

**R (Wheeler) v Office of the Prime Minister and  
Secretary of State for Foreign and Commonwealth Affairs**

**DIRECTION**

I refer to the undated letter emailed by the Treasury Solicitors to my clerk yesterday afternoon, indicating that the Government “is now proceeding to ratify the Treaty of Lisbon”. The court is very surprised that the Government apparently proposes to ratify while the claimant’s challenge to the decision not to hold a referendum on ratification is before the court. The court expects judgment to be handed down next week. The defendants are invited to stay their hand voluntarily until judgment. If, in the absence of any satisfactory assurance to that effect, the claimant decides to seek injunctive relief, I direct that the application be placed before me personally. I will make myself available today (save for this evening) and over the weekend should it be necessary, even though the hearing of any application may delay completion of the judgment: relevant contact details can be obtained from my clerk. I hope that it will not be necessary.

Copies of this direction should be sent to the parties and to the Administrative Court Office.

Lord Justice Richards

20 June 2008