

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim no. QB-2021-004122

Before: Mr Justice Lavender
On: 12 November 2021

B E T W E E N:

TRANSPORT FOR LONDON

-and-



(1) PERSONS UNKNOWN CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING OR OTHERWISE PREVENTING THE FREE FLOW OF TRAFFIC ONTO OR ALONG THE 1) LAMBETH BRIDGE AND BOTH ADJOINING ROUNDABOUTS; 2) HOGARTH ROUNDABOUT INCLUSIVE OF ALL ADJOINING ENTRY AND EXIT ROADS; 3) MARBLE ARCH INCLUSIVE OF ALL ENTRY AND EXIT ROADS; 4) ROTHERHITHE TUNNEL AND BOTH APPROACHES; 5) BECKTON ROUNDABOUT; 6) GANTS HILL ROUNDABOUT; 7) BRIXTON; 8) A406 (KNOWN AS THE NORTH CIRCULAR) BETWEEN AND INCLUSIVE OF ALL INTERSECTIONS WITH THE A40 HANGER LANE TO THE A13 ALFRED'S WAY INCLUSIVE OF ALL INTERSECTIONS; 9) A1 BETWEEN AND INCLUSIVE OF ALL INTERSECTIONS WITH THE A406 AT GREAT NORTH WAY TO ELSTREE WAY, BOREHAM WOOD; 10) A10 GREAT CAMBRIDGE ROAD BETWEEN AND INCLUSIVE OF ALL INTERSECTIONS WITH THE A406 NORTH CIRCULAR ROAD TO THE GLA ROAD BOUNDARY AT M25 JUNCTION 25; 11) A12 APPROACH TO BLACKWALL TUNNEL INCLUSIVE OF ALL INTERSECTIONS TO GLA BOUNDARY AT M25 J28; 12) A127 BETWEEN AND INCLUSIVE OF ALL INTERSECTIONS WITH THE A12 AT GALLOWS CORNER TO THE GLA ROAD BOUNDARY AT M25 J29; 13) A13/A1203/A1261 BETWEEN LIMEHOUSE LINK (INCLUSIVE) AND M25 JUNCTION 30 INCLUSIVE OF ALL INTERSECTIONS WITH THE BLACKWALL TUNNEL TO THE GLA ROAD BOUNDARY; 14) A102 APPROACH TO BLACKWALL TUNNEL INCLUSIVE OF ALL INTERSECTIONS THAT PROVIDE ENTRY AND EGRESS TO THE TUNNEL SOUTH AND NORTH SIDES; 15) A3 BETWEEN AND INCLUSIVE OF ALL INTERSECTIONS AT THE WANDSWORTH GYRATORY TO THE HOOK ROAD JUNCTION WHERE IT MEETS THE A309; 16) A40 BETWEEN AND INCLUSIVE OF ALL INTERSECTIONS WITHIN THE INNER RING ROAD AT A5 EDGWARE ROAD / HARROW ROAD TO THE GLA BOUNDARY; 17) A2 OLD BEXLEY LANE TO BLACKWALL TUNNEL INCLUSIVE OF ALL INTERSECTIONS; 18) A4 HYDE PARK CORNER INCLUSIVE OF ALL INTERSECTIONS TO KEW BRIDGE; 19) A302 WESTMINSTER BRIDGE BETWEEN BRIDGE STREET / VICTORIA EMBANKMENT AND WESTMINSTER BRIDGE ROAD / LAMBETH PALACE ROAD; 20) A201 BLACKFRIARS BRIDGE BETWEEN NEW BRIDGE STREET AND BLACKFRIARS ROAD AND SOUTHWARK STREET/STAMFORD STREET, FOR THE PURPOSE OF PROTESTING

**(2) MR ALEXANDER RODGER AND OTHER DEFENDANTS LISTED IN THE
SCHEDULE TO THE CLAIM FORM**

Defendants

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS AND PERSONS UNKNOWN OR ANY OF YOU DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing the acts set out in this Order. You should read it very carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

UPON hearing Andrew Fraser-Urquhart QC and Charles Forrest, Counsel for the Claimant, and Dr Diana Warner (Named Defendant 27), Indigo Rumbelow (Named Defendant 114), Giovanna Lewis (Named Defendant 128) and Robin Collett (Named Defendant 84).

AND UPON the Claimant indicating that it will provide to the Defendants copies of further evidence or other documents filed in these proceedings upon request, following the Defendants or their representatives providing contact details to the Claimant's solicitors

AND UPON the Court accepting the Claimant's undertaking that the Claimant will comply with any order for compensation which the Court might make in the event that the Court later finds that this Order has caused loss to a Defendant and the Court finds that the Defendant ought to be compensated for that loss

AND UPON the Claimant undertaking to identify and name Defendants and apply to add them as named Defendants to this Order as soon as reasonably practicable

AND UPON the Claimant confirming that this Order is not intended to prohibit lawful protest which does not slow, obstruct, prevent or otherwise interfere with the flow of traffic onto off or along the Roads to which this Order relates

IT IS ORDERED THAT:

1. The “within named Defendants” are those Defendants whose names appear in the schedule annexed to this Order (Annex 1). The term “Defendants” refers to both “persons unknown” and the within named Defendants.
2. For the purposes of this Order, ‘the Roads’ means the Roads identified by the descriptions and plans annexed to this Order (Annex 2) including any verges, central reservations, and any apparatus related to those Roads.
3. This Order replaces the Order made by Jay J on 4 November 2021 in respect of Claim No. QB-2021-XXXX (what would become Claim No, QB-2021-004122), which is discharged with effect from today.

Injunction in force

4. With immediate effect until the earlier of (i) Trial; (ii) Further Order; or (iii) 23:59 on 1 May 2022, the Defendants and each of them are forbidden from:
 - a. Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.
 - b. Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads for the purpose of protesting.
 - c. Causing, assisting or encouraging any other person to do any act prohibited by sub-paragraphs a-b above.
 - d. Continuing any act prohibited by sub-paragraphs a-c above.

5. The activities prohibited by paragraph 4a-b include, but are not limited to, the following when done for the purpose of protesting and with the deliberate effect of blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads:
 - a. Affixing themselves (“locking on”) to any other person or object on the Roads or to the surface of the Roads
 - b. Erecting any structure on the Roads.
 - c. Tunnelling in the vicinity of the Roads.
 - d. Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.
 - e. Causing damage to the surface of or to any apparatus on or around the Roads or any structure supporting the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.

6. The publication by the Claimant of any orders and the claim form in these proceedings shall not include (in the published version) the addresses of the Named Defendants.

7. The Claimant shall:
 - a. Place a copy of this Order on the TfL and Mayor of London/GLA London.gov.uk websites; and
 - b. Send a copy of this Order to Insulate Britain’s email address: Insulate Britain ring2021@protonmail.com.

8. For the avoidance of doubt, compliance with paragraph 7 shall not constitute service.

Alternative Service

9. For the avoidance of doubt, persons who have not been served with this Order by an acceptable method are not bound by its terms and sending the Order of Jay J of 4 November 2021 in in respect of Claim No. QB-2021-XXXX (what would become Claim No, QB-2021-004122) pursuant to paragraph 5 of that Order by email to Insulate Britain at ring2021@protonmail.com did not constitute service of that Order.

10. The Claimant is permitted, in addition to personal service, to serve this Order by both of the following methods together:

- a. Service of the Order on Insulate Britain by email; and
- b. Posting a copy of this Order through the letterbox of each Defendant (or leaving in a separate mailbox) with a notice affixed to the front door if necessary, drawing the recipient's attention to the fact the package contains a court order. If the premises do not have a letterbox, or mailbox, a package containing this Order and the proceedings may be affixed to the front door marked with a notice drawing the recipient's attention to the fact that the package contains a court order and should be read urgently. The Notices shall be given in prominent lettering in the form set out in Schedule 1.

Disclosure

11. The Claimant has permission in these proceedings to add Named Defendants using the names and addresses disclosed to it pursuant to CPR r31.17 by the Metropolitan Police under the Order granted by Lavender J on 19 October 2021 in Claim no. QB-2021-003841. The continuing disclosure duty on the Metropolitan Police under that Order shall apply in these proceedings and to this Order until that duty expires.

12. The Claimant is granted a disclosure order under CPR r31.17 in the following terms:

- a. the duty on the Metropolitan Police to disclose to the Claimant the name and address of any person who has been arrested by one of their officers in the course of, or as a result of, protests on the Roads- already complied with by the deadline of 4pm on 9 November 2021- shall be a continuing one: continuing until 23:59 on 23 December 2021;
- b. the Metropolitan Police shall, continuing until 23:59 on 23 December 2021, be subject to the duty to disclose to the Claimant as soon as reasonably practicable all arrest notes, body cam footage and/or other photographic material relating to any breach of this Interim Injunction;

Further directions

13. This claim shall proceed and be heard together with Claim No. QB-2021-003841
14. The Defendants or any other person affected by this Order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimant's solicitors immediately (and in any event not less than 48 hours before the hearing of any such application).
15. Any person applying to vary or discharge this Order must provide their full name and address, an address for service, and must also apply to be joined as a named defendant to the proceedings at the same time.
16. The Claimant has permission to apply to extend or vary this Order or for further directions.
17. Costs reserved.

Communications with the Claimant

18. The Claimant's solicitors and their contact details are:

FAO Mr Abbey Ameen

Team Legal, Transport for London,

5 Endeavour Square, 4th Floor, Stratford, Yellow Zone,

Stratford, E20 1JN

Tel: 02030547921

BY THE COURT

Mr Justice Lavender

Dated: 12 November 2021

SCHEDULE 1

[On the package containing the Court order and proceedings]

“VERY URGENT: THIS PACKAGE CONTAIN AN ORDER OF THE HIGH COURT AND YOU SHOULD READ IT IMMEDIATELY AND SEEK LEGAL ADVICE. IF YOU NEED ANOTHER COPY PLEASE CALL – Mr Abbey Ameen of TfL 02030547921

[To affix to front door when the package has been posted through the letterbox or placed in a mailbox]

“VERY URGENT: A PACKAGE HAS BEEN LEFT THAT CONTAINS AN ORDER OF THE HIGH COURT AND YOU SHOULD READ IT IMMEDIATELY AND SEEK LEGAL ADVICE. IF YOU NEED ANOTHER COPY PLEASE CALL - Mr Abbey Ameen of TfL 02030547921