

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim no. KB-2022-003542


Before: Mr Justice Cavanagh
On: 24 February 2023

B E T W E E N:

TRANSPORT FOR LONDON

Claimant

-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) VAUXHALL BRIDGE INCLUDING VAUXHALL GYRATORY AND ALL ENTRY AND EXIT ROADS; 2) LAMBETH BRIDGE AND BOTH ADJOINING ROUNDABOUTS; 3) A1221 MILLBANK; 4) A4 - KNIGHTSBRIDGE & SCOTCH CORNER; 5) A202 ST GEORGE'S CIRCUS AND APPROACH ROADS; 6) A10 SHOREDITCH HIGH STREET, A1202 GREAT EASTERN STREET, A5201 OLD STREET; 7) A3211 VICTORIA EMBANKMENT; 8) LONDON BRIDGE AND BOTH APPROACHES; 9) TOWER BRIDGE AND BOTH APPROACHES; 10) ROTHERHITHE TUNNEL AND BOTH APPROACHES; 11) BLACKWALL TUNNEL & BOTH APPROACHES; 12) PARK LANE INCLUSIVE OF MARBLE ARCH AND HYDE PARK CORNER; 13) A302 WESTMINSTER BRIDGE BETWEEN BRIDGE STREET/VICTORIA EMBANKMENT AND WESTMINSTER BRIDGE ROAD/LAMBETH PALACE ROAD; 14) A501 EDGWARE ROAD TO OLD STREET; 15) VICTORIA ONE WAY SYSTEM; 16) ELEPHANT AND CASTLE INCLUSIVE OF ALL ENTRY AND EXIT ROADS; 17) BLACKFRIARS BRIDGE BETWEEN NEW BRIDGE STREET AND BLACKFRIARS ROAD AND SOUTHWARK STREET/STAMFORD STREET; 18) A4 TALGARTH ROAD IN THE VICINITY OF BARONS COURT TUBE STATION; 19) HANGER LANE GYRATORY INCLUSIVE OF ALL ADJOINING ENTRY AND EXIT SLIPS; 20) STAPLES CORNER; 21) CHISWICK ROUNDABOUT; 22) REDBRIDGE ROUNDABOUT; 23) KIDBROOKE INTERCHANGE, FOR THE PURPOSES OF PROTESTING ON BEHALF OF, IN ASSOCIATION WITH, UNDER THE INSTRUCTION OR DIRECTION OF, OR USING THE NAME OF, JUST STOP OIL

(2) MS ALYSON LEE AND OTHER DEFENDANTS LISTED THE SCHEDULE TO THE CLAIM FORM

Defendants

INTERIM INJUNCTION 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 READING the Claimant's Skeleton Argument dated, the Witness Statement of Abbey Ameen dated 22 February 2023, N244 Application Notice dated 31 January 2023, and the draft Interim Injunction Order

AND UPON HEARING Counsel for the Claimant, Andrew Fraser-Urquhart KC and Charles Forrest, and Mr Oliver Brady who is Named Defendant 135 in this Claim and who was unrepresented.

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 undertaking to scrutinise, as soon as reasonably practicable after disclosure, the materials referred to in paragraph 12b of this Order, in order to ascertain whether any individual whose identity has been disclosed to it pursuant to paragraph 12a should properly be or remain a Named Defendant in this matter

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. Trial in this Claim be expedited and listed for a two day hearing with reference to the Claimant’s dates to avoid.
4. The Court will order directions to case manage this Claim to Trial. The directions shall be sent by the Claimant to the Defendants and to Just Stop Oil’s email address as soon as practicable
5. This Order replaces the Interim Injunction Order made by Freedman J following hearings on 27 & 31 October 2022, which is discharged with effect from today

Injunction in force

6. With immediate effect until the earlier of a) Disposal following Trial; b) Further Order; or c) 23:59 on 23 February 2024, 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.
 - e. For the avoidance of doubt, this wording does not apply to the practice of ‘slow marching’ on the road
7. The activities prohibited by paragraphs 6a-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
8. 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. Liberty to any of the Named Defendants on prior notice to the Claimant to apply for any wider protection as regards the addresses
9. 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 Just Stop Oil’s email address: juststopoilpress@protonmail.com
10. For the avoidance of doubt, compliance with paragraph 9 shall not constitute service.

Alternative Service

11. The Claimant is permitted, in addition to personal service and any other permitted mode of service as the case may be, to serve this Order, the Claim Form, and any other documents in these proceedings by both of the following methods together (thereby dispensing with personal service of this Order for the purposes of CPR r81.4(2)(c)):
 - a. Service on Just Stop Oil by email; and
 - b. Posting a copy 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 a copy 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 Annex 3.

12. Where alternative service is used, pursuant to CPR r6.15(4) and r6.27:

- a. a document is deemed served on the second business day following completion by the Claimant of the later of the following (see 11a-b above): email of it to Just Stop Oil or delivery of it to/collection of it by the process server chosen to carry out alternative service under paragraph 11b of this Order;
- b. the periods for filing an acknowledgement of service, an admission, and a defence are respectively those in CPR r10.3, r14.2, and r15.4, subject to any provision to extend those periods which is otherwise available under the CPR.

Disclosure

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

- a. the Metropolitan Police shall by 10 March 2023 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, any protests on the Roads which have been carried out on behalf of, in association with, under the instruction or direction of, or using the name of, Just Stop Oil;
- 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 or potential 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 for as long as this Order remains in force.

14. The Claimant is granted permission under CPR r31.22(1)(b) to use in this Claim any document, including any information therein, disclosed to it by the Metropolitan Police in Claim No. QB-2021-003841 and Claim No: QB-2021-004122. It is also granted permission to use in those other Claims any document, including any information therein, disclosed to it by the Metropolitan Police in this Claim.

Further directions

15. 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).

16. Any person applying to vary or discharge this Order must provide their full name and an address for service.

17. 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)

18. The Claimant has permission to apply to extend or vary this Order or for further directions.

19. Costs reserved

Communications with the Claimant

20. 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

Dated: 24 February 2023

ANNEX 3

[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