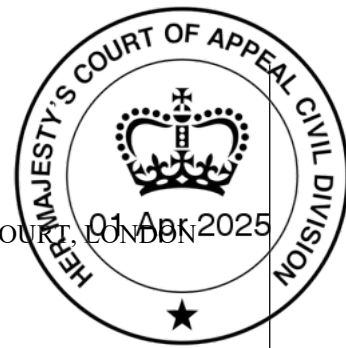




TUESDAY 01 APRIL 2025



IN THE COURT OF APPEAL

ON APPEAL FROM ADMINISTRATIVE COURT AND PLANNING COURT LONDON
MR JUSTICE LANE
AC/2021/LON/002527

BEFORE MASTER OF THE ROLLS, SIR GEOFFREY VOS
LORD JUSTICE BEAN
LORD JUSTICE EDIS
CA-2024-000936

B E T W E E N

ON PAPER

Application No.

CA-2024-000936

THE KING ON THE APPLICATION OF THE DUKE OF SUSSEX

CLAIMANT /
APPELLANT

- and -

SECRETARY OF STATE FOR THE HOME DEPARTMENT

DEFENDANT /
RESPONDENT

UPON the hearing of this appeal being listed for hearing on 8 and 9 April 2025

AND UPON the parties' joint application dated 31 March 2025 under (i) CPR 39.2(1), (3)(a), (b), (c) and (g), (ii) CPR 5.4C(4)(c), (iii) CPR 5.4D(2), and (iii) CPR PD 52C 33(5)

IT IS ORDERED THAT:

1. The substantive hearing of this appeal will be dealt with as follows:
 - (a) Counsel for each of the parties will make opening submissions in open court.
 - (b) Counsel for each of the parties will thereafter make their submissions on confidential facts in private.
 - (c) Counsel for each of the parties will thereafter make their submissions on non-confidential facts and all their submissions as to the law in open court.
 - (d) Counsel for each of the parties will thereafter make their final submissions on confidential facts in private.

- (e) Counsel for each of the parties will thereafter make their final closing submissions on non-confidential facts and law in open court.
- (f) At the end of each private session, the court will consider with counsel what summary of the submissions that have been made can be provided in open court without breaching confidentiality.
2. The parties should file with the court an agreed timetable for the hearing based on the schedule directed above, by 4pm on Friday 4 April 2025.
 3. The non-confidential skeleton arguments of the parties will be provided to and/or made available to any person pursuant to CPR 5.4C(1) or CPR 5.4C(2), but the confidential skeleton arguments of the parties will not be made available in this way.
 4. The obligation to provide copies of skeleton arguments to law reporters and to the press in Court is varied so that only the non-confidential skeleton arguments need be made available.
 5. Pursuant to CPR 5.4D(2), a non-party seeking to obtain a copy of any other document from the Court's records under CPR 5.4C(2) or 5.4C(1) must make an application on no less than seven days' notice to the parties.
 6. Any application to vary the terms of this order shall be made on no less than 24 hours' notice to the parties, preferably at the start of the substantive hearing of the appeal.
 7. Costs in the case.

REASONS

- A. Some of the evidence in this case, which is being placed before the Court of Appeal, has been agreed between the parties to be highly confidential. That evidence relates to security arrangements and threat levels and assessments for the claimant and other public figures. It is obvious that such material would be of interest to anyone wishing to harm a person

within the scope of the security arrangements, and that publicising it would risk jeopardising the effectiveness of those arrangements.

- B. Whilst some of the material that needs to be protected in the interests of justice is entangled with less sensitive details, it should be possible to conduct most of the appeal in public, with only short periods in private to deal with the confidential evidence. In this way, the open justice principle can be adhered to as faithfully as possible in the particular circumstances of this case.
- C. Pursuant to CPR Part 39.2(5), a copy of this order is being published on the website of the Judiciary of England and Wales.

BY THE COURT