**R (ex parte, Graham) v The Parking and Traffic Appeals Service**

**Issue: Permission for Judicial Review refused - Dyslexia and discretion**

Miss Graham sought permission from the High Court to judicially review a decision by an Adjudicator to refuse her Congestion Charge appeal.

Miss Graham had informed the Adjudicator that she was dyslexic and that her dyslexia affected her understanding. She claimed that she had lived in the Congestion Charge Zone for many years and did not understand the Scheme or even know about it. She claimed that she only found out about the Scheme when she received the Penalty Charge Notices.

The Adjudicator adjourned the appeal and directed Transport for London to reconsider its power to apply its discretion to the circumstances of the case.

Transport for London maintained its decision to contest the appeal and the appeal was refused.

Mr Justice Davis Sitting in the High Court refused Miss Graham permission to apply for Judicial Review, commenting:

*"The Adjudicator was justified in finding that none of the statutory exemptions was made out and accordingly was justified in dismissing the appeal... the claim for judicial* review *only seeks to challenge that decision of the Adjudicator and therefore cannot succeed. I note that the Adjudicator invited Transport for London to consider exercising its discretion... Transport for London took a strict view on that; but it cannot be said that it was not entitled to exercise its discretion as it did...although it is possible to have some sympathy for the Claimant, permission must be refused."*