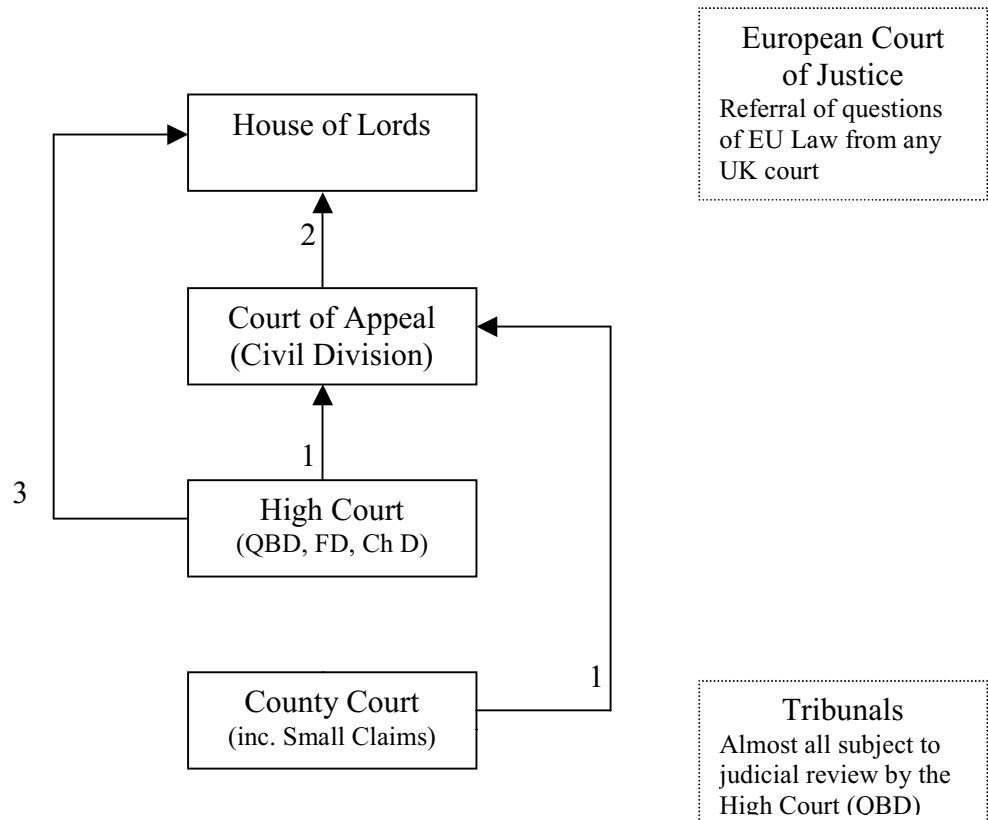


CIVIL APPEALS



Small Claims

Appeals from the district judge's decision are to a Circuit Judge of the County Court. An appeal can only be made if there was a serious irregularity in the proceedings, or the district judge made a mistake of law.

1. County Court or High Court → Court of Appeal

The new appeal procedure (since May 2000) from the county court or the High Court to the Court of Appeal is in the CPR Part 52. Appeals require leave from the lower court or the Court of Appeal. Where the lower court refuses an application for permission to appeal, a further application may be made to the Court of Appeal. Permission to appeal will only be given where (a) the court considers that the appeal would have a real prospect of success; or (b) there is some other compelling reason why the appeal should be heard.

The Court of Appeal will allow an appeal where the decision of the lower court was (a) wrong; or (b) unjust because of a serious procedural or other irregularity in the proceedings in the lower court. In relation to an appeal the Court of Appeal has all the powers of the lower court.

2. Court of Appeal → House of Lords

Appeal from the Court of Appeal only with leave of the Court of Appeal or the House of Lords.

3. High Court → House of Lords

'Leapfrog' appeal direct from the High Court provided: (a) all parties consent, and (b) a point of law of general public importance is involved relating to the construction of legislation or on a point on which the trial judge was bound by precedent. Certificate of trial judge and leave of House of Lords required.