

Permission to Appeal results - June 2012

Case name	Justices	PTA	Reasons given
R (on the application of DM) (FC) (Appellant) <i>v</i> Secretary of State for Justice (Respondent) UKSC 2012/0056	Lady Hale Lord Kerr Lord Dyson	Granted 11 June 2012	
Mobile TeleSystems Finance SA (Appellant) <i>v</i> Nomihold Securities Inc (Respondent) UKSC 2012/0050	Lord Phillips Lord Clarke Lord Sumption	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.
Abela and others (Appellants) <i>v</i> Baaderani (Respondents) UKSC 2012/0023	Lord Phillips Lord Clarke Lord Sumption	Granted 13 June 2012	
R (on the application of SK (Sri Lanka) (Appellant) <i>v</i> Secretary of State for the Home Department (Respondent) UKSC 2012/0051	Lord Phillips Lord Clarke Lord Sumption	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.
Mayor and Burgesses of the London Borough of Islington (Respondents) <i>v</i> Donna Boyle (FC) (Appellant) UKSC 2012/0047	Lord Hope Lord Mance Lord Wilson	Refused 18 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal and bearing in mind also that the Court of Appeal's remit to the Court below was based on a correct interpretation of the tenant condition.
R (on the application of Robert Tiller) (Appellant) <i>v</i> East Sussex County Council (Respondents) UKSC 2012/0046	Lord Hope Lord Mance Lord Wilson	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.
LB (Jamaica) (Appellant) <i>v</i> Secretary of State for the Home Department (Respondent) UKSC 2012/0040	Lord Hope Lord Mance Lord Wilson	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.
R (on the application of Naik) (Appellant) <i>v</i> Secretary of State for the Home Department (Respondent) UKSC 2012/0029	Lord Hope Lord Mance Lord Wilson	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal and bearing in mind also that the majority in the Court of Appeal clearly assumed in the Appellant's favour that he also had article 10 rights and that the other points of law were not arguable.

Destiny 1 Limited (Appellant) <i>v</i> Lloyds TSB Bank PLC (Respondent) UKSC 2011/0207	Lord Hope Lord Mance Lord Wilson	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time and bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal, bearing in mind also that the issues raised by the grounds of appeal are all matters of fact which are not open to review by this Court.
Kuehne & Nagel Drinks Logistics Limited and others (Appellants) <i>v</i> The Commissioners for Her Majesty's Revenue and Customs (Respondent) UKSC 2012/0053	Lord Walker Lord Reed Lord Carnwath	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. This case has now been fully argued at three levels with the same result, and essentially the same legal reasoning. It does not raise a new point of law.
Howard (Appellant) <i>v</i> Howard-Lawson Bt (Respondent) UKSC 2012/0049	Lord Walker Lord Reed Lord Carnwath	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal, this case turns on its special facts and does not raise any issue of general public importance.
The Queen (on the appeal of B) (Appellant) <i>v</i> Director of Public Prosecutions (Respondent) UKSC 2012/0055	Lord Walker Lord Reed Lord Carnwath	Refused 13 June 2012	Permission to appeal be refused because the application does not raise an arguable point of law which ought to be considered by the Supreme Court at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. There are no reasonable grounds for challenging the judgment of the Divisional Court. Reasonable excuse has been fully considered in <i>R v G</i> [2010] 1 AC 43 SC.
Cotter (Respondent) <i>v</i> Commissioners for Her Majesty's Revenue & Customs (Appellant) UKSC 2012/0062	Lord Walker Lord Reed Lord Carnwath	Granted 13 June 2012	
R (on the application of Modaresi) (FC) (Appellant) <i>v</i> Secretary of State for Health (Respondent) UKSC 2012/0069	Lady Hale Lord Kerr Lord Dyson	Granted 13 June 2012	
R <i>v</i> Gul UKSC 2012/0124	Lady Hale Lord Kerr Lord Dyson	Granted 13 June 2012	
Woodland (Appellant) <i>v</i> Essex County Council (Respondent) UKSC 2012/0093	Lady Hale Lord Kerr Lord Dyson	Granted 13 June 2012	

<p>Simcoe (Respondent) <i>v</i> Jacuzzi UK Group Plc (Appellant) UKSC 2012/0067</p>	<p>Lady Hale Lord Kerr Lord Dyson</p>	<p>Refused 13 June 2012</p>	<p>Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal; this is a point of practice and procedure more suitable for consideration at Court of Appeal level.</p>
<p>In the matter of an application by Kevin Donnelly for Judicial Review (Northern Ireland) UKSC 2011/0256</p>	<p>Lady Hale Lord Kerr Lord Dyson</p>	<p>Refused 13 June 2012</p>	<p>Permission to appeal be refused because the application does not raise an arguable point of law, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The Judge and the Court of Appeal were plainly right.</p>
<p>Wlodarczyk (Appellant) <i>v</i> Procurator Fiscal, Edinburgh (Respondent) (Scotland) UKSC 2012/0127</p>	<p>Lord Phillips Lord Hope Lord Reed</p>	<p>Refused 21 June 2012</p>	<p>Permission to appeal be refused because the application does not raise an arguable point of law bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal and the issues raised, and considered by the Courts below, were issues of fact, not law. No issue of law is raised that requires consideration by this Court.</p>