



IN THE COURT MARTIAL APPEAL COURT

COURT MARTIAL APPEALS ACT 1968

**APPLICATION FOR LEAVE TO APPEAL
Under Rule 154 of the Armed Forces (Court Martial) Rules 2009**

**MARINE B
(The applicant)**

**Court Martial Appeal Office Ref No: 201305827 C5
CM No: 2012CM00442**

ORDER ON THE APPLICATION

THIS IS TO GIVE YOU NOTICE that the Court Martial Appeal Court has this day considered the Application of the above-named Applicant for leave to appeal under Rule 154 of the Armed Forces (Court Martial) Rules 2009 against an order lifting the reporting restriction that they should not be identified.

AND THE COURT HAVING RECONSTITUTED as a Divisional Court of the Queen's Bench Division, and having granted permission to proceed with a claim for Judicial review of the decision of the Judge Advocate General lifting an anonymity order protecting the identity of the applicant, and the Divisional Court having dispensed with issue and service of the Claim Form, abridged all times as necessary and heard the claim for Judicial review forthwith.

IT IS HEREBY ORDERED that the claim for Judicial review be dismissed

AND HAS MADE the following directions:

- 1. The anonymity order protecting the identity of PO55242E, Sergeant Alexander Wayne Blackman, 42 Commando, Royal Marines, known as 'Marine A' is hereby lifted**
- 2. The still photographs in category 2 are to be released to the media save those numbered: 11, 12, 13 and 37**
- 3. The anonymity order in relation to Marines B and C is to remain in place pending the resolution of any application to the Court to certify a point of law of general public importance and leave to appeal to the Supreme Court. Any such application to be made within 48 hours of the handing down of the Court's reasoned judgment. If no such application is made this anonymity order will be discharged**
- 4. The anonymity order in relation to Marines D and E is to remain in force pending any further order by the Judge Advocate General**
- 5. Reserved its reasons for the decision to date to be fixed**

**Counsel for Judge Advocate General: Mr D Perry QC
Counsel for Marine B: Mr Hugh Tomlinson QC with Mr Peter Glenser**

**For the Registrar of the Court Martial
Appeal Court,
Royal Courts of Justice
Strand, London WC2A 2LL**

Dated this 5 day of December 2013

A copy of all orders should be sent to:

HQ MCS,
Building 398,
Trenchard Lines,
Upavon,
Pewsey,
Wiltshire, SN9 6BE.

RAF Personnel to above HQ address &:

Deputy Director,
Service Prosecuting Authority,
RAF Northolt,
West End Road,
Ruislip,
Middlesex, HA4 6PG **and also to:**

HQ Air Command, Room 1S-CR2 Hurricane Buildings, RAF High Wycombe,
Buckinghamshire, HP14 4UE

Army Personnel to above HQ address, Deputy Director, Service Prosecuting Authority &:

PS2(A) OSC(A) IDL 427,
Marlborough Lines,
Monxton Road,
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Navy & Marine Personnel to above HQ address, Deputy Director, Service Prosecuting Authority &:

MP 1-4 Navy Command HQ,
Leach Building,
Whale Island,
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