



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

CO Ref:  
CO/3230/2018

In the matter of an application for Judicial Review

The Queen on the application of JOHN WILLIAM ALLMAN

versus HM SENIOR CORONER FOR LIVERPOOL AREA AND WIRRAL  
AREA  
TOM EVANS (IP)  
KATE JAMES (IP)

**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 Acknowledgement(s) of service filed by the Defendant

**Order by the Honourable Mrs Justice Cockerill**

**Permission is hereby refused; the application is considered to be totally without merit**

**Reasons:**

- The Claimant seeks permission to challenge:
  - The decision taken by the Coroner that there was no requirement for an investigation into the death of Alfie Evans.
- The Claimant has no locus standi to challenge the Coroner's decision-making with regard to this case.
  - He would, as he himself accepts, have no entitlement to Interested Person status under section 47 of the Coroners and Justice Act 2009.
  - He has no rights under Article 10 of the ECHR, there being no public coroner's investigation into the death of Alfie Evans.
  - His own argument amounts to an assertion that any member of the public can challenge any decision of a public body, which fundamentally conflicts with the concept of locus standi as applied in public law cases.
- The claim which he wishes to bring is also unarguable:
  - The fundamental basis of the claim is an argument that the Coroner erred in law in that he failed to consider that Alfie Evans died in state custody or otherwise in state detention. That argument echoes the one brought by Alfie Evans' parents in the Supreme Court permission application (2018 WL03440352). The Supreme Court dismissed the application on the basis that Alfie was being treated as required by the law in his best interests, and that what was in issue was an upholding of his rights against those of his parents; accordingly (and there having been no care proceedings) no question of detention could arise.
  - Any argument that the Coroner erred in not concluding that Alfie Evans died from an unknown cause is unarguable when the coroner has been provided with a medical cause of death identifying the cause of death.

received

26 SEP 2018

Coroner

**Reasons for TWM designation**

- This case is suitable for TWM designation because of the facts that:
  - Mr Allman has obviously no locus standi.

- He is aware, from proceedings before Garnham J in May 2018 (when he tried to obtain an injunction to prevent Alfie Evans funeral) that he has no locus standi: "he has in my view no locus whatsoever to bring these proceedings". During the course of those proceedings the Claimant himself acknowledged that it was the weakest part of his application.
- He was also made aware at that hearing that the merits of his claim were hopeless: "in my judgment the claim would be hopeless". The transcript also indicates that the basis of the Supreme Courts decision was explained by Garnham J to the Claimant.
- It should also be noted that Mr Allman has previously had a challenge to a Coroner's decision refused on the grounds that he lacked locus standi: CO/3590/2011

**BY VIRTUE OF CPR 54.12(7) THE CLAIMANT MAY NOT REQUEST THAT THE DECISION TO REFUSE PERMISSION BE RECONSIDERED AT A HEARING.**

Signed  25/12/2018

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

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

Solicitors:

Ref No.

25 SEP 2018