

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
THE HON MR. JUSTICE HOLLAND



Case No: HQ4X02793

BETWEEN

- (1) The Chancellor, Masters and Scholars of the University of Oxford ("the University).
- (2) David Robert Holmes, Registrar of the University of Oxford (for and on behalf of the employees and members of the University (as defined) pursuant to CPR 19.6).
- (3) Jennifer Gregory (for and on behalf of the employees and shareholders of the contractors, sub-contractors and suppliers to the University (as defined) pursuant to CPR 19.6).
- (4) Oxford University Fixed Assets Ltd ("OUFAL") (for and on behalf of the sub-contractor and suppliers of the University (as defined) pursuant to CPR 19.6.)

The Claimants

-and-

- (1) Mel Broughton
- (2) John Curtin
- (3) Robert Cogswell
- (4) Mel Broughton and Robert Cogswell representing all persons acting as members, participants or supporters or in the name of the unincorporated association known as the SPEAK Campaign to prevent or obstruct the building of the Research Laboratory at the University.
- (6) Max Gastone on his own behalf and as representing all persons acting as members, participants or supporters or in the name of the unincorporated association known as Stop Huntingdon Animal Cruelty ("SHAC").
- (10) Robin Webb sued on his own behalf and as representing all persons acting as members, participants or supporters or in the name of the unincorporated association known as the Animal Liberation Front ("ALF").
- (11) Amanda King sued on her own behalf and as representing all persons acting as members, participants or supporters or in the name of the unincorporated association know as the Save Newchurch Guinea Pigs Campaign ("SNGP").
- (12) Greg Avery.
- (13) Natasha Avery.

The Defendants

A handwritten mark or signature in the bottom left corner of the page, consisting of a stylized, cursive-like scribble.

## ORDER

### PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR YOU MAY BE FOUND TO BE GUILTY OF A CRIMINAL OFFENCE FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH.

### IMPORTANT NOTICE

If you do not obey this Order you will be guilty of contempt of Court and you may be fined or sent to prison or may be guilty of a criminal offence for which you may be fined or sent to prison or both.

An application was made on 18<sup>th</sup> May 2006 by leading counsel for the Claimants to the Court. The Court heard the application and accepted the undertakings in Schedule 1 and Schedule 2 at the end of this Order.

### DEFINITIONS

This Order shall be construed in accordance with the following Orders and/or Definitions:-

1. The University means the corporate body known as the Chancellor, Masters and Scholars of the University of Oxford.
2. The College means the Colleges of the University, as defined in the University's Statutes, and the Permanent Private Halls, as defined in the University Statutes.
3. The Society means the University's alumni organisation, the Oxford University Society, and its branches.
4. The Members of the University shall be defined as the members of the Congregation and Council of the University and student members of the University.
5. The Members of the Colleges shall be defined as the members of the Governing Bodies of the Colleges.
6. The Members of the Society shall be defined as the officers and members of the Society.
7. The Members means the Members of the University, the Members of the Colleges and Members of the Society.
8. The University Employees means the employees from time to time of the University, the Colleges and Society.
9. The University buildings and grounds means the buildings and grounds owned or occupied by the University and the Permanent Private Halls.

10. The Second Claimant shall represent the Members and the University Employees (and the Protected Persons coming within the aforesaid definitions) pursuant to CPR 19.6.
11. The Contractors shall be defined as the contractors, sub-contractors and suppliers who are or will be engaged by or for the University in order to carry out work in connection with the construction of the University's Research Laboratory at South Parks Road, Oxford ("the Research Laboratory"), or any contractor engaged in the provision of goods or services to the University.
12. The Shareholders means the shareholders of the Contractors.
13. The Contractor Employees means the employees from time to time of the Contractors.
14. The Third Claimant shall represent the Shareholder and the Contractor employees (and the Protected Persons coming within the aforesaid definitions) pursuant to CPR 19.6.
15. The Fourth Claimant shall represent the Contractors pursuant to CPR 19.6.
16. In this Order harass has the same meaning as in the Protection from Harassment Act 1997 and references to "he", "him or "his" shall be taken as meaning "she", "her" or "hers" where appropriate.
17. In this Order "Respondent" means:
  - (a) Any of the Defendants;
  - (b) Any person acting in pursuit of the campaign to prevent or obstruct the building of the Research Laboratory in South Park Road, Oxford.
18. In this Order the "Protected Persons" shall mean:
  - (a) The Second and Third Claimants;
  - (b) The Members of the University;
  - (c) The Members of the Colleges;
  - (d) The Members of the Society;
  - (e) The University Employees;
  - (f) The families, servants or agents of the Members and of the University; Employees;
  - (g) The Contractor Employees and Shareholders;
  - (h) The families, servants or agents of the Contractor Employees and Contractor Shareholders;

- (i) Any person seeking to visit the Research Laboratory in South Parks Road, Oxford or any premises or home belonging to or occupied by any of the aforesaid Protected Persons.

#### THE ORDER

It is ORDERED that until trial or further order:

1. The Order made herein on the 10<sup>th</sup> November 2004 by the Hon Mr. Justice Grigson is discharged forthwith as is the Order made herein on the 6<sup>th</sup> March 2006 by Calvert Smith J.
2. The Respondents shall be restrained from doing, causing, permitting, encouraging or assisting any of the following;
  - (a) assaulting, harassing, molesting, threatening or otherwise interfering with any Protected Person so as thereby to pursue a course of conduct which amounts to harassment pursuant to the Protection from Harassment Act 1997.
  - (b) ~~knowingly~~ <sup>INTENTIONALLY</sup> photographing any Protected Person or his vehicle.
  - (c) making any abusive or threatening communication whether orally, by telephone, in writing, by facsimile, by electronic transfer (e-mail) or otherwise to any Protected Person.
  - (d) entering any of the University's buildings and grounds as trespassers.
  - (e) knowingly picketing or demonstrating within 100 yards of the residence of any Protected Person.
  - (f) knowingly picketing, or demonstrating within 50 yards of the commercial or business premises of any Contractor.
  - (g) coming into or remaining in the exclusion zone identified on the attached Plan C for the purposes of, or for conducting any demonstration or protest in pursuit of the campaign to prevent or obstruct the building of the Research Laboratory:

#### PROVIDED THAT

- A. A demonstration or protest may be conducted at the area designated on Plan C on Thursdays upon terms:
  - (i) the number of persons present at any such demonstration or protest shall not exceed 50; and
  - (ii) the maximum duration of any such demonstration or protest shall not exceed 4 hours between 1 p.m. and 5 p.m.;

B. Not more than once per month a lawful peaceful procession or assembly on the public highway may enter the exclusion zone on a Saturday on terms:

There be continuing compliance with Sections 11, 12 and 14 Public Order Act 1986.

- (h) using any megaphone, klaxon, siren, whistle, drum, noise amplification device or any other instrument or other appliance used or capable of being used to generate noise within the exclusion zone identified on the attached Plan C or anywhere else in South Parks Road, Mansfield Road or St. Cross Road, Oxford

SAVE AND EXCEPT

- A. When in so much of South Parks Road as lies to the west of the exclusion zone (megaphone use only); and  
B. When participating in any such lawful peaceful procession or assembly as is provided for above.
- (i) publishing by any means whatsoever names, addresses, telephone numbers, fax numbers, electronic mail addresses, photographs, vehicle registration numbers or any other material serving to identify a Protected Person or to publish his personal details.

PROVIDED THAT

as and when a Protected Person is identified as such for the purposes of a newspaper article or a radio or television programme there shall be no restraint upon the terms of any media response by a Respondent nor upon any repetition of that which featured in the media .

- (j) placing with any third party any order for goods and/or services purportedly on behalf of a Protected Person, or requesting information from any third party in the name of a Protected Person.
- (k) Taking any steps to identify or record the movements of or to follow any vehicle entering or leaving the exclusion zone identified on Plan C in pursuit of the campaign to prevent or obstruct the building of the Research Laboratory.

AND IT IS FURTHER ORDERED THAT

3. Each of the foregoing injunctions is made for the purpose specified in Section 3(3)(a) Protection from Harassment Act 1997.
4. There is no order as above against the First and Third Defendants, the Court having accepted undertakings from each of them.
5. With respect to the 10<sup>th</sup> Defendants the application to strike out the statement of case be adjourned for hearing on the 11<sup>th</sup> July 2006.

6. With respect to the 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> Defendants the statements of case be respectively struck out pursuant to CPR 3.4
7. The case be referred forthwith to Senior Master Turner (or such other Master as may be appropriate) for case management.
8. SERVICE
  - a. Pursuant to RSC Order 45 rule 7(6) and (7) personal service of this Order is dispensed, with provided that the Claimants be at liberty to serve a copy hereof on any person within the City of Oxford outwith the exclusion zone.
  - b. There be substituted service by exhibiting the same at the boundaries of the exclusion zone and at the designated area.
9. Pursuant to CPR 19.6.4(b) this Order may be enforced against any Respondent represented by any Defendant.
10. The Defendants (or anyone notified of this Order) may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person) but anyone wishing to do so must first inform the Claimant's solicitors in writing at least 2 working days beforehand.
- 11.. Costs be reserved.

DATED 26 MAY 2006

SCHEDULE 1

Undertaking given to the Court by the Claimants:

If the Court later finds that this Order has caused loss to a Defendant and decides that the Defendant should be compensated for that loss, the Claimants will comply with any order the Court may make.

SCHEDULE 2

Undertakings given to the Court by, respectively, the First and Third Defendants:

1. Not to assault, harass, molest, threaten or otherwise interfere with any Protected Person so as thereby to pursue a course of conduct which amounts to harassment pursuant to the Protection from Harassment Act 1997.
2. Not ~~knowingly~~ <sup>INTENTIONALLY</sup> to photograph any Protected Person or his vehicle.
3. Not to make any abusive or threatening communication whether orally, by telephone, in writing, by facsimile, by electronic transfer (e-mail) or otherwise to any Protected Person
4. Not to enter any of the University's buildings and grounds as a trespasser.

5. Not knowingly to picket or demonstrate within 100 yards of the residence of any Protected Person.
6. Not knowingly to picket or demonstrate within 50 yards of the commercial or business premises of any Contractor.
7. Not to come into or to remain in the exclusion zone identified on the attached Plan C for the purposes of, or for conducting any demonstration or protest:

Provided that:

- (a) A demonstration or protest may be conducted at the area designated on Plan C on terms:
  - (i) the number of persons present at any such demonstration shall not exceed 50; and
  - (ii) the maximum duration of any such demonstration or protest shall not exceed 4 hours between 1 p.m. and 5 p.m.;
- (b) Not more than once per month a lawful peaceful procession or assembly may enter the exclusion zone on a Saturday on terms:

There be continuing compliance with Sections 11, 12 and 14 Public Order Act 1986.

8. Not to use any megaphone, klaxon, siren, whistle, drum, noise amplification device or any other instrument or other appliance used or capable of being used to generate noise within the exclusion zone identified on the attached Plan C or anywhere else in South Parks Road, Mansfield Road or St. Cross Road, Oxford

SAVE AND EXCEPT

- A. When in so much of South Parks Road as lies to the west of the exclusion zone (megaphone use only); and
  - B. When participating in such lawful; peaceful procession or assembly as is provide for above.
9. Not to publish by any means whatsoever names, addresses, telephone numbers, fax numbers, electronic mail addresses, photographs, vehicle registration numbers or any other material serving to identify a Protected Person or to publish his personal details.

PROVIDED THAT

As and when a Protected Person is identified as such for the purposes of a newspaper article or a radio or television programme there shall be no restraint upon the terms of any media response, nor upon any repetition of that which featured in the media.

10. Not to place with any third party any order for goods and/or services purportedly on behalf of a Protected Person or request information from any third party in the name of a Protected Person.
11. Not to take any steps to identify or record the movements of or to follow any vehicle entering or leaving the exclusion zone identified on Plan C in pursuit of the campaign to prevent or obstruct the building of the Research Laboratory.



DATED the 26<sup>th</sup> day of May 2006

HQ04X02793

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

MR JUSTICE HOLLAND

BETWEEN:

UNIVERSITY OF OXFORD & Ors

-and-

BROUGHTON & Ors

**ORDER**

Court 37

Lawson-Cruttenden & Co  
DX 268  
London/Chancery Lane

Ref:

Solicitors for the Claimant

cc. Clerk of the Lists

If you have a query with this order please contact Interim Applications Office on telephone no.020 7947 7516 between 9.30am to 4.30pm. Please address any correspondence to the Queen's Bench Listing Office, Room WG8, The Royal Courts of Justice, Strand London WC2A 2LL: DX 44450 Strand, Fax: 020 7947 7313