

The appeal court will be unlikely to overturn a decision where no real difference would be made to the outcome of the case; or the appeal would involve re-examining the factual investigation undertaken by the lower court.

Asking the court to uphold a decision is not an appeal but you must give reasons if asking for it to be upheld on different or additional grounds.

Set your reasons out briefly. If possible, list your reasons in short separately numbered paragraphs.

Remember that you must not include any grounds which rely on new evidence, that is, evidence that has become available since the order was made. You may not produce new evidence without first obtaining the permission of the appeal court. (*See the notes to Section 9*).

Section 7

Arguments in support of grounds

Your arguments (together referred to as a 'skeleton argument') may be set out in this section or in a separate document attached to this notice. They should, where appropriate, answer the arguments set out in the appellant's skeleton argument.

Any separate skeleton argument has to be filed and served on the appellant with your completed notice no later than 21 days after you receive the appellant's skeleton argument.

Skeleton arguments should contain a numbered list of points that you intend to argue at the hearing. Each point should be stated in no more than a few sentences. Refer at each point to any document you are filing with your respondent's notice which supports that argument. (*See Section 10 on documents*)