

Permission to Appeal results – May 2016

Case name	Justices	PTA	Reasons given
Times Newspapers Ltd (Appellant) <i>v</i> Flood (Respondent) UKSC 2015/0045 Neutral Citation No: [2014] EWCA Civ 1574	Lord Mance Lord Clarke Lord Hodge	Granted 3 May 2016	
Kiani (Appellant) <i>v</i> Secretary of State for the Home Department (Respondent) UKSC 2015/0239 Neutral Citation No: [2015] EWCA Civ 776	Lord Neuberger Lord Clarke Lord Hodge	Refused 5 May 2016	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.
Howell (Appellant) <i>v</i> Secretary of State for Communities and Local Government and others (Respondents) UKSC 2016/0001 Neutral Citation No: [2015] EWCA Civ 1189	Lady Hale Lord Clarke Lord Carnwath	Refused 5 May 2016	Permission to appeal be refused because the application does not raise an arguable point of law.
Powell (Appellant) <i>v</i> West Quay Development Company Partnership LLP and others (Respondents) UKSC 2016/0017 Neutral Citation No: [2015] EWCA Civ 650	Lady Hale Lord Clarke Lord Carnwath	Refused 12 May 2016	Permission to appeal be refused because the application does not raise an arguable point of law.
R (on the application of Sabir and another) <i>v</i> Secretary of State for the Home Department (Respondent) UKSC 2016/0030 Neutral Citation No: [2015] EWCA Civ 1173	Lord Mance Lord Sumption Lord Carnwath	Refused 16 May 2016	Permission to appeal be refused because there is no jurisdiction and, even assuming there were any, the application does not raise a point of law of general public importance which ought to be considered by the Supreme Court at this time.
Michael Wilson & Partners Ltd (Appellant) <i>v</i> Emmott (Respondent) UKSC 2016/0008 Neutral Citation No: [2015] EWCA Civ 1285	Lord Mance Lord Sumption Lord Carnwath	Refused 16 May 2016	Permission to appeal be refused because there is no jurisdiction and, even assuming there were any, the application does not raise a point of law of general public importance which ought to be considered by the Supreme Court at this time.

<p>Nuclear Decommissioning Authority (Appellant) <i>v</i> Energy Solutions EU Limited (Respondent) UKSC 2016/0006 Neutral Citation No: [2015] EWCA Civ 1262</p>	<p>Lord Mance Lord Sumption Lord Carnwath</p>	<p>Granted 16 May 2016</p>	
<p>County Leasing Asset Management Ltd and others (Respondents) <i>v</i> Hawkes (Appellant) UKSC 2016/0020 Neutral Citation No: [2015] EWCA Civ 1251</p>	<p>Lord Mance Lord Sumption Lord Carnwath</p>	<p>Refused 19 May 2016</p>	<p>Permission to appeal be refused because the application does not raise a point of law of general public importance which ought to be considered by the Supreme Court at this time bearing in mind the causation hurdle faced by the Appellant on the facts.</p>
<p>Dickinson and another (Appellants) <i>v</i> UK Acorn Finance Ltd (Respondent) UKSC 2015/0254 Neutral Citation No: [2015] EWCA Civ 1194</p>	<p>Lord Mance Lord Sumption Lord Carnwath</p>	<p>Refused 19 May 2016</p>	<p>Permission to appeal be refused because the application does not raise a 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 the potential factual and discretionary character of the proposed issue.</p>
<p>Tibber (Appellant) <i>v</i> Buckley and another (Respondents) UKSC 2016/0019 Neutral Citation No: [2015] EWCA Civ 1294</p>	<p>Lord Neuberger Lord Hughes Lord Toulson</p>	<p>Refused 23 May 2016</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.</p>
<p>Emerald Supplies Limited and others (Appellants) <i>v</i> British Airways plc and others (Respondents) UKSC 2016/0027 Neutral Citation No: [2015] EWCA Civ 1024</p> <p>Emerald Supplies Limited and others (Appellants) <i>v</i> Air Canada and others (Respondents) UKSC 2016/0028 Neutral Citation No: [2015] EWCA Civ 1024</p>	<p>Lord Neuberger Lord Hughes Lord Toulson</p>	<p>Refused 23 May 2016</p>	<p>Permission to appeal be refused because the applications do not raise arguable points of law of general public importance which ought to be considered by the Supreme Court at this time.</p>
<p>In the matter of A (Children) UKSC 2016/0018 Neutral Citation No: [2015] EWCA Civ 1254</p>	<p>Lady Hale Lord Wilson Lord Reed</p>	<p>Refused 23 May 2016</p>	<p>Permission to appeal be refused because the application does not raise a point of law of general public importance.</p>

<p>R (on the application of Ahmed) (Appellant) v Secretary of State for the Home Department (Respondent) UKSC 2016/0087 Neutral Citation No: 2016] EWCA Civ 303</p>	<p>Lord Kerr Lord Reed Lord Toulson</p>	<p>Refused 23 May 2016</p>	<p>Permission to appeal (and the application for an injunction) be refused because the application does not raise an arguable point of law of general public importance which ought to be considered at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal</p>
<p>R (on the application of Shindler and another) (Appellants) v Chancellor of the Duchy of Lancaster and another (Respondents) UKSC 2016/0105 Neutral Citation No: [2016] EWCA Civ 469</p>	<p>Lady Hale Lord Mance Lord Sumption Lord Reed Lord Hughes</p>	<p>Refused 24 May 2016</p>	<p>Giving the Court's decision, at an oral hearing on 24 May 2016, Lady Hale (Deputy President of the Supreme Court) said:</p> <p>"We should make it clear that the question is not whether this particular voting exclusion is justifiable as a proportionate means of achieving a legitimate aim.</p> <p>The question is instead, firstly, whether European Union law applies at all, as only if it does so is there any possibility of attacking an Act of Parliament; and secondly, if so, whether there is any interference with the right of free movement.</p> <p>Assuming for the sake of argument that European Union law does apply, we have decided that it is not arguable that there is an interference with right of free movement, for the reasons given by the Divisional Court and the Court of Appeal.</p> <p>We do have considerable sympathy for the situation in which the applicants find themselves and we understand that this is something which concerns them deeply. But we cannot discern a legal basis for challenging this statute.</p> <p>Accordingly, the application for Permission to appeal is refused."</p>
<p>Workman and others (Appellants) v Shoosmiths (a firm) (Respondent) UKSC 2016/0063 Neutral Citation No: [2016] EWCA Civ 73</p>	<p>Lady Hale Lord Wilson Lord Reed</p>	<p>Refused 25 May 2016</p>	<p>Permission to appeal be refused because the application does not raise an arguable point of law.</p>
<p>Al-Juffali (Appellant) v Estrada (Respondent) UKSC 2016/0081 Neutral Citation No: [2016] EWCA Civ 176 [2016] EWHC 213 Fam</p>	<p>Lady Hale Lord Wilson Lord Reed</p>	<p>Refused 25 May 2016</p>	<p>Permission to appeal be refused because the application does not raise an arguable point of law.</p>

<p>R v Choudary and another (Appellants) UKSC 2016/0091 Neutral Citation No: [2016] EWCA Crim 61</p>	<p>Lord Neuberger Lord Hughes Lord Toulson</p>	<p>Refused 7 June 2016</p>	<p>Permission to appeal be refused because the application does not raise an arguable point of law; if a question arises whether words used by the defendants (or either of them) were protected by article 10, it will be a matter for the judge and/or the jury to consider after the evidence has been given</p>
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