

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Before the Honourable Mr Justice Lavender
12 October 2021

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

-and-



- (1) PERSONS UNKNOWN CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING OR OTHERWISE PREVENTING THE FREE FLOW OF TRAFFIC ONTO OR ALONG THE M25 MOTORWAY FOR THE PURPOSES OF PROTESTING**
- (2) PERSONS UNKNOWN CAUSING THE BLOCKING, SLOWING DOWN, OBSTRUCTING OR OTHERWISE INTERFERING WITH THE FLOW OF TRAFFIC ONTO OR OFF OR ALONG THE A2, A20 AND 2070 TRUNK ROADS AND M2 AND M20 MOTORWAY FOR THE PURPOSE OF PROTESTING**
- (3) PERSONS UNKNOWN CAUSING THE BLOCKING, SLOWING DOWN, OBSTRUCTING OR OTHERWISE INTERFERING WITH THE FLOW OF TRAFFIC ONTO OR OFF OR ALONG THE A1(M), A3, A12, A13, A21, A23, A30, A414 AND A3113 TRUNK ROADS AND THE M1, M3, M4, M4 SPUR, M11, M26, M23 AND M40 MOTORWAYS FOR THE PURPOSE OF PROTESTING**
- (4) MR ALEXANDER RODGER AND 113 OTHERS**

Defendants

ORDER

UPON the return date hearing for claim nos. **QB-2021-003576, 003626 and 003737** (“the Claims”) in relation to the Claimant’s three injunctions over parts of the Strategic Road Network (“the Roads”), namely that of the Honourable Mr Justice Lavender dated 21 September 2021 in Claim No. 003576; that of the Honourable Mr Justice Cavanagh dated 24 September 2021 in Claim No. 003626; and that of the Honourable Mr Justice Holgate dated 2 October 2021 in Claim No. 003737 (“the Orders”)

AND UPON READING the Witness Statement of Nicola Bell dated 11 October 2021, and the Claimant's skeleton argument dated 11 October 2021

AND UPON hearing David Elvin QC, Horatio Waller and Jonathan Welch, Counsel for the Claimant, and Dr Diana Warner (Named Defendant 28) and Liam Norton (Named Defendant 55) (both appearing in person)

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 the Claims 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 nor to prevent lawful use of the Roads by any person

IT IS ORDERED THAT:

1. The Claims shall proceed and be heard together.
2. A single set of Particulars of Claim shall be served by the Claimant in respect of the Claims by 26 October 2021.
3. The Claimant has permission to amend the Schedule of Defendants in the form set out in Schedule 1 to this Order and to join additional Named Defendants (numbers 114 and 115 in Schedule 1).
4. With regard to disclosure:

- 4.1 The Chief Constables listed at paragraph 4.3 below shall disclose to the Claimant -
- (i) 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; and
 - (ii) all arrest notes, body cam footage and photographic material relating to possible breaches of the Orders.
- 4.2 The duty to disclose the matters specified in paragraph 4.1 shall continue until 5pm on 30 November 2021, unless extended by further order.
- 4.3 The duty to disclose shall apply to the following persons: the Commissioner of Police of the Metropolis and the Chief Constables of Hertfordshire, Essex, Kent, Surrey and Thames Valley.
5. The publication by the Claimant of any orders (including the Orders) and the claim forms in the Claims shall not include (in the published version) the addresses of the Named Defendants.
6. For the avoidance of doubt, the injunctions made in the three Claims shall continue in force until the earlier of (i) Trial; or (ii) Further Order.
7. The Claimant shall:
- 7.1 Place copies of this Order and the Claim Form on the National Highways and Gov.uk website; and
 - 7.2 Send a copy of this Order and the Claim Form to Insulate Britain's email address: Insulate Britain ring2021@protonmail.com.
8. The Claimant is permitted to serve this order, in addition to other methods of service applicable under CPR Part 6.20, by:
- 8.1 sending it by email to Insulate Britain; and

- 8.2 posting a copy of the order at the address given by the Police (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 the order 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 notice shall be given in prominent lettering in the form set out in Schedule 2.
9. The Claims are adjourned to 19 October 2021 at 9.30 a.m. to be heard with the return date hearing listed by May J in her order dated 8 October 2021 granting an interim injunction on the application of Transport for London.

Further directions

10. 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).
11. 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.
12. The Claimant has permission to apply to extend or vary this Order or for further directions.
13. Costs reserved.

Communications with the Claimant

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

FAO Petra Billing/ Rob Shaw (petra.billing@dlapiper.com / rob.shaw@dlapiper.com)

DLA Piper UK LLP
1 St Paul's Place
Sheffield
S1 2JX

Reference – Insulate Britain:366530/107

BY THE COURT

Dated: 12 October 2021

SCHEDULE 1 – NAMED DEFENDANTS (AS AMENDED 12.10.21)

	Name	Address
1	Alexander RODGER	[REDACTED]
2	Alyson LEE	[REDACTED]
3	Amy PRITCHARD	[REDACTED]
4	Ana HEYATAWIN	[REDACTED]
5	Andrew WORSLEY	[REDACTED]
6	Anne TAYLOR	[REDACTED]
7	Anthony WHITEHOUSE	[REDACTED]
8	Arne SPRINGORUM	[REDACTED]
9	Barry MITCHELL	[REDACTED]
10	Barry MITCHELL	[REDACTED]
11	Ben TAYLOR	[REDACTED]
12	Benjamin BUSE	[REDACTED]
13	Biff William Courtenay WHIPSTER	[REDACTED]
14	Cameron FORD	[REDACTED]
15	Catherine RENNIE-NASH	[REDACTED]
16	Catherine EASTBURN	[REDACTED]
17	Christian MURRAY-LESLIE	[REDACTED]
18	Christian ROWE	[REDACTED]
19	Cordelia ROWLATT	[REDACTED]
20	Daniel SARGISON	[REDACTED]
21	Daniel SHAW	[REDACTED]

22	David CRAWFORD	[REDACTED]
23	David JONES	[REDACTED]
24	David NIXON	[REDACTED]
25	David SQUIRE	[REDACTED]
26	Diana BLIGH	[REDACTED]
27	Diana HEKT	[REDACTED]
28	Diana Lewen WARNER	[REDACTED]
29	Donald BELL	[REDACTED]
30	Edward HERBERT	[REDACTED]
31	Elizabeth ROSSER	[REDACTED]
32	Emily BROCKLEBANK	[REDACTED]
33	Emma Joanne SMART	[REDACTED]
34	Gabriella DITTON	[REDACTED]
35	Gregory FREY	[REDACTED]
36	Gwen HARRISON	[REDACTED]
37	Harry BARLOW	[REDACTED]
38	Ian BATES	[REDACTED]
39	Ian Duncan WEBB	[REDACTED]
40	James BRADBURY	[REDACTED]
41	James SARGISON	[REDACTED]
42	James THOMAS	[REDACTED]
43	Janet BROWN	[REDACTED]
44	Janine EAGLING	[REDACTED]

45	Jerrard Mark LATIMER	[REDACTED]
46	Jessica CAUSBY	[REDACTED]
47	Jonathan COLEMAN	[REDACTED]
48	Joseph SHEPHERD	[REDACTED]
49	Joshua SMITH	[REDACTED]
50	Judith BRUCE	[REDACTED]
51	Julia MERCER	[REDACTED]
52	Julia SCHOFIELD	[REDACTED]
53	Karen MATTHEWS	[REDACTED]
54	Karen WILDIN	[REDACTED]
55	Liam NORTON	[REDACTED]
56	Louis MCKECHNIE	[REDACTED]
57	Louise Charlotte LANCASTER	[REDACTED]
58	Lucy CRAWFORD	[REDACTED]
59	Mair BAIN	[REDACTED]
60	Margaret MALOWSKA	[REDACTED]
61	Marguerite DOWBLEDAY	[REDACTED]
62	Maria LEE	[REDACTED]
63	Martin NEWELL	[REDACTED]
64	Mary ADAMS	[REDACTED]
65	Matthew LUNNON	[REDACTED]
66	Matthew TULLEY	[REDACTED]
67	Meredith WILLIAMS	[REDACTED]

68	Michael BROWN	[REDACTED]
69	Michael WILEY	[REDACTED]
70	Michelle CHARLSWORTH	[REDACTED]
71	Natalie MORLEY	[REDACTED]
72	Nathaniel SQUIRE	[REDACTED]
73	Nicholas COOPER	[REDACTED]
74	Nicholas ONLEY	[REDACTED]
75	Nicholas TILL	[REDACTED]
76	Oliver ROCK	[REDACTED]
77	Paul COOPER	[REDACTED]
78	Paul SHEEKY	[REDACTED]
79	Peter BLENCOWE	[REDACTED]
80	Peter MORGAN	[REDACTED]
81	Phillipa CLARKE	[REDACTED]
82	Priyadaka CONWAY	[REDACTED]
83	Richard RAMSDEN	[REDACTED]
84	Rob STUART	[REDACTED]
85	Robin COLLETT	[REDACTED]
86	Roman Andrzej PALUCH-MACHNIK	[REDACTED]
87	Rosemary WEBSTER	[REDACTED]
88	Rowan TILLY	[REDACTED]
89	Ruth Ann COOK	[REDACTED]
90	Ruth JARMAN	[REDACTED]

91	Sarah HIRONS	[REDACTED]
92	Serena SCHELLENBERG	[REDACTED]
93	Simon REDING	[REDACTED]
94	Stefania MOROSI	[REDACTED]
95	Stephanie AYLETT	[REDACTED]
96	Stephen GOWER	[REDACTED]
97	Stephen PRITCHARD	[REDACTED]
98	Sue CHAMBERS	[REDACTED]
99	Sue PARFITT	[REDACTED]
100	Sue SPENCER- LONGHURST	[REDACTED]
101	Susan HAGLEY	[REDACTED]
102	Suzie WEBB	[REDACTED]
103	Tam MILLAR	[REDACTED]
104	Tessa-Marie BURNS	[REDACTED]
105	Theresa NORTON	[REDACTED]
106	Tim SPEERS	[REDACTED]
107	Tim William HEWES	[REDACTED]
108	Tracey MALLAGHAN	[REDACTED]
109	Tyrone HODGE	[REDACTED]
110	Valerie SAUNDERS	[REDACTED]
111	Venitia CARTER	[REDACTED]
112	Victoria Anne LINDSELL	[REDACTED]
113	Xavier GONZALEZ TRIMMER	[REDACTED]

114	Bethany MOGIE	[REDACTED]
115	Indigo RUMBELOW	[REDACTED]

SCHEDULE 2

[On the package containing the Court order and proceedings]

“VERY URGENT: THIS PACKAGE CONTAINS AN ORDER OF THE HIGH COURT AND YOU SHOULD READ IT IMMEDIATELY AND SEEK LEGAL ADVICE. IF YOU NEED ANOTHER COPY PLEASE CALL [*insert contact details*]”

[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 [*insert contact details*]”