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UK Public Law: Analyzing the Judicial Review Process of a Hypothetical Case - Term Paper Essay

Introduction

The term paper will get divided into two parts based on the provided queries. The study will focus on evaluating and analyzing UK public law. The first section will discuss the judicial review process on a hypothetical case scenario whereby the Home Secretary enforces a change in the Prison and Offenders Management Act under section 12 of the constitution, which can affect the operations of prison facilities within the United Kingdom (UK). The public agency decided to make alterations in the law in a move to curb the number of prison riots across the nation. But there is a high risk that the new act can increase the risk of insecurity, disorder, scrutiny, and privacy invasion within the prisons. The paper will elaborate on the judicial review process that will get initiated by the prison board led by Mr. Barrowclough and inmates represented by Norman Gohar. The study will guide the applicants on the critical concepts of judicial review, grounds of evaluation, and the possible remedies. The second part of the paper will elaborate on the issue of natural justice during court rulings while focusing on the hypothetical case study. It illustrates that the study will incorporate the legal review concept when expressing various ideas. The section will provide comprehensive information on the different natural justice rules while paying close attention to the bias regulation. In the end, the part will indicate the most effective strategy in eradicating the concept of preference during court rulings also maximizing fairness and transparency in the judicial system.

Judicial Review

Judicial review is a court practice of evaluating a public organization's decision. The action's goal is to ensure that the government does not exercise its power unlawfully, hence navigating towards maintaining equity and inclusion in the community. A judge must analyze the execution and decide whether it is necessary. In writing known as the 'International journal of entrepreneurship and development studies,' Hossaini and Nisu (2018) specified that the UK's judicial review system continues to develop and incorporate the aspect of democracy over the years.

Grounds for Review

In the journal known as 'Evidence, facts, and the changing nature of judicial review,' Varubas (2020) indicated that there are various grounds for judicial review, including when the decision shows any form of illegality, inequality during the partaking of the regulation changes, and irrationality. The foundation of the legal claim under discussion is the concept of procedural unfairness, which led to the establishment of a wrong choice. It was a violation of the act since it requires the Home Secretary to consider the insights of Mr. Barrowclough when making vital decisions in the sector. The Home Secretary office ignored the advice of the Head of Governors in prison institutions in the UK. Mr. Barrowclough stated that the enforcement of stricter regulations was unnecessary, and it has the possibility of causing harsh consequences for the entire jail community. The prison official

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Sebastian Brünink



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