

## **LCLCBA Lecture**

**19 June 2018**

**Authorities referred to by David Richards LJ in lecture: *When is a judge wrong? The principles applied by appeal courts.***

### **Introduction:**

*Tanfern Ltd v Cameron-MacDonald (Practice Note)* [2000] 1 WLR 1311

*Subesh v Secretary of State for the Home Department* [2004] EWCA Civ 56

*Dupont de Nemours (EI) & Co v ST Dupont (Note)* [2003] EWCA Civ 1368; [2006] 1 WLR 2793

### **Findings of fact:**

*McGraddie v McGraddie* [2013] 1 WLR 2477

*Henderson v Foxworth Investments Ltd* [2014] 1 WLR 2600

*Yuill v Yuill* [1945]

*Clarke v Edinburgh and District Tramways Co Ltd* 1919 SC (HL) 35

*Thomas v Thomas* [1947] AC 484

*Akerheim v de Mare* [1959] AC 789 at 806

*Mutual Holdings (Bermuda) Ltd v Hendricks* [2013] UKPC 13 at [28];

*Central Bank of Ecuador v Centicorp SA* [2015] UKPC 11

*Armagas Ltd v Mundogas SA, The Ocean Frost* [1985] 1 Lloyd's Rep 1

*Chen v Ng* [2017] UKPC 27

*Datec Electronics Holdings Ltd v United Parcels Service Ltd* [2007] 1 WLR 1325

*Assicurazioni Generali SpA v Arab Insurance Group* [2003] 1WLR 577

*Todd v Adams & Chope (trading as Trelewney Fishing Co)* [2002] 2 Lloyd's Rep 293

*Bessant v South Cone Inc* [2002] EWCA Civ 763

*Re B (A Child) (Care Proceedings: Threshold Criteria)* [2013] UKSC 33; [2013] 1 WLR 1911

### **Exercise of discretion:**

*Hadmore Productions Ltd v Hamilton* [1983] 1 AC 191

### **Evaluative judgment: general**

*Re Coventry (deceased)* [1980] Ch 461

*George Mitchell (Chesterhall) Ltd v Finney Lock Seeds Ltd* [1983] 2 AC 803

*Re Grayan Building Services Ltd* [1995] Ch 241

*Benmax v. Austin Motor Co. Ltd.* [1955] A.C. 370

*Re Hitco 2000 Ltd* [1995] BCC 161

*Biogen Inc v Medeva plc* [1997] RPC 1 at 45

*Todd v Adams and Chope* [2002] 2 LI LR 293

*Re B (A Minor)* [2001] UKHL 70; [2002] 1 WLR 258

*Aldi Stores Ltd v WSP Group plc* [2007] EWCA Civ 1260; [2008] 1 WLR 748

*Mersey Care NHS Trust v Ackroyd (No 2)* [2007] HRLR 580

*Stuart v Goldberg Linde* [2008] EWCA Civ; [2008]

*VTB Capital plc v Nutritek International Corp* [2013] UKSC 5; [2013] 2 AC 337

*Smech Properties v Runnymede BC* [2016] EWCA Civ 42

### **Evaluative judgment: proportionality and human rights**

*Re B (A Child) (Care Proceedings: Threshold Criteria)* [2013] UKSC 33; [2013] 1 WLR 1911

### **Points of law**

*Pilgrim Shipping Co. Ltd. V The State Trading corporation of India Ltd, The Hadjitsakos* [1975] 1 LR 356

*Secretary of State for Employment and Productivity v C. Maurice & Co. Ltd* [1969] 2 AC 346

*Cooke v Secretary of State for Social Security* [2001] EWCA Civ 734

*MA (Somalia) v Secretary of State for the Home Department* [2010] UKSC 49

*Jones v First-Tier Tribunal (Social Entitlement Chamber)* [2013] UKSC 19

