

IN THE COURT OF APPEAL  
CIVIL DIVISION

**BETWEEN:**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

**Appellant**

**-and-**

**THE QUEEN**  
**(on the application of D4)**

**Respondent**

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**APPROVED ORDER**

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UPON hearing from Ms Lisa Giovannetti QC and Mr Andrew Deakin for the Appellant, and Mr Dan Squires QC and Ms Ayesha Christie for the Respondent

AND UPON the Appellant filing submissions dated 24 January 2022 applying for permission to appeal to the Supreme Court and an order to stay the declarations made by Chamberlain J

IT IS ORDERED THAT:

1. The Appellant's appeal is dismissed.
2. The Appellant's application for permission to appeal to the Supreme Court is dismissed.
3. The stay on the effect of the declarations at paragraph 1-3 of Chamberlain J's order of 30 July 2021 be extended until
  - a. 4pm 23 February 2022 (being the date by which any application for permission to appeal to the Supreme Court must be made);  
and, if such an application is made,
  - b. notification of the decision of the Supreme Court on the application for permission to appeal

and, if permission to appeal is granted,

- c. (subject to any other order made by the Supreme Court) final determination of that appeal, or further order.
4. The Appellant shall pay the Respondent's costs of the judicial review and the appeal to the Court of Appeal, to be assessed on the standard basis if not agreed.
5. Pursuant to CPR 44.2(8) the Appellant shall pay 60% of the Respondent's costs on account, within 14 days of receiving her schedule of costs.
6. There shall be a detailed assessment of the Respondent's publicly funded costs.