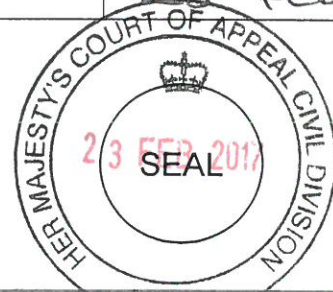


Appellant's notice

(All appeals except small claims track appeals and appeals to the Family Division of the High Court)

Notes for guidance are available which will help you complete this form. Please read them carefully before you complete each section.

For Court use only	
Appeal Court Ref. No.	2017 / 0470
Date filed	23 Feb 2017



Section 1 Details of the claim or case you are appealing against

Claim or Case no. Fee Account no. (if applicable)

Help with Fees - Ref no. (if applicable) - -

Name(s) of the Claimant(s) Applicant(s) Petitioner(s)

Name(s) of the Defendant(s) Respondent(s)

Details of the party appealing ('The Appellant')

Name

Address (including postcode)

Tel No.

Fax

E-mail

Details of the Respondent to the appeal

Name

Address (including postcode)

Tel No.

Fax

E-mail

Details of additional parties (if any) are attached

Yes No

Section 2 Details of the appeal

From which court is the appeal being brought?

The County Court at

The Family Court at

High Court

Queen's Bench Division

Chancery Division

Family Division

Other (please specify)

DIVISIONAL COURT

What is the name of the Judge whose decision you want to appeal?

SIR BRIAN LEVESON, MR JUSTICE LEGGATT

What is the status of the Judge whose decision you want to appeal?

District Judge or Deputy

Circuit Judge or Recorder

Tribunal Judge

Master or Deputy

High Court Judge or Deputy

Justice(s) of the Peace

What is the date of the decision you wish to appeal against?

02.02.17

Is the decision you wish to appeal a previous appeal decision? Yes No

Section 3 Legal representation

Are you legally represented?

Yes No

If Yes, is your legal representative (please tick as appropriate)

- a solicitor
- direct access counsel instructed to conduct litigation on your behalf
- direct access counsel instructed to represent you at hearings only

Name of your legal representative

Bhatt Murphy Ltd

The address (including postcode) of your legal representative

27 Hoxton Square
London
N1 6NN

Tel No. 020 7729 1115

Fax 020 7729 1117

E-mail m.scott@bhattmurphy.co.uk

DX 36626 FINSBURY

Ref. MPS/7115

Are you, the Appellant, in receipt of a Civil Legal Aid Certificate?

Yes No

Is the respondent legally represented?

Yes No

If 'Yes', please give details of the respondent's legal representative below

Name and address (including postcode) of the respondent's legal representative

GOVERNMENT LEGAL DEPARTMENT
ONE KEMBLE HOUSE
LONDON WC2B 4TS

Tel No. 020 7210 3097

Fax 020 7210 3410

E-mail Andrew.Poole@governmentlegal.gov.uk

DX 123242 KINSWAY 6

Ref.

Section 4 Permission to appeal

Do you need permission to appeal?

Yes No

Has permission to appeal been granted?

Yes (Complete Box A)

No (Complete Box B)

Box A

Date of order granting permission

09.02.17

Name of Judge granting permission

SIR BRIAN LEVESON

Box B

I

the Appellant('s legal representative) seek permission to appeal.

If permission to appeal has been granted **in part** by the lower court, do you seek permission to appeal in respect of the grounds refused by the lower court?

Yes No

Section 5 Other information required for the appeal

Please set out the order (or part of the order) you wish to appeal against

1. That the Defendant is not amenable to judicial review.
2. That the Claimant pay the Interested Parties' costs in the sum of £15,000.

Have you lodged this notice with the court in time?
(There are different types of appeal - see Guidance Notes N161A)

Yes No
If 'No' you must also complete
Part B of Section 9 and Section 10

Section 6 Grounds of appeal

Please state, in numbered paragraphs, **on a separate sheet** attached to this notice and entitled 'Grounds of Appeal' (also in the top right hand corner add your claim or case number and full name), why you are saying that the Judge who made the order you are appealing was wrong.

I confirm that the grounds of appeal are attached to this notice.

Section 7 Arguments in support of grounds for appeal

- I confirm that the arguments (known as a 'Skeleton Argument') in support of the 'Grounds of Appeal' are set out **on a separate sheet** and attached to this notice.
- OR** (in the case of appeals other than to the Court of Appeal)
- I confirm that the arguments (known as a 'Skeleton Argument') in support of the 'Grounds of Appeal' will follow within 14 days of filing this Appellant's Notice. A skeleton argument should only be filed if appropriate, in accordance with CPR Practice Direction 52B, paragraph 8.3.

Section 8 What are you asking the Appeal Court to do?

I am asking the appeal court to:-
(please tick the appropriate box)

- set aside the order which I am appealing
- vary the order which I am appealing and substitute the following order. Set out in the following space the order you are asking for:-

- order a new trial

Section 9 Other applications

Complete this section **only** if you are making any additional applications.

Part A

- I apply for a stay of execution. (You must set out in Section 10 your reasons for seeking a stay of execution and evidence in support of your application.)

Part B

- I apply for an extension of time for filing my appeal notice. (You must set out in Section 10 the reasons for the delay and what steps you have taken since the decision you are appealing.)

Part C

- I apply for an order that:

1. Expedition for the appeal.
 2. Costs capping in the terms set out in the skeleton.

(You must set out in Section 10 your reasons and your evidence in support of your application.)

Section 10 Evidence in support

In support of my application(s) in Section 9, I wish to rely upon the following reasons and evidence:

Statement of Truth – This must be completed in support of the evidence in Section 10
I believe (The appellant believes) that the facts stated in this section are true.

Full name

Name of appellant's legal representative firm

signed

position or office held

Appellant('s) legal representative)

(if signing on behalf of firm or company)

Section 11 Supporting documents

To support your appeal you should file with this notice all relevant documents listed below. To show which documents you are filing, please tick the appropriate boxes.

If you do not have a document that you intend to use to support your appeal complete the box over the page.

In the County Court or High Court:

- three copies of the appellant's notice for the appeal court and three copies of the grounds of appeal;
- one additional copy of the appellant's notice and grounds of appeal for each of the respondents;
- one copy of the sealed (stamped by the court) order being appealed;
- a copy of any order giving or refusing permission to appeal; together with a copy of the judge's reasons for allowing or refusing permission to appeal; and
- a copy of the Civil Legal Aid Agency Certificate (if legally represented).

In the Court of Appeal:

- three copies of the appellant's notice and three copies of the grounds of appeal on a separate sheet attached to each appellant's notice;
- one additional copy of the appellant's notice and one copy of the grounds of appeal for each of the respondents;
- one copy of the sealed (stamped by the court) order or tribunal determination being appealed;
- a copy of any order giving or refusing permission to appeal together with a copy of the judge's reasons for allowing or refusing permission to appeal;
- one copy of any witness statement or affidavit in support of any application included in the appellant's notice;
- where the decision of the lower court was itself made on appeal, a copy of the first order, the reasons given by the judge who made it and the appellant's notice of appeal against that order;
- in a claim for judicial review or a statutory appeal a copy of the original decision which was the subject of the application to the lower court;
- one copy of the skeleton arguments in support of the appeal or application for permission to appeal;
- a copy of the approved transcript of judgment; and
- a copy of the Civil Legal Aid Certificate (if applicable)

Reasons why you have not supplied a document and date when you expect it to be available:-

Title of document and reason not supplied	Date when it will be supplied

Section 12 The notice of appeal must be signed here

Signed Malley Appellant('s legal representative)

Section 1 Details of the claim or case you are appealing again

Details of additional parties (if any)

1. Secretary of State for Foreign and Commonwealth Affairs

2. Government Communications Headquarters

Legal Representation firm of solicitors representing the Respondent

Government Legal Department
One Kemble Street
London WC2B 4TS

Tel: 020 7210 6178

email : emma.hines@governmentlegal.gov.uk

IN THE COURT OF APPEAL (CIVIL DIVISION)

ON APPEAL FROM THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

DIVISIONAL COURT (Sir Brian Leveson PQBD and Leggatt J)

B E T W E E N:

THE QUEEN on the application of

PRIVACY INTERNATIONAL

Appellant

-and-

INVESTIGATORY POWERS TRIBUNAL

Respondent

-and-

(1) SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS
(2) GOVERNMENT COMMUNICATIONS HEADQUARTERS

Interested Parties

GROUNDS OF APPEAL

1. The Divisional Court erred in law that it held that the High Court's jurisdiction to hear a claim for judicial review was ousted by section 67(8) of the Regulation of Investigatory Powers Act 2000.

