, [2009] PTSR (CS) 13, <i>The Times</i> , December 24, 2008	5.84
Dudley Metropolitan Borough Council v Shurvinton [2012] EWCA Civ 346, [2012] PTSR 1393, [2012] ELR 206; <i>sub nom</i> Dudley Metropolitan Borough Council v Shurvington [2011] UKUT 67, ACC	1.1, 1.95, 1.96, 4.42
E & Anor v Merchant Taylors School [2009] EWCA Civ 1050, (2009) 153(34) SJLB 28	6.139, 9.48
E v Newham LBC and SENT [2003] EWCA Civ 09, [2003] ELR 286, CA, [2002] EWHC 915 (Admin), [2002] ELR 453, ChD	4.161, 4.162
E v Oxfordshire CC [2001] EWHC 816 (Admin), [2002] ELR 256, QBD	4.229
E v United Kingdom [2003] 1 FLR 348, [2002] 3 FCR 700, (2003) 36 EHRR 31, [2003] Fam Law 157, <i>The Times</i> , December 4, 2002	7.156
East Hampshire District Council v Secretary of State for the Environment (1979) 257 EG 763, [1979] JPL 533	9.20
East Sussex County Council v Hughes (President of SENDT) [2004] EWHC 1834	4.35, 4.255

- Edwards v Bairstow [1956] AC 14, [1955] 3 WLR 410, [1955] 3 All ER 48,
48 R & IT 534, 36 TC 207, (1955) 34 ATC 198, [1955] TR 209,
(1955) 99 SJ 558 4.82
- EH v Kent County Council [2011] EWCA Civ 709, [2011] BLGR 798, [2011]
ELR 433 4.187
- Ellis v Sayers Confectioners Ltd (1963) 61 LGR 299, 107 SJ 252, CA 7.230
- Emine Arac v Turkey (unreported) 23 September 2008 (ECtHR) 8.69
- Emmott v Minister for Social Welfare and Attorney General (C-208/90)
[1991] ECR I-4269, [1993] ICR 8, [1991] IRLR 387, ECJ 1.15
- Essex County Council v Rogers [1987] AC 66, [1986] 3 WLR 689, [1986] 3
All ER 321, (1987) 151 JP 32, [1987] 1 FLR 411, 85 LGR 15, [1987]
Crim LR 118, [1987] Fam Law 155, (1986) 83 LSG 3508, (1986) 136
NLJ 1013, (1986) 130 SJ 785 1.40
- Essex County Council v SENDT [2006] EWHC 1105 (Admin), [2006] ELR
452 4.11
- Essex County Council v Williams [2011] EWCA Civ 1315, [2012] PTSR 713,
[2012] ELR 1, (2011) 161 NLJ 1632, (2011) 155(44) SJLB 31, *The
Times*, December 26, 2011 4.214, 4.215
- F v Humberside [1997] 1 All ER 183, [1997] 1 FLR 339, [1997] 3 FCR 181,
[1997] ELR 12, (1997) 161 JPN 748, *The Times*, August 15, 1996,
The Independent, July 25, 1996 4.32
- Family H v UK No 10233/83, Decision 6384, (1984) 37 DR 105 4.269, 4.278, 10.27
- Faulkner v Enfield London Borough Council [2003] ELR 426 7.244
- FC v Suffolk County Council [2010] UKUT 368 (AAC), [2011] ELR 45,
AAC 4.86, 4.261
- Fidge v Governors of St Mary's Voluntary-aided School [1995] 3 CMLR
638, [1995] ICR 317, (1995) 159 LG Rev 121 2.171
- Fisher v Hughes [1998] ELR 475, [1999] Ed CR 409, [1998] COD 281, QBD 4.138, 4.139
- Flannery v Halifax Estate Agencies Limited [2001] 1 WLR 377 4.250
- Fogarty v United Kingdom (2001) 34 EHRR 302 7.77, 7.79, 7.84
- Folgero and others v Norway (2007) BHRC 227 7.142
- Ford v UK [1996] EHRLR 534 4.265
- Fowles v Bedfordshire County Council [1996] ELR 51, [1995] PIQR P380,
The Times, May 22, 1995 7.223
- Francovich v Italian Republic [1991] ECR I- 5357 3.2
- G v Bromley London Borough Council *See* Phelps and others v London
Borough of Hillingdon and others 7.16, 7.20
- G v SENT and Barnet CO/1335/1997 (unreported), 22 October 1997 4.42, 4.83, 4.232
- G v South Gloucestershire Council [2000] Ed CR 401, [2000] ELR 136 4.255
- G v St Gregory's Catholic Science College Governors [2011] EWHC 1452
(Admin), [2011] Eq LR 859, [2011] ELR 446, [2011] ACD 91 3.120
- Gallagher v Berwood School and others (unreported) 9 February 1999, HC,
7 October 1999, CA 7.98, 7.119
- Gammon v East Sussex [2006] EWHC 477 7.44, 7.91
- Garthwaite v Garthwaite [1964] P 356, [1964] 2 WLR 1108, [1964] 2 All ER
233, (1964) 108 SJ 276 4.258
- Gaskin v United Kingdom Series A No 160, (1989) 12 EHRR 36, [1990] 1
FLR 167, ECHR 7.134
- GC & JC v Tameside Metropolitan Borough Council (SEN) [2011] UKUT
292 (AAC), [2011] ELR 470 4.24, 4.90, 4.248
- George v Devon [1989] AC 573, [1988] 3 WLR 1386, [1988] 3 All ER 1002,
(1989) 153 JP 375, [1989] 1 FLR 146, 87 LGR 413, [1989] Fam Law
149, (1989) 153 JPN 434, (1989) 153 LG Rev 428, (1988) 138 NLJ
Rep 349, (1988) 132 SJ 1730 1.30, 1.38, 1.40, 1.41, 1.59
- Ghosh v GMC [2001] UKPC 29, [2001] 1 WLR 1915, [2001] UKHRR 987,
[2001] Lloyd's Rep Med 433, PC 8.71
- Glennie v Independent Magazines UK Ltd [1999] IRLR 719, (1999) *The
Times*, June 25, CA 4.128

Gloystarne & Co Ltd v Martin [2001] IRLR 15, (2001) IDS Brief 678/11, EAT	4.128
Gough v Thorne [1966] 1 WLR 1387, [1966] 3 All ER 398, 110 SJ 529, CA	7.275
Gough v Upshire Primary School [2002] ELR 169	7.220
Governing Body of Clifton Middle School v Askew [2000] ICR 286, [1999] IRLR 708, (2000) 2 LGLR 313, [2000] BLGR 97, [1999] Ed CR 800, [1999] ELR 425, (1999) 96(33) LSG 30, <i>The Times</i> , August 2, 1999	2.172
Governors of X Endowed Primary School v SENDIST [2009] EWHC 1842 (Admin), [2009] IRLR 1007, [2010] ELR 1, [2009] ACD 70	3.14
Graeme v UK No 13887/88, Decision 5290, 64 DR 158	4.270
Gray v Marlborough College [2006] EWCA Civ 1262, [2006] ELR 516, (2006) 150 SJLB 1289	9.48
Green v Minister of Housing [1967] 2 QB 606, [1967] 2 WLR 192, [1966] 3 All ER 942, (1967) 131 JP 95, 65 LGR 35, (1967) 18 P & CR 270, (1967) 111 SJ 75	4.83
Green v Rutherford (1750) 27 ER 1144	8.58
Grigoriades v Greece (1997) 27 EHRR 464, 4 BHRC 43, [1998] HRCD 103, ECHR	8.88
Guzzardi v Italy (1980) 3 EHRR 333	7.125
H v East Sussex County Council [2009] EWCA Civ 249, [2009] ELR 161, (2009) 153(13) SJLB 27, <i>The Times</i> , April 22, 2009	4.240, 4.245, 4.248, 4.254
H v Gloucestershire (unreported) CA, 19 June 2000	4.227, 4.267
H v Gloucestershire County Council and Bowden, Chair of the SENDIST [2000] ELR 357, <i>The Times</i> , January 21, 2000	4.98
H v Kent County Council and SENDIST [2000] ELR 660	4.99, 4.244, 4.245, 4.268
H v Leicestershire County Council [2000] ELR 471	4.191
Haddad v The University of Bradford [2011] EWCA Civ 821	8.14
Hampshire County Council v E [2007] EWHC 2584 (Admin), [2008] ELR 260	5.162
Hampshire County Council v JP [2009] UKUT 239 (AAC), [2010] ELR 413	4.239, 4.249
Haringey Independent Appeal Panel v R ex p M [2010] EWCA Civ 1103, [2010] ELR 823, [2011] PTSR D10, <i>The Times</i> , November 5, 2010	5.113, 5.121
Hector Whaling Ltd, Re [1936] Ch 208, [1935] All ER Rep 302, 105 LJ Ch 117	2.40
Hedley Byrne and Co v Heller and Partners [1964] AC 465, [1963] 3 WLR 101, [1963] 2 All ER 575, [1963] 1 Lloyd's Rep 485, (1963) 107 SJ 454	7.217
Hellyer Brothers v McCleod [1987] 1 WLR 728, [1987] ICR 526, [1987] IRLR 232, (1987) 84 LSG 1056, (1987) 131 SJ 805	4.128
Helmsley v West Sussex County Council (unreported) 12 September 2001, Chichester CC	5.163
Henderson v Temple Pier [1998] 1 WLR 1540, [1998] 3 All ER 324, [1999] PIQR P61, (1998) 95(20) LSG 35, (1998) 142 SJLB 156, <i>The Times</i> , May 2, 1998, <i>The Independent</i> , April 29, 1998	7.286
Hereford and Worcester CC v Lane See White v Ealing LBC, Richardson v Solihull MBC, Hereford & Worcester CC v Lane, Solihull MBC v Finn, Solihull MBC v SENT Herring v Templeman [1973] 3 All ER 569, (1973) 117 SJ 793, 72 LGR 162, CA	8.7
Hill v Bedfordshire County Council [2002] EWHC 1105 (Admin), [2002] ELR 509	1.92
Hill v Bedfordshire County Council [2008] EWCA Civ 661, [2008] ELR 660	4.211, 4.214
Hill v Chief Constable of West Yorkshire [1989] AC 53, [1988] 2 WLR 1049, [1988] 2 All ER 238, (1988) 152 LG Rev 709, (1988) 85(20) LSG 34, (1988) 138 NLJ Rep 126, (1988) 132 SJ 700	7.69, 7.82
Hinchley v Rankin [1961] 1 WLR 421, [1961] 1 All ER 692, (1961) 125 JP 293, 59 LGR 190, (1961) 105 SJ 158	5.161
Hippolyte v London Borough of Bexley [1995] PIQR 309	7.217
HJ v London Borough of Brent [2011] UKUT 191 (AAC), [2011] ELR 295	4.38, 4.148
Holtom v Barnet LBC [1999] ELR 255, [1999] Ed CR 740, CA	7.122
Howes v Child Support Commissioner [2007] EWHC 559 (Admin), [2008] 1 FLR 1691, [2007] Fam Law 980	4.105, 4.106

Hufton v Somerset County Council [2011] EWCA Civ 789, [2011] ELR 482	7.262
Hughes, Re [2001] NIQB 38	5.120
Independent Schools Council v Charity Commission for England and Wales, A-G v Charity Commission for England and Wales [2011] UKUT 421 (TCC), [2012] Ch 214, [2012] 2 WLR 100, [2012] PTSR 99, [2012] 1 All ER 127, [2011] ELR 529, [2012] WTLR 41, 14 ITEL 396, <i>The Times</i> , November 8, 2011	9.1
Information Commissioner v PS [2011] UKUT 94, AAC	4.105, 4.108
Inner London Education Authority v Secretary of State for Education and Science [1990] COD 412	2.41
Interfoto Picture Library Ltd v Stilleto Visual Programmes Ltd [1989] QB 433, [1988] 2 WLR 615, [1988] 1 All ER 348, (1988) 7 Tr LR 187, (1988) 85(9) LSG 45, (1987) 137 NLJ 1159, (1988) 132 SJ 460	9.49
IRC v Scottish and Newcastle Breweries [1982] 1 WLR 322, [1982] 2 All ER 230, [1982] STC 296, 1982 SC (HL) 133, 1982 SLT 407, 55 TC 252, [1980] TR 421, (1982) 126 SJ 189	4.82
J v DLA Piper UK LLP [2010] ICR 1052, [2010] IRLR 936, [2010] Eq LR 164, (2010) 115 BMLR 107, (2010) 154(24) SJLB 37	3.15
J v North Lincolnshire County Council [2000] BLGR 269, [2000] ELR 245, [2000] PIQR P84	7.226
Jacques v Oxfordshire County Council (1967) 66 LGR 440	7.230
James v Eastleigh BC [1990] 2 AC 751, [1990] 3 WLR 55, [1990] 2 All ER 607, [1990] ICR 554, [1990] IRLR 288, (1991) 155 LG Rev 205, (1990) 140 NLJ 926	3.18, 3.57
Jarman v Mid Glamorgan Education Authority (1985) <i>The Times</i> , 11 February	5.162
Jarvis v Hampshire See Phelps and others v London Borough of Hillingdon and others	7.17, 7.20
JD and others v East Berkshire Community Health and others [2003] EWCA Civ 1151, [2003] 3 FCR 1, CA	7.62–7.64, 7.71, 7.80, 7.85, 7.106
Jeffery v London County Council (1954) 52 LGR 521	7.220
Jenkins v Howells [1949] 2 KB 218, [1949] 1 All ER 942, 65 TLR 305, (1949) 113 JP 292, 47 LGR 394, [1949] LJR 1468, (1949) 93 SJ 302	5.162, 5.163
Jersild v Denmark (1994) 19 EHRR 1	8.89
Jewish Senior Boys' School, Salford (Keser Torah) v Secretary of State for Children, Schools and Families [2008] EWCST 1317	9.42
JL v Devon County Council [2001] EWHC 958	4.99
John O'Hagan, Director of Administration, North Lanarkshire Council v Lorraine Rea [2001] Scots SC1	5.163
Jones v Governing Body of Burdett Coutts School [1998] ICR 38, [1998] IRLR 521, (1998) 142 SJLB 142, CA	4.128
Jones v University of Warwick [2003] EWCA Civ 151, [2003] 3 All ER 760, [2003] All ER (D) 34 (Feb), (2003) <i>The Times</i> , 7 February, CA	8.75
Jordebo v Sweden No 11533/85, Decision 6387, 51 DR 125	2.126
Joyce v Dorset County Council [1997] ELR 26	4.113, 4.135, 4.139, 4.157, 4.158, 4.222
JR 17's Application for Judicial Review, Re [2010] UKSC 27, [2010] NI 105, [2010] HRLR 27, [2010] UKHRR 984, [2010] ELR 764, (2010) 13 CCL Rep 357, (2010) 154(25) SJLB 41	6.18, 6.129, 10.28
Jurkowska v Hlamd Ltd [2008] EWCA Civ 231, [2008] CP Rep 27, [2008] ICR 841, [2008] IRLR 430	4.107
K v Dewsbury Healthcare NHS Trust See JD and others v East Berkshire Community Health and others	7.62
K v Governing Body of a Grammar School [2006] EWHC 622 (Admin), [2006] ELR 488	4.199
K v Hillingdon [2011] UKUT 91	4.179
K v SENDIST [2007] EWCA Civ 165, [2007] ELR 234, <i>The Times</i> , April 11, 2007	3.47

Karduman v Turkey (1990) 74 DR 93	8.82
KC v London Borough of Newham [2010] UKUT 96 (AAC), [2010] ELR 429	4.66
Kearn-Price v Kent County Council [2002] EWCA Civ 1539, [2003] ELR 17, [2003] PIQR P167, CA	7.222, 7.229
Keating v Bromley London Borough [2003] EWHC 1070 (QB), [2003] ELR 590	7.42, 7.90
Kiley v Lunn 1982 SCCR 436	5.163
Kingsley v UK [2002] ECHR 35605/97	7.148
Kjeldsen, Busk Madsen & Pedersen v Denmark Series A, No 23 (1979–80) 1 EHRR 711, ECHR	2.126, 10.6–10.8, 10.22
Klerks v Netherlands No 25212/94, Decision 4795, 82 DR 41	4.270
Knight v Dorset CC [1997] COD 256, QBD	4.158
Kovacs v Queen Mary and Westfield College and Another [2002] EWCA Civ 352, [2002] ICR 919, [2002] IRLR 414, CA	4.149
KP v Hertfordshire County Council [2010] UKUT 233, AAC	4.254
Kumchik v Derby City Council [1978] ICR 1116, EAT	4.128
Kurtulmus v Turkey (unreported) 24 January 2006 (ECtHR)	8.82
KW and VW v London Borough of Lewisham [2006] EWHC 1853 (Admin), [2007] ELR 11	4.245
L v Clarke and Somerset County Council [1998] ELR 129, QBD	4.99, 4.159, 4.161, 4.167, 4.169
L v Hereford and Worcester County Council and Hughes [2000] ELR 375, [2000] COD 117	4.129
L v Royal Borough of Kensington and Chelsea [1997] ELR 155, [1997] COD 191	4.125
L, Re [1994] ELR 16, CA	4.155, 4.203
Labinjo v University of Salford [2005] ELR 1	8.60, 8.61
Lam v United Kingdom, Application No 41671/98 (unreported) ECHR	1.9–1.11, 1.14
Lautsi v Italy 30814/06 [2009] ECHR 1901 (03 November 2009)	10.6, 10.7, 10.10–10.18, 10.22
Lawal v Northern Spirit Ltd [2003] UKHL 35, [2003] ICR 856, [2003] IRLR 538, HL, [2002] EWCA Civ 1218, [2002] ICR 1507, [2002] IRLR 714, [2002] HRLR 46, CA	4.225
Le Compte v Belgium (1981) 4 EHRR 1	8.71
Learning Trust v SENDIST and MP [2007] EWHC 1634 (Admin), [2007] ELR 658, Admin	4.23, 4.238
Lee v Department of Education and Science (1967) 66 LGR 211, <i>sub nom</i> Lee v Secretary of State for Education and Science (1967) 111 SJ 756	2.155
Levin v Karleston	8.93
Liennard v Slough BC [2002] EWHC 398, [2002] ELR 527, QBD	7.88, 7.272
Linford Cash and Carry Ltd v Thompson [1989] ICR 518, [1989] IRLR 235, <i>Daily Telegraph</i> , June 8, 1989	6.144
Littler v Liverpool Corporation [1968] 2 All ER 343n, (1968) 66 LGR 660, CA	7.221
Livingstone v Rawyards Coal Company (1880) 5 App Cas 25	7.269
LM v London Borough of Lewisham [2009] UKUT 204	4.65
Locabail (UK) Ltd v Bayfield Properties [2000] QB 451, [2000] 2 WLR 870, [2000] 1 All ER 65, [2000] IRLR 96, [2000] HRLR 290, [2000] UKHRR 300, 7 BHRC 583, (1999) 149 NLJ 1793, [1999] NPC 143, <i>The Times</i> , November 19, 1999, <i>The Independent</i> , November 23, 1999	4.228
London Borough of Bromley v Special Educational Needs Tribunal and Others [1999] ELR 260, [1999] 3 All ER 587, QBD and CA	4.163, 4.199
London Borough of Camden v FG [2010] UKUT 249, AAC	4.259
London Borough of Hammersmith and Fulham v First-tier Tribunal (Health, Education and Social Care Chamber) [2009] EWHC 1694 (Admin), [2009] ELR 486	4.127
London Borough of Islington v D [2011] EWHC 990	5.162
London Borough of Islington v LAO (by his mother and litigation friend, O) [2008] EWHC 2297, Admin	4.96
London Borough of Lambeth (R) v Lambeth Independent Appeals Panel & Anor [2012] EWHC 943	5.137

LS v London Borough of Lambeth [2010] UKUT 461, AAC	4.66, 4.110
Lyes v Middlesex County Council (1962) 61 LGR 443	7.219
Lynch v Nurdin 113 ER 1041, (1841) 1 QB 29	7.275
M (A Minor), Re [1996] ELR 135	4.46
M v Newham [1995] 2 AC 633, [1995] 3 WLR 152, [1995] 3 All ER 353, [1995] 2 FLR 276, [1995] 3 FCR 337, 94 LGR 313, (1995) 7 Admin LR 705, [1995] Fam Law 537, (1996) 160 LG Rev 123, (1996) 160 LG Rev 103, (1995) 145 NLJ 993, <i>The Times</i> , June 30, 1995, <i>The Independent</i> , June 30, 1995	7.23
Malcolm v Lewisham [2008] UKHL 43, [2008] 1 AC 1399, [2008] 3 WLR 194, [2008] 4 All ER 525, [2008] IRLR 700, [2008] HLR 41, [2008] BLGR 549, (2008) 11 CCL Rep 573, (2008) 102 BMLR 170, [2008] 2 P & CR 18, [2008] L & TR 29, [2008] 26 EG 117 (CS), (2008) 105(26) LSG 23, (2008) 152(26) SJLB 29, [2008] NPC 76, <i>The Times</i> , June 26, 2008	3.18
Manchester City Council v Pinnock [2010] UKSC 45, [2010] 3 WLR 1441, [2011] PTSR 61, [2011] 1 All ER 285, [2011] HRLR 3, [2010] UKHRR 1213, 31 BHRC 670, [2011] HLR 7, [2010] BLGR 909, [2011] L & TR 2, [2010] 3 EGLR 113, [2010] 45 EG 93 (CS), (2011) 108(8) LSG 20, (2010) 107(44) LSG 16, (2010) 154(42) SJLB 30, [2010] NPC 109, <i>The Times</i> , November 4, 2010	7.83
Manchester City Council v Pinnock [2011] UKSC 6, [2011] 2 AC 104, [2011] 2 WLR 220, [2011] 2 All ER 586, 31 BHRC 699, (2011) 155(6) SJLB 31, [2011] NPC 16	8.66
Mandla v Lee [1983] 2 AC 548, [1983] 2 WLR 620, [1983] 1 All ER 1062, [1983] ICR 385, [1983] IRLR 209, HL	3.114
Marcic v Thames Water Utilities Ltd [2002] EWCA Civ 64, [2002] QB 929, [2002] 2 WLR 932, [2002] UKHRR 1041, [2002] 2 All ER 55, CA	7.152
Marleasing SA v La Comercial Internacional de Alimentación SA [1990] ECR I-4135 ECJ	3.2
Marr v Lambeth County Council [2006] EWHC 1175 (QB), (2006) 103(24) LSG 30, (2006) 150 SJLB 741	7.38–7.40, 7.91
Martin v Middlesbrough Corporation (1965) 63 LGR 385, 109 SJ 576, CA	7.219
Matthews v Ministry of Defence [2003] UKHL 4, [2003] 1 AC 1163, [2003] 2 WLR 435, [2003] 1 All ER 689, [2003] ICR 247, [2004] HRLR 2, [2003] UKHRR 453, 14 BHRC 585, [2003] PIQR P24, [2003] ACD 42, (2003) 100(13) LSG 26, (2003) 153 NLJ 261, (2003) 147 SJLB 235, <i>The Times</i> , February 14, 2003	7.78, 7.79, 7.84, 7.85
Mayor and Burgesses of the London Borough of Camden v Hodin and White [1996] ELR 430	4.78, 4.79
McCann v United Kingdom (1995) 21 EHRR 97	7.126
McDougall v Richmond Adult Community School [2008] EWCA Civ 4, [2008] ICR 431, [2008] IRLR 227, (2008) 105(4) LSG 23, (2008) 152(4) SJLB 30, <i>The Times</i> , February 22, 2008	3.12
McIntyre v Annan 1991 SCCR 465	5.163
McIntyre v United Kingdom Application 29046/95, 21 October 1998, ECommHR	4.266
McKeown v Cardinal Heenan High School [1998] ELR 578, [1999] Ed CR 340, QBD	5.140
McLeod v Aberdeen City Council (1999) GWD 23-1115, Ct of Sess, OH	7.114
McPherson v BNP Paribas (London Branch) [2004] EWCA Civ 569, [2004] 3 All ER 266, [2004] 4 Costs LR 596, [2004] ICR 1398, [2004] IRLR 558, <i>The Times</i> , May 31, 2004, <i>The Independent</i> , May 20, 2004	4.148
Meade v Haringey LBC [1979] 1 WLR 637, [1979] 2 All ER 1016, [1979] ICR 494, 77 LGR 577, (1979) 123 SJ 216	7.101, 7.105
Meek v Birmingham City Council [1987] IRLR 250	4.244
Meherali v Hampshire County Council [2002] EWHC 2655 (QB), [2003] ELR 338	7.283, 7.291

Mensah v East Hertfordshire NHS Trust [1998] IRLR 531, (1998) <i>The Independent</i> , June 18, CA	4.128
MH v Nottinghamshire County Council [2009] UKUT 178, AAC	1.94–1.96
Miss Behavin' Ltd v Belfast City Council [2007] UKHL 19, [2007] 1 WLR 1420, [2007] 3 All ER 1007, [2007] NI 89, [2007] HRLR 26, [2008] BLGR 127, (2007) 104(19) LSG 27, (2007) 151 SJLB 575, <i>The Times</i> , May 1, 2007	1.124
ML v Tonbridge Grammar School (unreported) 1 August 2012	9.85
MM & DM v London Borough of Harrow [2010] UKUT 395, AAC	4.253
MM v Newlands Manor School and Another [2007] EWCA Civ 21, [2007] ELR 256, (2007) 151 SJLB 164	7.224
Montanaro (formerly Price) v The Home Office [2002] EWCA Civ 462, [2002] Prison LR 247	4.226
Moran v University College, Salford, No 2 [1994] ELR 187	8.9
Morgan v Hinton Organics [2009] EWCA Civ 107, [2009] CP Rep 26, [2010] 1 Costs LR 1, [2009] Env LR 30, [2009] 2 P & CR 4, [2009] JPL 1335	1.1
Moroney v Anglo-European College of Chiropractic [2008] EWHC 2633 (QB), [2009] ELR 111	8.12, 8.14
Morris v Carnarvon County Council [1910] 1 KB 858	7.264
Moualem v Carlisle City Council [1995] ELR 22	7.266
Mountview Court Properties Ltd v Devlin (1970) 21 P & CR 689, [1971] JPL 113, (1970) 114 SJ 474	4.99
Murphy v Bradford Metropolitan Council [1992] PIQR P68, (1991) <i>The Times</i> , 2 February, (1991) <i>Daily Telegraph</i> , February 15, CA	7.259
MW v Halton BC [2010] UKUT 34, AAC	4.86, 4.88
Myton v Woods (1980) 79 LGR 28	7.231
NA v London Borough of Barnet [2010] UKUT 180 (AAC), [2010] ELR 617	4.11
Nadeem Ahmed v University of Oxford [2002] EWCA Civ 1907, [2003] 1 WLR 995, [2003] 1 All ER 915, [2003] ICR 733, (2003) 100(10) LSG 27, <i>The Times</i> , January 17, 2003, <i>The Independent</i> , January 22, 2003	3.91
Nash v Eli Lilly [1991] 2 Med LR 169, <i>The Times</i> , February 13, 1991	7.286
NC & DH v Leicestershire County Council [2012] UKUT 85 (AAC), [2012] ELR 365	4.22, 4.142, 4.144
Newby v Shotton Hall Comprehensive School Governors 5 July 2002, Hartlepool County Court (unreported)	7.244
Nichol v Gateshead Metropolitan Council (1988) 87 LGR 435	2.60–2.62
Niemetz v Germany (13710/88), (1992) 16 EHRR 97, ECHR	8.81
NM v London Borough of Lambeth [2011] UKUT 499 (AAC), [2012] ELR 224	4.21
Nwabudike v Southwark London Borough Council [1997] ELR 35, (1996) 140 SJLB 128, (1996) <i>The Times</i> , June 28, QBD	7.228
O v Harrow [2001] EWCA Civ 2046, [2002] 1 WLR 928, [2002] ELR 195, (2002) 99(9) LSG 28, (2002) 146 SJLB 19, <i>The Times</i> , January 9, 2002	4.34, 4.111
O v Lewisham [2007] EWHC 2130 (Admin), [2008] BLGR 765, [2007] ELR 633, (2007) 104(37) LSG 38	1.98, 4.175, 4.179, 4.180
Ofsted v AF [2011] UKUT 72, AAC	4.107, 4.108
Orsus v Croatia (2010) 28 BHRC 558	3.109, 7.139, 8.69, 8.96, 10.6, 10.7, 10.9
Osman v Ferguson [1993] 4 All ER 344, CA	7.69
Osman v United Kingdom [1999] 1 FLR 193, (2000) 29 EHRR 245, 5 BHRC 293, (1999) 1 LGLR 431, (1999) 11 Admin LR 200, [2000] Inquest LR 101, [1999] Crim LR 82, [1998] HRCD 966, [1999] Fam Law 86, (1999) 163 JPN 297, <i>The Times</i> , November 5, 1998	7.68–7.71, 7.74, 7.75, 7.156
Oxford Brookes University v McKoy [2009] EWCA Civ 1561	8.15
Oxfordshire County Council v GB and Others [2001] EWCA Civ 1358, [2002] ELR 8, [2002] LGR 279, CA	4.143, 4.182, 4.184, 4.252
Oxfordshire County Council v JL [2010] EWHC 798	5.150