

the matter involved, the court should be satisfied to the criminal standard of proof that a defendant had acted in an anti-social manner before making such an order; and that, accordingly, in the first case the appropriate standard of proof had been applied, and since the second case was not a “criminal cause or matter” the House had no jurisdiction to hear the appeal under section 1 of the 1960 Act (post, paras 22, 2627, 30, 33-35, 36, 37, 39-40, 5H 55-5h, 64, 67, 68, 74, 76-77, 81-84, 94-98, 102103, 105-106, 108, 111, 112, 113-117).

(22) Dicta of Lord Atkin in **Proprietary Articles Trade Association v Attorney General for Canada** [1931] AC 310, 324,

(23) **PC, of Lord Bingham of Cornhill CJ in Customs and Excise Comrs v City of London Magistrates' Court** [2000] 1 WLR 2020, 2025,

(24) **DC, B 1 > Chief Constable of Avon and Somerset Constabulary** [2001] 1 WLR 340, DC, S v Miller 2001 SC 977 and

(25) **Gough v Chief Constable of Derbyshire Constabulary** [2002] QB 1213, CA applied. Decision of the Court of Appeal [2001] EWCA Civ 281; [2001] 1. WLR 1084; [2001] 4 All ER 264 affirmed.

The following cases are referred to in the opinions of their Lordships.

**Adolf v Austria** (1982) 4 EHRR 313

**Albert and Le Compte v Belgium** (1983) 5 EHRR 533 ^

**Amand v Home Secretary** 1943 | AC 147; [1942] 2 All ER 381, HL(E)

**B v Chief Constable of Avon and Somerset Constabulary** [2001] 1 All ER 562, DC

**Bendenoun v France** (1994) 18 EHRR 54

**Benham v United Kingdom** (1996) 22 EHRR 293

**Brown v Stott** (2003) 1 AC 68 r; [2001] 2 WLR 817; [2001] 2 All ER 97,

**PC Constanda v M** 1997 S C 217

**Customs and Excise Comrs v City of London Magistrates' Court** [2000] 1 WLR 2020; [2000] 4 All ER 763,

**DC Deweer v Belgium** (1980) 2 EHRR 439

**Dumbo Beheer BV v The Netherlands** (1993) 18 EHRR 213

**Doorson v The Netherlands** (1996) 22 EHRR 330 Engel t/

**The Netherlands (No 1)** (1976) > EHRR 647

**Garyfallou AEBE v Greece** (1997) 28 EHRR 344

**Gough v Chief Constable of the Derbyshire Constabulary** [2001] j EWITC Admin 554; [2002] QB 459; [2001] 3 WLR T392; [2001] 4 All ER 289, DC; [2002] EWCA Civ 351; [2002] QB t3r 3; [2002] 3 WLR 289; [2002] 2 All ER 985,

**CA Guzzardi v Italy** (1980) 3 EHRR 333

**H (Minors) (Sexual Abuse: Standard of Proof), hi re** [1996] AC 563; (1996) 2 WLR 8; [1996] 1 All ER 1, HL (E)

**Han v Customs and Excise Comrs** [2001] EWCA Civ 1040; [2001] 1 WLR 2253; [2001] 4 All ER 687, CA

**Kostovski v The Netherlands** (1989) 12 EHRR 434

**Lauko v Slovakia** (1998) 33 EHRR 994

**98.**

**Simon Cordell's Skeleton Argument (2) Pdf**

[2003] 1 AC

51

**R (McCann) v Manchester Crown Ct (HL(E))**

**Lutz v Germany** (1987) 10 EHRR 181

**M v Italy** (1991) 70 DR 59

**McFeeley v United Kingdom** (1980) 3 EHRR 161