

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim no. QB-2021-003841

Before: Mr Justice Cotter
On: 7 December 2021

B E T W E E N:

TRANSPORT FOR LONDON

-and-

(1) PERSONS UNKNOWN DELIBERATELY CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING OR OTHERWISE PREVENTING THE FREE FLOW OF TRAFFIC ONTO OR ALONG THE 1) HANGER LANE GYRATORY INCLUSIVE OF ALL ADJOINING ENTRY AND EXIT SLIPS; 2) VAUXHALL BRIDGE INCLUDING VAUXHALL GYRATORY AND ALL ENTRY AND EXIT ROADS; 3) HAMMERSMITH GYRATORY INCLUSIVE OF ALL ADJOINING ENTRY AND EXIT ROADS; 4) BLACKWALL TUNNEL AND BOTH APPROACHES; 5) TOWER BRIDGE AND BOTH APPROACHES; 6) LONDON BRIDGE AND BOTH APPROACHES; 7) PARK LANE, INCLUSIVE OF MARBLE ARCH AND HYDE PARK CORNER; 8) ELEPHANT AND CASTLE INCLUSIVE OF ALL ENTRY AND EXIT ROADS; 9) VICTORIA ONE WAY SYSTEM; 10) A501/INNER RING ROAD FROM EDGWARE ROAD TO OLD STREET; 11) STAPLES CORNER; 12) CHISWICK ROUNDABOUT; 13) REDBRIDGE ROUNDABOUT; 14) KIDBROOKE INTERCHANGE, FOR THE PURPOSES OF PROTESTING ON BEHALF OF, IN ASSOCIATION WITH, UNDER THE INSTRUCTION OR DIRECTION OF, OR USING THE NAME OF, INSULATE BRITAIN

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



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.

AND UPON hearing Andrew Fraser-Urquhart QC and Charles Forrest, Counsel for the Claimant and Owen Greenhall, Counsel for Jessica Branch and Caspar Hughes

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 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 May J on 8 October 2021 in this claim (as extended by Lavender J on 19 October 2021), 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 8 April 2022, the Defendants and each of them are forbidden from deliberately undertaking the following activities:
 - 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 which has the effect of slowing down or otherwise interfering with the flow of traffic onto or along or off the Roads.
 - 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 or other documents (such as the Claim Form or Particulars of Claim) 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. The Claimant is permitted, in addition to personal service, to serve this Order, the Claim Form, and any other documents in these proceedings by both of the following methods together:
 - a. Service of this Order on Insulate Britain by email; and
 - b. Posting a copy of this Order, claim form, and any other documents 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, claim form, and any other documents 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

10. The Claimant is granted a disclosure order under CPR r31.17 in the following terms:
 - a. the Metropolitan Police shall by 4pm on 10 December 2021 disclose to the Claimant the name and address of any person whose name has not previously been disclosed who has been arrested by one of their officers in the course of, or as a result of, protests on the Roads;

- b. the Metropolitan Police shall disclose to the Claimant as soon as reasonably practicable all arrest notes, body cam footage and/or other photographic material not previously disclosed relating to any breach of this Interim Injunction or its predecessors in this claim;
- c. the disclosure duties in sub-paragraphs a.-b on the Metropolitan Police shall be continuing ones, continuing until 28 January 2022.

Further directions

- 11. This claim shall proceed and be heard together with Claim no. QB-2021-004122
- 12. 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).
- 13. 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.
- 14. Any person who applies to vary or discharge this Order shall file a skeleton argument and any evidence to be relied upon no later than 48 hours before the application hearing (excluding weekends and bank holidays)
- 15. The Claimant has permission to apply to extend or vary this Order or for further directions.
- 16. Costs reserved

Communications with the Claimant

- 17. 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 Cotter

Dated: 7 December 2021

SCHEDULE 1

[On the package containing a Court order/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