

Section 4: Permission to appeal

You will usually need permission to appeal the decision of a judge of the High Court or a county court. If you are appealing the decision of a tribunal, you should check with that tribunal whether you need permission to appeal and, if so, whether you need to ask for that permission from the tribunal, or from the appeal court.

If you wish to make a **second appeal** against the same order, you can only do so if the Court of Appeal in London gives you permission. You must make your application for permission to that court permission for a second appeal will only be given exceptionally.

You should note that permission will only be given where the court considers that your appeal has a real prospect of success. Where your appeal is against a case management decision, the court will also consider:-

- whether the issue is significant enough to justify the costs of an appeal;
- the overall effect on the case management timetable, e.g. whether the loss of the trial date is more significant than the procedural point you wish to appeal; and
- whether it would be more convenient to deal with your point at the trial.

You **do not** need permission if the order you are appealing against is one of the following:

- a committal order;
- an order refusing the grant of habeas corpus;
- a secure accommodation order under Section 25 of the Children Act 1989.