

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim Nos. QB-2021-003841, QB-2021-004122, KB-2022-003542
BETWEEN

TRANSPORT FOR LONDON

Claimant

-and-

[INSULATE BRITAIN AND JUST STOP OIL PROTESTERS, BOTH NAMED AND
PERSONS UNKNOWN]

Defendants

CLAIMANT'S SKELETON ARGUMENT

**Third review hearing on 24 November 2025 before Morris J in respect of two Final
Injunction Orders**

References: [pX] denotes references to the third review hearing bundle

Recommended pre-reading: 4th witness statement of Carl Eddleston [p3-4], draft Orders for discharge of Final Injunctions [p10-16], Final Injunctions which are currently in force [p61-99, 137-175].

Introduction

1. This is Transport for London's ("TfL") skeleton argument for the third review hearing in relation to the final injunction Orders ("the Final Injunctions") [p61-99], 137-175] made in the above Claims ("the TfL Claims").
2. As has already been indicated to the Court, TfL does not seek to maintain the Final Injunctions in this hearing. Assuming the Court will consequently discharge them, the purpose of this hearing is to ensure that all procedural requirements for doing so are met.

Factual and procedural background

3. The TfL Claims arise from deliberately disruptive protests undertaken on strategically important highways, including highways for which TfL is responsible, by protesters acting under the banner of Insulate Britain ("IB") and Just Stop Oil ("JSO").

4. The original Final IB Injunction was made on 3 May 2023 by Morris J in Claim Nos QB-2021-003841 and QB-2021-004122 which were heard together (“**the TfL IB Claims**”) [p199-237], following trial on 29-30 March 2023. It was not made against 3 Named Defendants in those Claims who beforehand had given undertakings in effectively the same terms as that injunction.
5. The Final JSO Injunction was made on 8 June 2023 by Eyre J in Claim No. KB-2022-003542 (“**the TfL JSO Claim**”) [p137-175], following trial on 4 May 2023. It was not made against all but 9 Named Defendants in those Claims who beforehand had given undertakings in effectively the same terms as that injunction.
6. Subject to the requirement for an annual review hearing of which this is the third, the Final Injunctions were granted for 5 years.
7. Following the first annual review hearing on 13 and 20 May 2024 and judgment given on 16 January 2025, the Final Injunctions were maintained by Morris J for the reasons given at [p100-130]. In particular and pursuant to that judgment:
 - a. the Final JSO Injunction was completely unaltered [p56-60];
 - b. by an Order made on 4 February 2025 the Final IB Injunction was discharged against Named Defendants in the TfL IB Claims (‘the Lewis Applicants/Defendants’) who gave an undertaking in effectively the same terms as that injunction. That left 15 Named Defendants in the TfL IB Claims who had not given an undertaking [p59, 67-74].
8. In the second review hearing on 12 May 2025, Morris J again maintained the Final Injunctions. However, as reflected in his Order dated 12 May 2025 [p17-21], he ordered that the third review hearing would in effect be brought forward to take place in November 2025, to see if the Final Injunctions ought to be discharged or varied.
9. The context for Morris J doing so was that on 27 March 2025 JSO had made a statement on its own website (“**the 27 March Statement**”) which appeared to say that, subject to a final ‘action’ in London on 26 April 2025 which did indeed take place, they will no longer be engaging in the kind of disruptive protests which have given rise to these Final Injunctions [p33-38].

10. Since the 27 March Statement and second review hearing, there have been no deliberately disruptive protests by IB/JSO protesters on strategically important highways.

Procedural requirements

11. Carl Eddleston's fourth witness statement sets out the service and notification which TfL has undertaken since the second review hearing [p3-4].
12. TfL has filed an N244 application notice and draft Orders for the discharge of the Final Injunctions [p5-16].
13. As provided for in the draft Orders, TfL will serve any discharge Order made on Named Defendants as soon as practicable. It will also widely publicise them in the same manner as has been done previously throughout the TfL Claims. Those draft Orders also make clear that discharge of the Final Injunctions releases those who have given undertakings from their promises, as the undertakings themselves also made clear [p131-132].

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6 November 2025