



**IN THE COURT OF APPEAL, CIVIL DIVISION**

REF: CA-2022-000759-C



**FRIENDS OF THE EARTH LTD –v– SECRETARY OF STATE FOR INTERNATIONAL TRADE AND OTHERS**

CA-2022-000759-C

**ORDER made by the Rt. Hon. Lord Justice Bean**

On consideration of the application for permission to intervene by the Center for International Environmental Law  
And on consideration of the papers and without an oral hearing

**Decision:**

Application REFUSED.

**Reasons**

Friends of the Earth Ltd, the Claimant before the Divisional Court and the Appellant in this court is a well-established and leading organisation undertaking campaigning and other work in furtherance of environmental protection objectives. Its experienced counsel and solicitors were well able to put all the necessary arguments before the Divisional Court and will be able to do so again before this court.

This case was argued in detail before the Divisional Court in December 2021 with judgment given in March 2022. The application is made eight months after the Divisional Court judgment and three weeks before the hearing of this appeal. I do not consider that the court would derive assistance from submissions made by another environmental protection group.. To the extent that Ms Kennedy's written submissions cover the same ground as those of Ms Simor KC and her team, they are unnecessary; and to the extent, if any, that they raise new points, it is wrong that new points should be raised for the first time on appeal and with less than three weeks to go before the hearing.

**Notes:**

- 1) Where an application (other than an application for permission to appeal) has been refused on the papers, the applicant may request that the decision be reconsidered.
- 2) An application for reconsideration must be filed within 7 days after the party is served with notice of the decision.
- 3) The reconsideration will be determined by the same or another judge on paper without an oral hearing; except that the judge determining the reconsideration on paper may direct that the reconsideration be determined at an oral hearing, and must so direct if the judge is of the opinion that the reconsideration cannot be fairly determined on paper without an oral hearing: see CPR 52.24.

Date: 17/11/2022  
BY THE COURT

