

Claim No: QB-2022-001236

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
ROYAL COURTS OF JUSTICE



BETWEEN

NORTH WARWICKSHIRE BOROUGH COUNCIL

Claimant

and

- (1) DAVID BALDWIN
- (2) THOMAS BARBER
- (3) MICHELLE CADET-ROSE
- (4) TIM HEWES
- (5) JOHN HOWLETT
- (6) JOHN JORDAN
- (7) CARMEN LEAN
- (8) ALISON LEE
- (9) AMY PRITCHARD
- (10) STEPHEN PRITCHARD
- (11) PAUL RAITHBY
- (12) HOLLY ROTHWELL
- (13) NO LONGER PURSUED
- (14) JOHN SMITH
- (15) BEN TAYLOR
- (16) JANE THEWLIS
- (17) ANTHONY WHITEHOUSE
- (18) NO LONGER PURSUED
- (19) PERSONS UNKNOWN WHO ARE ORGANISING, PARTICIPATING IN OR ENCOURAGING OTHERS TO PARTICIPATE IN PROTESTS AGAINST THE

**PRODUCTION AND/OR USE OF FOSSIL FUELS, IN THE LOCALITY OF THE
SITE KNOWN AS KINGSBURY OIL TERMINAL, TAMWORTH B78 2HA
(20) JOHN JORDAN**

-and-

**THE ADDITIONAL DEFENDANTS LISTED
AT SCHEDULE A TO THIS ORDER**

Defendants

ORDER

BEFORE Mr Justice Sweeting sitting in the High Court of Justice, King's Bench Division at the Royal Courts of Justice, **Strand**, London, WC2A 2LL on 31 March 2023.

UPON hearing counsel Ms Crocombe for the Claimant and the Defendants not attending.

AND UPON Ms Jessica Branch sending some observations to the Court via her solicitors Hodge Jones and Allen, and Mr Iossifidis, a trainee solicitor at Hodge Jones and Allen, observing the proceedings on her behalf.

AND UPON the Claimant's application (a) for directions to the final hearing of this application, (b) to add 139 people who, by their conduct, fall within the definition of the 19th Defendant and whose names are now known to the Claimant, (c) to remove the 18th Defendant as a Defendant to these proceedings by consent, and (d) for permission to serve their application, the application for a final injunction, and any other documents filed or orders made in this case by alternative service.

AND UPON the Court being satisfied that the Claimant has taken the steps to effect alternative service of this application as set out in the Claimant's application.

IT IS ORDERED THAT:

The Application to Add/Remove Defendants

1. Pursuant to CPR rules 6.27 and 81.4(2) (c) and (d), the Court is satisfied that good service has been effected of the application.
2. The persons named in Schedule A to this order be added to the proceedings as the 21st – 158th Defendants.
3. The 18th Defendant be removed as a Defendant.

Service of this Order and the Application for an Injunction on the New Defendants

4. The application for an injunction dated 27.04.2022, the particulars of claim, the supporting evidence, the interim injunction and power of arrest dated 14 April 2022 (as amended on 21 April 2022), and the interim injunction and power of arrest dated 05 May 2022 shall hereafter be referred to as “the application documents”.
5. Pursuant to CPR rule 6.38, the Claimant has permission to serve this Order, and the application documents on the 140th Defendant outside of the jurisdiction.
6. Pursuant to CPR rules 6.27 and 81.4(2) (c) and (d), the Claimant is permitted to serve this Order and the application documents:
 - (i) On the 21st-23rd, 25th-30th, 32nd-61st, 63rd, 66th-72nd, 74th-76th, 78th-86th, 88th-106th, 108th, 110th, 111th, 113th-141st, 143rd-154th and 156th-158th Defendants by the alternative method of recorded first class post.
 - (ii) On the 24th and 65th Defendants by the alternative method of emailing the email addresses that they supplied to the Claimant during the committal proceedings against them in August 2022, and
 - (iii) On the 31st, 62nd, 64th, 73rd, 77th, 87th, 107th, 109th, 112th, 142nd and 155th Defendants by the following alternative methods:
 - (a) Posting a copy of this Order on its dedicated webpage for these proceedings <https://www.northwarks.gov.uk/hci>

where copies of the application documents can already be found.

- Publicising this Order, the application documents, and the link through which they can be obtained using the Claimant's Facebook page and Twitter account,
- (b) Using best endeavours to ensure that a link to this Order and the application documents is posted on the local police social media accounts.
 - (c) Posting a link to this Order and the application documents to the Facebook, Twitter, LinkedIn, YouTube and Instagram accounts of Just Stop Oil.
 - (d) Emailing this Order and link to the dedicated webpage for these proceedings containing the application documents to the following email addresses associated with Just Stop Oil with an explanation setting out that the 31st, 62nd, 64th, 73rd, 77th, 87th, 107th, 109th, 112th, 142nd and 156th Defendants have been added to these proceedings:
 - (1) Ring2021@protonmail.com
 - (2) juststopoil@protonmail.com
 - (3) youthclimateswarm@protonmail.com
 - (e) Placing a copy of this order and a notice setting out the nature of the injunction application and indicating how a hard copy of the application documents can be obtained prominently at the entrances to the Terminal and the public entrances of the Claimant's main offices.
 - (f) Displaying copies of the interim injunction and power of arrest dated 05 May 2022 at the public entrances of the Claimant's main offices.
 - (g) Issuing a media release. Such release must provide:
 - (1) a summary of this Order,
 - (2) the date, time and location of any future hearings, if known
 - (3) the addresses the webpage on which this order and the application documents are published.

- (4) The Claimants' contact details; and
- (5) Details of where and how copies of the application documents may be obtained.

Such release shall be made to, but is not limited to, local print publications including the Coventry Telegraph; local radio stations including BBC Coventry and Warwickshire and BBC West Midlands; and the following television stations, BBC West Midlands and Central Television by 23:59 on 11 April 2023.

- (i) Any other like manner as the Claimant may decide to use in order to bring this Order and the application documents to the attention of the Defendants and other persons likely to be affected.

7. The deemed date of service of this Order and the application documents above shall be the date of the relevant certificate of service on completion of the steps described in paragraphs 6(i)-(iii) of this Order.

Directions to Trial

8. The Claimant is to file and serve any updating evidence that it wishes to rely upon by 16:00 on 29 May 2023.
9. Any Defendant or person wishing to be heard at the final hearing of this claim shall file **and serve on the Claimant** an Acknowledgement of Service by 16:00 on 12 June 2023 and, if appropriate, apply to be joined as a named Defendant at the same time.
10. Any person or Defendant who fails to comply with paragraph 9 above shall not be permitted to defend or take any further role in these proceedings without further order of the Court.
11. The Defendants are to file and serve a Defence and any evidence upon which they seek to rely upon by 26 June 2023.
12. The Claimant is to file and serve any Reply and evidence in support by 10 **July** 2023.

13. Pursuant to CPR rule 6.38, the Claimant has permission to serve any document referred to at paragraphs 8 and 12 above on the 140th Defendant outside of the jurisdiction.
14. Pursuant to CPR rules 6.27 and 81.4(2) (c) and (d), the Claimant has permission to serve any document referred to at paragraphs 8 and 12 above:
 - (i) On the 1st-4th, 7th-11th, 16th-17th, 21st-23rd, 25th-30th, 32nd-61st, 63rd, 66th-72nd, 74th-76th, 78th-86th, 88th-106th, 108th, 110th, 111th, 113th-141st, 143rd-154th and 156th-158th Defendants by the alternative method of recorded first class post.
 - (ii) On the 20th, 24th and 65th Defendants by the alternative method of emailing the email addresses that they supplied to the Claimant during the committal proceedings against them in August 2022, and
 - (iii) On the 5th, 6th, 12th, 14th, 15th, 19th, 31st, 62nd 64th, 73rd, 77th, 87th, 107th, 109th, 112th, 142nd and 155th Defendants by the following alternative methods:
 - (a) Posting a copy of those documents on its dedicated webpage for these proceedings
<https://www.northwarks.gov.uk/hci>

 - (b) Publicising those documents and the link through which they can be obtained using the Claimant's Facebook page and Twitter account,
 - (c) Using its best endeavours to ensure that a link to those documents is posted on the local police social media accounts.
 - (d) Posting a link to those documents to the Facebook, Twitter, LinkedIn, YouTube and Instagram accounts of Just Stop Oil.
 - (e) Emailing a link to those documents to the following email addresses:
 - (1) Ring2021@protonmail.com

- (2) juststopoil@protonmail.com
- (3) youthclimateswarm@protonmail.com

- (f) Displaying a notice setting out the nature of those documents and indicating how a hard copy of the documents can be obtained at public entrances of the Claimant's main offices and at the entrances to Kingsbury Oil Terminal.
- (g) Issuing a media release. Such release must provide:
 - (1) a summary of those documents,
 - (2) the date, time and location of any future hearings, if known
 - (3) the addresses the webpage on which the documents are published.
 - (4) The Claimants' contact details; and
 - (5) Details of where and how copies of the documents relied on by the Claimant may be obtained.

Such release shall be made Television within 7 days of the stated dates in paragraphs 8 and 12 above. Such release shall be made to, but is not limited to, local print publications including the Coventry Telegraph; local radio stations including BBC Coventry and Warwickshire and BBC West Midlands; and the following television stations, BBC West Midlands and Central.

- (h) Any other like manner as the Claimant may decide to use in order to bring the documents to the attention of the Defendants and other persons likely to be affected.

- 15. The deemed date of service of the documents referred to at paragraph 8 and 12 above shall be the date of the relevant certificate of service on completion of the steps described in paragraphs 14(i)-(iii) of this Order.
- 16. The application is to be listed for trial on the first available date in the week commencing **24** July 2023 in the anticipation that the Supreme Court's decision in the case of *Wolverhampton City Council and others -v- London Gypsies and Travellers and others* UKSC 2022/0046 will be available in advance of that date. Time estimate 2 days.

17. In the event that either the Supreme Court's decision referred to at paragraph 16 above is not available by the date listed for trial, or has not been available for sufficient time so as to allow the parties to make submissions on its application to this case, the parties have permission to apply for the trial date to be vacated and relisted in the next judicial term.
18. **Any skeleton arguments are to be filed and exchanged by 16:00 on 17 July 2023.**
19. **The Claimant is to file two hard copies of the trial bundle and an electronic copy of the bundle in a form compliant with the Kings Bench Division Guide 2022 by 16:00 on 19 July 2023.**
20. Costs in the case.

Dated: 31st March 2023

SCHEDULE A

- (21) THOMAS ADAMS
- (22) MARY ADAMS
- (23) COLLIN ARIES
- (24) STEPHANIE AYLETT
- (25) MARCUS BAILIE
- (26) MAIR BAIN
- (27) JEREMY BAYSTON
- (28) PAUL BELL
- (29) PAUL BELL
- (30) SARAH BENN
- (31) RYAN BENTLEY
- (32) DAVID ROBERT BERKSHIRE
- (33) MOLLY BERRY
- (34) GILLIAN BIRD
- (35) RACHEL JANE BLACKMORE
- (36) PAUL BOWERS
- (37) KATE BRAMFITT
- (38) SCOTT BREEN
- (39) ALICE BRENCHER
- (40) EMILY BROCKLEBANK
- (41) TOMMY BURNETT
- (42) TEZ BURNS
- (43) GEORGE BURROW
- (44) JADE CALLAND
- (45) OLWEN CARR
- (46) CAROLINE CATTERMOLE
- (47) IAN CAVE
- (48) MICHELLE CHARLESWORTH
- (49) ZOE COHEN
- (50) JONATHAN COLEMAN
- (51) PAUL COOPER
- (52) CLARE COOPER
- (53) JEANINIE DONALD-MCKIM
- (54) KATHRYN DOWDS
- (55) JANINE EAGLING
- (56) STEPHEN EECKELAERS
- (57) SANDRA ELSWORTH
- (58) HOLLY JUNE EXLEY
- (59) CAMERON FORD
- (60) WILLIAM THOMAS GARRATT-WRIGHT
- (61) ELIZABETH GARRATT-WRIGHT
- (62) ALASDAIR GIBSON
- (63) ALEXANDRA GILCHRIST
- (64) STEPHEN GINGELL
- (65) CALLUM GOODE
- (66) KATHRYN GRIFFITH
- (67) FIONA GRIFFITH
- (68) JOANNE GROUNDS

- (69) ALAN GUTHRIE**
- (70) DAVID GWYNE**
- (71) SCOTT HADFIELD**
- (72) SUSAN HAMPTON**
- (73) JAKE HANDLING**
- (74) FIONA HARDING**
- (75) GWEN HARRISON**
- (76) DIANA HEKT**
- (77) ELI HILL**
- (78) JOANNA HINDLEY**
- (79) ANNA HOLLAND**

- (80) BEN HOMFRAY**
- (81) JOE HOWLETT**
- (82) ERIC HOYLAND**
- (83) REUBEN JAMES**
- (84) RUTH JARMAN**
- (85) STEPHEN JARVIS**
- (86) SAMUEL JOHNSON**
- (87) INEZ JONES**
- (88) CHARLOTTE KIRIN**
- (89) JENNIFER KOWALSKI**
- (90) JERARD LATIMER**
- (91) CHARLES LAURIE**
- (92) PETER LAY**
- (93) VICTORIA LINDSELL**
- (94) EL LITTEN**
- (95) EMMA MANI**
- (96) RACHEL MANN**
- (97) DAVID MANN**
- (98) DIANA MARTIN**
- (99) LARCH MAXEY**
- (100) ELIDH MCFADDEN**
- (101) LOUIS MCKECHNIE**
- (102) JULIA MERCER**
- (103) CRAIG MILLER**
- (104) SIMON MILNER-EDWARDS**
- (105) BARRY MITCHELL**
- (106) DARCY MITCHELL**
- (107) ERIC MOORE**
- (108) PETER MORGAN**
- (109) RICHARD MORGAN**
- (110) ORLA MURPHY**
- (111) JOANNE MURPHY**
- (112) GILBERT MURRAY**
- (113) CHRISTIAN MURRAY-LESLIE**
- (114) RAJAN NAIDU**
- (115) CHLOE NALDRETT**
- (116) JANE NEECE**
- (117) DAVID NIXON**
- (118) THERESA NORTON**

- (119) RYAN O TOOLE
- (120) GEORGE OAKENFOLD
- (121) NICOLAS ONLAY
- (122) EDWARD OSBOURNE
- (123) RICHARD PAINTER
- (124) DAVID POWTER
- (125) STEPHANIE PRIDE
- (126) HELEN REDFERN
- (127) SIMON REDING
- (128) MARGARET REID
- (129) CATHERINE RENNIE-NASH
- (130) ISABEL ROCK
- (131) CATERINE SCOTHORNE
- (132) JASON SCOTT-WARREN
- (133) GREGORY SCULTHORPE
- (134) SAMUEL SETTLE
- (135) VIVIENNE SHAH
- (136) SHEILA SHATFORD
- (137) DANIEL SHAW
- (138) PAUL SHEEKY
- (139) SUSAN SIDEY
- (140) NOAH SILVER
- (141) JOSHUA SMITH
- (142) KAI SPRINGORUM
- (143) ANNE TAYLOR
- (144) HANNAH TORRANCE BRIGHT
- (145) JANE TOUIL
- (146) JESSICA UPTON
- (147) ISABEL WALTERS
- (148) CRAIG WATKINS
- (149) SARAH WEBB
- (150) IAN WEBB
- (151) ALEX WHITE
- (152) WILLIAM WHITE
- (153) SAMANTHA WHITE
- (154) LUCIA WHITTAKER-DE-ABREU
- (155) EDRED WHITTINGHAM
- (156) CAREN WILDEN
- (157) MEREDITH WILLIAMS
- (158) PAMELA WILLIAMS