

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
THE ADMINISTRATIVE COURT
BEFORE THE HON. MR JUSTICE GILBART
BETWEEN:

CLAIM No: CO/1306/2016



THE QUEEN
on the application of
CAMPAIGN AGAINST THE ARMS TRADE

Claimant

-and-

THE SECRETARY OF STATE FOR BUSINESS, INNOVATION AND SKILLS

Defendant

-and-

(1) BAE SYSTEMS (OPERATIONS) LIMITED
(2) RAYTHEON SYSTEMS LIMITED

Interested Parties



~~THE~~ ORDER

UPON HEARING Leading Counsel for the Claimant and Leading Counsel for the Defendant

IT IS ORDERED that:

1. Permission to apply for judicial review is granted in respect of all the grounds advanced by the Claimant.
2. The case shall be set down for a substantive hearing to be heard before 1 February 2017, with an estimated length of hearing of 3 days ("the Hearing").

The Hearing is to be listed after consultation with the clerks to counsel for the Claimant and the Defendant.

3. The case shall be listed before a Divisional Court, with a Lord or Lady Justice of Appeal sitting with a High Court Judge.
4. The Defendant shall file and serve Detailed Grounds of Defence by 4 pm on 5 August 2016.
5. Subject to any applications the Defendant may make for public interest immunity and/or a Closed Material Procedure in accordance with Section 6 of the Justice and Security Act 2013 ("the 2013 Act"), the Defendant shall file and serve any evidence on which it seeks to rely by 5 August 2016.
6. The Defendant shall, no later than 5 August 2016, also inform the Claimant and Court:
 - (a) whether it proposes to apply for Public Interest Immunity in respect of any evidence on which it proposes to rely; and
 - (b) whether it proposes to apply for a Closed Material Procedure pursuant to Section 6 (2) of the 2013 Act.
7. If the Defendant proposes to make an application for Public Interest Immunity and/or a Closed Material Procedure, any such application must be made by 30 September.
8. The Claimant shall, if so advised, file and serve any further evidence on which it proposes to rely by 3 October 2016
9. The Defendant has permission to file and serve further evidence in rebuttal.
10. Liberty to apply.

Protective Costs Order and Costs Capping

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11. The Claimant's costs liability, if any, in these proceedings shall not exceed £40,000 in total.
12. The Defendants' liability, if any, in respect of costs incurred by the Claimant in these proceedings shall not exceed £70,000.

Dated this 30th day of June 2016.



By the Court