

THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

THE HON MR. JUSTICE Tomlinson



Case No.: HQ04X02793

BETWEEN

1. The Chancellor, Masters and Scholars of the University of Oxford
2. Julie Katharine Maxton, Registrar of the University of Oxford (for and on behalf of the employees and members of the University (as defined) pursuant to CPR r. 19.6)
3. Jennifer Gregory (for and on behalf of the employees and shareholders of the contractors, sub-contractors and suppliers of the University pursuant to CPR r. 19.6)
4. Oxford University Fixed Assets Ltd (for and on behalf of the sub-contractors and suppliers of the University pursuant to CPR r. 19.6)

- and -

1. Mel Broughton
2. John Curtin
3. Robert Cogswell
4. Mel Broughton and Robert Cogswell (as representing all persons acting as members, participants or supporters or in the name of the unincorporated association known as the SPEAK Campaign pursuant to CPR r. 19.6)
10. Robin Webb sued on his own behalf and as representing all persons acting as members, participants or supporters or in the name of the unincorporated association known as the Animal Liberation Front pursuant to CPR r. 19.6 who are also sued individually as persons unknown
12. Gregory Avery

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED FIRST AND FOURTH DEFENDANTS DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR YOU MAY BE FOUND TO BE GUILTY OF A CRIMINAL OFFENCE FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH.

IMPORTANT NOTICE

If you do not obey this Order you will be guilty of contempt of Court and you may be fined or sent to prison or may be guilty of a criminal offence for which you may be fined or sent to prison or both.

Definitions

This Order shall be construed in accordance with the following Orders and/or Definitions:-

1. The University means the corporate body known as the Chancellor, Masters and Scholars of the University of Oxford.
2. The Colleges means the Colleges of the University, as defined in the University's Statutes, and the Permanent Private Halls, as defined in the University Statutes.
3. The Society means the University's alumni organisation, the Oxford University Society, and its branches.
4. The Members of the University shall be defined as the members of the Congregation and Council of the University and student members of the University.
5. The Members of the Colleges shall be defined as the members of the Governing Bodies of the Colleges.
6. The Members of the Society shall be defined as the officers and members of the Society.
7. The Members means the Members of the University, the Members of the Colleges and Members of the Society.
8. The University Employees means the employees from time to time of the University, the Colleges and Society.
9. The University Buildings and Grounds means the buildings and grounds owned or occupied by the University and the Permanent Private Halls.
10. The Second Claimant shall represent the Members and the University Employees (and the Protected Persons coming within the aforesaid definitions) pursuant to CPR r. 19.6.
11. The Contractors shall be defined as the contractors, sub-contractors and suppliers who are or will be engaged by or for the University in order to carry out work in connection with the construction or operation of the University's Research Laboratory at South Parks Road, Oxford ("the Research Laboratory"), or any contractors, sub-contractors or suppliers who are or will be engaged in the provision of goods or services to the University.
12. The Shareholders means the shareholders of the Contractors.
13. The Contractor Employees means the employees from time to time of the Contractors.
14. The Third Claimant shall represent the Shareholders and the Contractor Employees (and the Protected Persons coming within the aforesaid definitions) pursuant to CPR r. 19.6.
15. The Fourth Claimant shall represent the Contractors pursuant to CPR r. 19.6.

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16. In this Order harass has the same meaning as in the Protection from Harassment Act 1997 and references to "he", "him" or "his" shall be taken as meaning "she", "her" or "hers" where appropriate.
17. In this Order the "First and Fourth Defendants" means
- (a) Mel Broughton in his own capacity and as a representative of all persons acting as members, participants or supporters or in the name of the unincorporated association known as the SPEAK Campaign.
 - (b) Any person acting in pursuit of the campaign to prevent or obstruct the building or operation of the Research Laboratory in South Parks Road, Oxford.
18. In this Order the "Protected Persons" shall mean:
- (a) The Second and Third Claimants;
 - (b) The Members of the University;
 - (c) The Members of the Colleges;
 - (d) The Members of the Society;
 - (e) The University Employees;
 - (f) The families, servants or agents of the Members and of the University Employees;
 - (g) The Contractor Employees and Shareholders;
 - (h) The families, servants or agents of the Contractor Employees and Contractor Shareholders;
 - (i) Any Contractor who is an individual, including but not limited to sole traders and partners in a partnership, and their families, servants or agents; and
 - (j) Any person seeking to visit the Research Laboratory in South Parks Road, Oxford or any premises or home belonging to or occupied by any of the aforesaid Protected Persons.

The Order

UPON reading the correspondence to the Court from the solicitors for the Claimants and from the First and Fourth Defendants

AND UPON the Claimants and the First and Fourth Defendants having agreed terms of settlement and the First and Fourth Defendants having agreed to be bound by those terms, set out below

BY CONSENT

IT IS ORDERED THAT

1. All further proceedings in this action be stayed upon the terms below, except for the purpose of enforcing those terms.

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2. The Claimants shall have permission to apply to the Court to enforce the terms below without the need to bring a new claim.
3. The First and Fourth Defendants shall be restrained from doing, causing, permitting, encouraging or assisting any of the following:
- (a) assaulting, harassing, molesting, threatening or otherwise interfering with any Protected Person so as thereby to pursue a course of conduct which amounts to harassment pursuant to the Protection from Harassment Act 1997.
 - (b) intentionally photographing or filming any Protected Person or his vehicle unless they have that person's written consent to do so.
 - (c) making any abusive or threatening communication whether orally, by telephone, in writing, by facsimile, by electronic transfer (e-mail) or otherwise to any Protected Person.
 - (d) knowingly trespassing on any of the University Buildings and Grounds or the residence of any Protected Person.
 - (e) knowingly picketing or demonstrating within 100 yards of the residence of any Protected Person, save that it will not be a breach of this Order if a demonstration or protest (as provided for in paragraphs 3(g)A and C of this Order) is held or a lawful peaceful procession or assembly (as provided for in paragraph 3(g)B of this Order) passes within that distance of the residence of a Protected Person.
 - (f) knowingly picketing, or demonstrating within 50 yards of the commercial or business premises of any Contractor.
 - (g) coming into or remaining in the exclusion zones identified on the attached Plan F (Oxford) and Plan D (Moreton in the Marsh) for the purposes of, or for conducting any demonstration or protest in pursuit of the campaign to prevent or obstruct the building or operation of the Research Laboratory:

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PROVIDED THAT

- A. A demonstration or protest may be conducted at the area designated on Plan F (Oxford), on Thursdays upon terms:
- (i) the number of persons present at such demonstration or protest shall not exceed 50; and
 - (ii) the maximum duration of any such demonstration or protest shall not exceed 4 hours between 1 p.m. and 5 p.m.;
- B. Not more than once per calendar month a lawful peaceful procession or assembly on the public highway may enter the exclusion zone indicated on Plan F (Oxford) on a Saturday upon terms:
- There be continuing compliance with Sections 11, 12 and 14 Public Order Act 1986;
- C. A demonstration or protest may be conducted at the area designated on Plan D (Moreton in the Marsh) on Wednesdays upon terms:

- (i) the number of persons present at any such demonstration or protest shall not exceed 50;

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- (ii) the maximum duration of any such demonstration or protest shall not exceed 4 hours between 1 p.m. and 5 p.m.; and
- (iii) the persons present shall not use any megaphone, klaxon, siren, whistle, drum, noise amplification device or any other instrument or other appliance used or capable of being used to generate noise.
- (h) using any megaphone, klaxon, siren, whistle, drum, noise amplification device or any other instrument or other appliance used or capable of being used to generate noise within the exclusion zone identified on the attached Plan F (Oxford) or anywhere else in South Parks Road, Mansfield Road or St. Cross Road, Oxford

SAVE AND EXCEPT

When participating in any such lawful peaceful procession or assembly as is provided for in paragraph 4(g)B above.

- (i) publishing by any means whatsoever names, addresses, telephone numbers, fax numbers, electronic mail addresses, photographs, vehicle registration numbers or any other material serving to identify a Protected Person or to publish his personal details

PROVIDED THAT

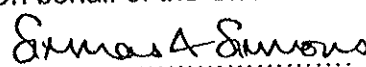
as and when a Protected Person is identified as such for the purposes of a newspaper article or a radio or television programme there shall be no restraint upon the terms of any media response by the First and Fourth Defendants nor upon any repetition of that which featured in the media.

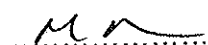
- (j) placing with any third party any order for goods and/or services purportedly on behalf of a Protected Person, or requesting information from any third party in the name of a Protected Person.
- (k) taking any steps to identify or record the movements of or to follow any vehicle or Protected Person entering or leaving the exclusion zones identified on Plan F (Oxford) or Plan D (Moreton in the Marsh) in pursuit of the campaign to prevent or obstruct the building or operation of the Research Laboratory.

AND IT IS FURTHER ORDERED THAT

- 4. Each of the foregoing injunctions is made for the purpose specified in Section 3(3)(a) Protection from Harassment Act 1997.
- 5. There be no order as to costs.

Dated this 07 day of October 2009

On behalf of the Claimants:

Simmons & Simmons

On behalf of the First and Fourth Defendant

Mel Broughton

SCHEDULE 1

Undertaking given to the Court by the Claimants

If the Court later finds that this Order has caused loss to the First and Fourth Defendant and decides that the First and Fourth Defendant should be compensated for that loss, the Claimants will comply with any order the Court may make.

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