

APPEAL COMMITTEE

IN RE BURKE

REPORT

Ordered to be printed 28 November 2002

LONDON
£5.00

ORDERS OF REFERENCE, ETC.

DIE JOVIS 15° JUNII 2000

In re Burke (AP) (Appellant) (On Appeal from a Divisional Court of the Queen's Bench Division)—
The Report from the Appellate Committee was agreed to; it was ordered and adjudged that
the Order of the Divisional Court of the Queen's Bench Division of 16th March 1999 be
affirmed and the appeal dismissed; and that there be no order as to costs save that the costs
of the appellant in this House be taxed in accordance with the Legal Aid Act 1988.

DIE MERCURII 13° NOVEMBRIS 2002

Appeal Committees—Two Appeal Committees were appointed pursuant to Standing Order.

[Standing Order 87(2)(b): 87...(2) These Committees shall be:...(b) two Appeal Committees, which
shall consider any Petition or application for leave to appeal that may be referred to them
and any matter relating thereto, or to causes depending, or formerly depending, in this
House, and shall report thereon to the House.]

DIE JOVIS 28° NOVEMBRIS 2002

In re Burke—The petition of Robert Anthony Burke praying for leave to petition the House in
connection with a matter relating to the cause formerly depending in this House was
presented and referred to an Appeal Committee.

Lords who attended the Appeal Committee on this petition:

Bingham of Cornhill, L. (*In the Chair*)

Nicholls of Birkenhead, L.

Hoffmann, L.

NINTH REPORT

from the Appeal Committee

28 November 2002

ORDERED TO REPORT

INRE BURKE

1. The Committee have met and have considered the petition of Robert Anthony Burke praying for leave to petition the House in connection with a matter relating to the cause formerly depending in this House *viz.* that the Judgment of the House of 15th June 2000 in the cause *In re Burke (AP)* (Appellant) (On Appeal from a Divisional Court of the Queen's Bench Division) might be set aside. Mr Burke's appeal was heard in May 2000 by an Appellate Committee attended by Lords Steyn, Jauncey of Tullichettle, Hope of Craighead, Hutton and Hobhouse of Woodborough. By a majority of three to two Mr Burke's appeal was dismissed.

RECOMMENDATION

2. The Committee recommend that this petition be dismissed. In so doing, we are not to be taken as indicating what course might have been taken on the hearing in May 2000 had the material now produced been available to the Appellate Committee at that time.