

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION**

Before: [Mr/Mrs Justice]

On: 24 April 2023

BETWEEN:

NATIONAL HIGHWAYS LIMITED

Claimant

- and -

**(1) PERSONS UNKNOWN CAUSING THE BLOCKING OF, ENDANGERING,
OR PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25
MOTORWAY, A2 A20 AND A2070 TRUNK ROADS AND M2 AND M20
MOTORWAY, 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
(2) MR ALEXANDER RODGER AND 128 OTHERS**

Defendants

DRAFT ORDER

PENAL NOTICE

**IF YOU THE WITHIN NAMED DEFENDANTS OR ANY OF YOU DISOBEY THIS ORDER
YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED,
FINED OR HAVE YOUR 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.

A Defendant who is an individual who is ordered not to do something must not do it himself/herself or in any other way. He/she must not do it through others acting on his/her behalf or on his/her instructions or with his/her encouragement.

FURTHER TO the Orders made in these proceedings by Bennathan J on 9 May 2022 (“**Bennathan Order**”) and 16 January 2023 (“**Costs Order**”) and by the Court of Appeal on 14 March 2023 (“**CoA Order**”)

AND UPON the Claimant’s application by Application Notice dated 13 April 2023 pursuant to the provisions at paragraph 23 of the Bennathan Order.

AND UPON the Claimant confirming that this Order is not intended to prohibit lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON HEARING Counsel for the Claimants, Myriam Stacey KC and Michael Fry, [Counsel for a Defendant][the Defendants in person and various non-Defendants in person] at a hearing on 24 April 2023 (“**Review Hearing**”).

IT IS ORDERED THAT:

Definitions

1. In this Order, the following defined terms shall apply:
 - a. “**Named Defendants**” means D2 to D140 whose names appear in the revised and renumbered Schedule 1 annexed to this Order to reflect the Order made at paragraph 7.
 - b. “**Defendants**” refers to all defendants.
 - c. “**24 Defendants**” means those defendants defined in the Costs Order against whom costs were ordered in favour of the Claimant.
 - d. “**109 Defendants**” means those defendants defined in the Costs Order as those listed in Schedule 1 of the Bennathan Order as D2 to D134 except for the 24 Defendants.
 - e. “**April 2023 Removed Defendants**” means those defendants removed from the Schedule of Defendants as provided for by order in paragraph 2(a) of this Order.
 - f. “**the Roads**” shall mean all of the following:
 - i. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 annexed to this Order.

- ii. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 annexed to this Order.
- iii. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25 Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 annexed to this Order.
- iv. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, laybys, police observation points/park up points, and emergency refuge areas.
- g. **“Injunction Website”** means the page on the National Highways website which holds the information as to injunctions in force, which is presently at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

Amendments to the Claim

2. The Claimant has permission to amend the Schedule of Defendants in the form set out at Schedule 1. Those amendments are as follows:
 - a. Removal of Named Defendants: D6, D9, D12, D29, D63, D64, D69, D105, D108, D111, D115 and D128.
 - b. Addition of Named Defendants:
 - i. D135: Marcus Decker
 - ii. D136: Morgan Trowland
 - iii. D137: Abigail Percy Radcliff
 - iv. D138: Alexander Wilcox
 - v. D139: Cressida Gethian
 - vi. D140: Emma Mani
 - c. The addition of the following wording to the Schedule of Defendants: *“For the avoidance of doubt, any person who has been a defendant in these proceedings, or who has given undertakings to the Claimant, may nevertheless become Defendant 1 as a person unknown if they commit any of the prohibited acts.”*

Injunction in force

3. With immediate effect and until 23.59 hrs on 24 May 2024 the Defendants and each of them are forbidden from:
 - a. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.
 - b. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.

- c. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

Service by Alternative Method on D1

4. The Court will provide sealed copies of this Order to the Claimant's solicitors for service (whose details are set out below).
5. Pursuant to CPR r. 6.15, 6.27 and r.81.4:
 - a. The Claimant shall serve this Order upon D1 by:
 - i. Posting a direct link to this Order on the National Highways Injunctions Website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/m25-high-court-injunction-proceedings/>
 - ii. Sending a notification of the existence of this Order to the Press Association and in particular advertising the web address of the Injunction Website and a direct link to this Order.
 - iii. Publishing social media posts on the National Highways Twitter and Facebook platforms advertising the existence of this Order and providing a link to the Injunction Website.
 - iv. Emailing a copy of this Order to:
 1. juststopoil@protonmail.com
 2. juststopoilpress@protonmail.com
 3. insulatebritainlegal@protonmail.com
 4. Ring2021@protonmail.com
 5. actions@animalrebellion.org
 6. fundraising@animalrebellion.org
 7. integration@animalrebellion.org
 8. talks@animalrebellion.org
 9. global@animalrebellion.org
 10. localgroups@animalrebellion.org
 11. media@animalrebellion.org
 12. governance@animalrebellion.org

13. pressoffice@animalrebellion.org
14. finance@animalrebellion.org
15. techsupport@animalrebellion.org
16. info@animalrising.org

6. Service in accordance with paragraph 5 above shall:

- a. Be verified by certificates of service to be filed with the Court;
- b. Be deemed effective as at the date of service specified by the certificates of service;
- c. Be good and sufficient service of this Order on D1 and each of them and the need for personal service is dispensed with.

Service by Alternative Method on Named Defendants

7. Pursuant to CPR r. 6.15, 6.27 and r.81.4, the Claimant is permitted in addition to personal service, where practicable, to serve this Order on each Named Defendant by:

- a. Placing this Order on the Injunction Website; and
- b. Electronic means: where a Named Defendant has provided an email address to the Claimant, the Claimant shall serve that Named Defendant with this Order by sending this Order by email to that email address. If necessary due to the size of this Order, the appendices may be served by emailing that Named Defendant with a secure link to a file-sharing platform which hosts the appendices. It is open to any Defendant to contact the Claimant to require postal service instead of electronic means; or
- c. Post: by posting a copy of this Order through the letterbox of each Named Defendant (or leaving in a separate mailbox) at their last known address, with a notice drawing the recipient's attention to the fact the package contains a Court Order. If the address does not have a letterbox, or mailbox, a package containing this Order may be affixed to or left at the front door or other prominent feature 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 Appendix 4. It is open to any Defendant to contact the Claimant to identify an alternative place for service and, if they do so, it is not necessary for a notice or package to be affixed to or left at the front door or other prominent feature; or

- d. Social media: only in circumstances where the Claimant has no address, or no email address for a Named Defendant, but is aware of that Named Defendant having a social media account which will permit the Claimant to contact that Named Defendant directly, the Claimant may serve this Order by sending a message to that Named Defendant providing either this Order or a link to the Injunction Website.
8. Service in accordance with paragraph 7 above shall:
 - a. be verified by certificates of service to be filed with Court;
 - b. be deemed effective as at the date specified by the certificates of service; and
 - c. be good and sufficient service of this Order on the Defendants and each of them and the need for personal service be dispensed with.
 9. Further, without prejudice to paragraphs 6 and 8, while this Order is in force, the Claimant shall take all reasonably practicable steps to effect personal service of the Order upon any Defendant of whom it becomes aware is, or has been, on the Roads for the purposes of protesting and shall verify any such service with further certificates of service (where possible if persons unknown can be identified) to be filed with Court.

Third-Party Disclosure

10. Pursuant to CPR 31.17, the Chief Constables for those forces listed in Schedule 2 to this Order shall procure that the officers within their forces disclose to the Claimant:
 - a. all of the names and addresses 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 referred to in these proceedings; and
 - b. all arrest notes, body camera footage and/or all other photographic material relating to possible breaches of this Order.
11. Without the permission of the Court, the Claimant shall not make use of any document disclosed by virtue of paragraph 10 of this Order, other than for one or more of the following uses:
 - a. applying to name and join any person as a Named Defendant to these proceedings and to serve the said person with any document in these proceedings;

- b. investigating, formulating, pleading and prosecuting any claim within these proceedings arising out of any alleged breach of this Order;
 - c. use for purposes of formulating, pleading and prosecuting any application for committal for contempt of court against any person for breach of any Order made within these proceedings.
12. Until further Order, the postal address and/or address for service of any person who is added as a defendant to these proceedings shall be redacted in any copy of any document which is served other than by means of it being sent directly to that person or their legal representative.
13. The Claimant is to serve this order on the Police Representative Assistant Chief Constable Owen Weatherill (), by email only.

The CoA Order

14. The CoA Order is discharged at 23:59 on 8 May 2023.

Further Directions

15. This Order will be reconsidered at a hearing to be listed on approximately a yearly basis in May to determine whether there is a continued threat which justifies continuation of this Order. It will be the Claimant's responsibility to arrange such a hearing and to place details of any such hearing on the Injunction Website. No further application shall be required, and the Court will issue a notice of hearing on notification by the Claimant.
16. 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 by email to the addresses specified at paragraph 23 below 48 hours before making such application of the nature of such application and the basis for it.
17. Any person applying to vary or discharge this Order must provide their full name and address, and address for service to the Claimant and to the Court, and must also apply to be joined as a Named Defendant to these proceedings at the same time.
18. The Claimant has liberty to apply to extend, vary or discharge this Order, or for further directions.

Costs

19. Each of the 109 Defendants shall pay the Claimant's costs in these proceedings incurred up to and including 12 May 2022 on the standard basis but not exceeding £4,360 for each of the 109 Defendants, to be assessed if not agreed.
20. Each of the 109 Defendants shall pay the Claimant £3,000 costs on account under CPR 42.2.8 by 4pm on Monday 8 May 2023.
21. Each of the Defendants, except for the April 2023 Removed Defendants, shall pay the Claimant's costs of the Review Hearing on the standard basis but not exceeding £x for each Defendant, to be assessed if not agreed.
22. For the avoidance of doubt, as against the April 2023 Removed Defendants there shall be no order as to costs for the Review Hearing.

Communications with the Claimant

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

DLA Piper UK LLP

Attention: Petra Billing and Rob Shaw

1 St. Paul's Place

Sheffield

S1 2JX

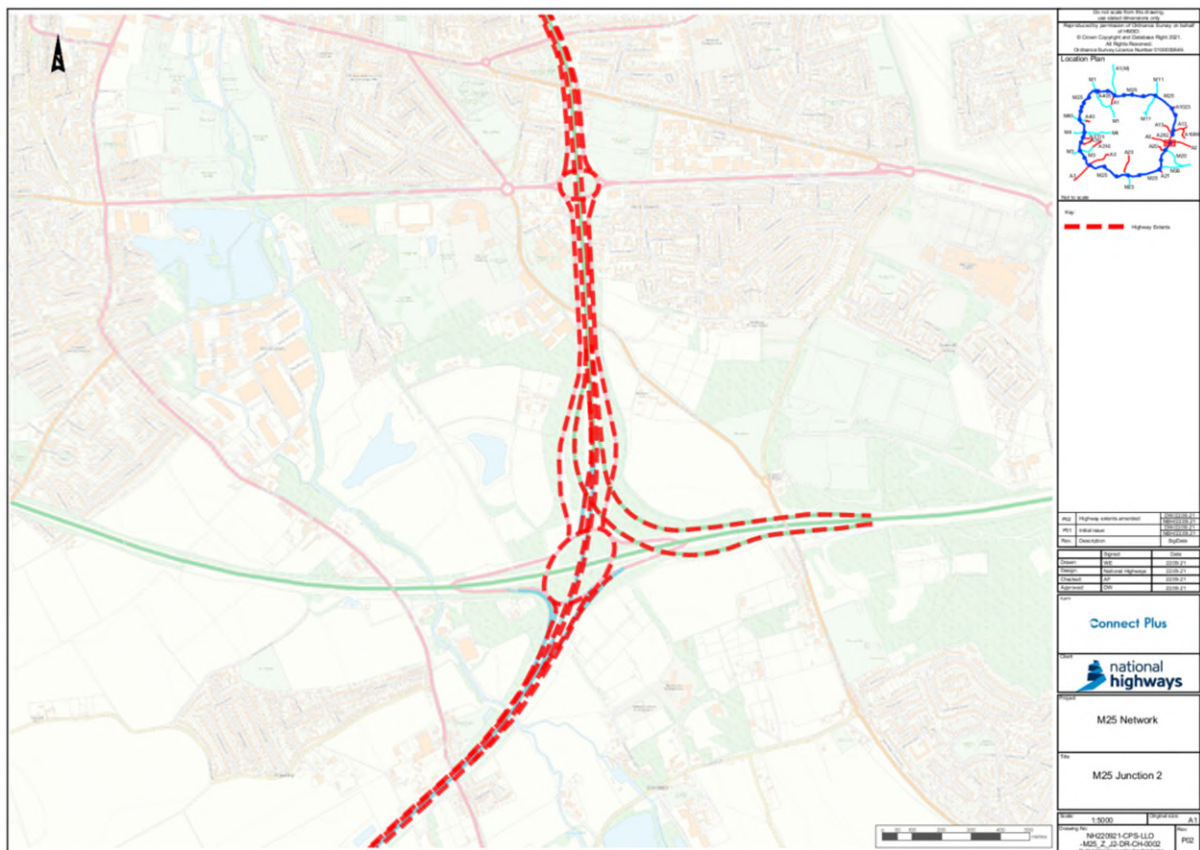
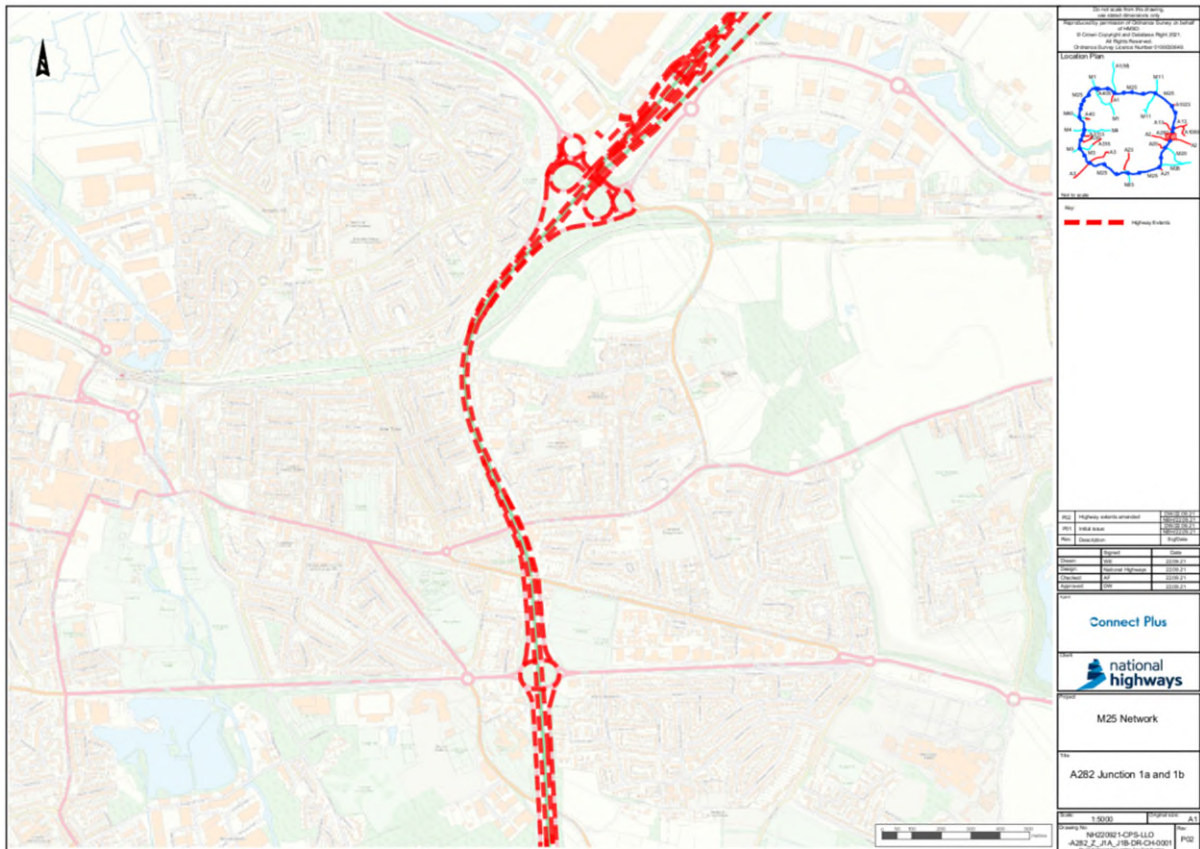
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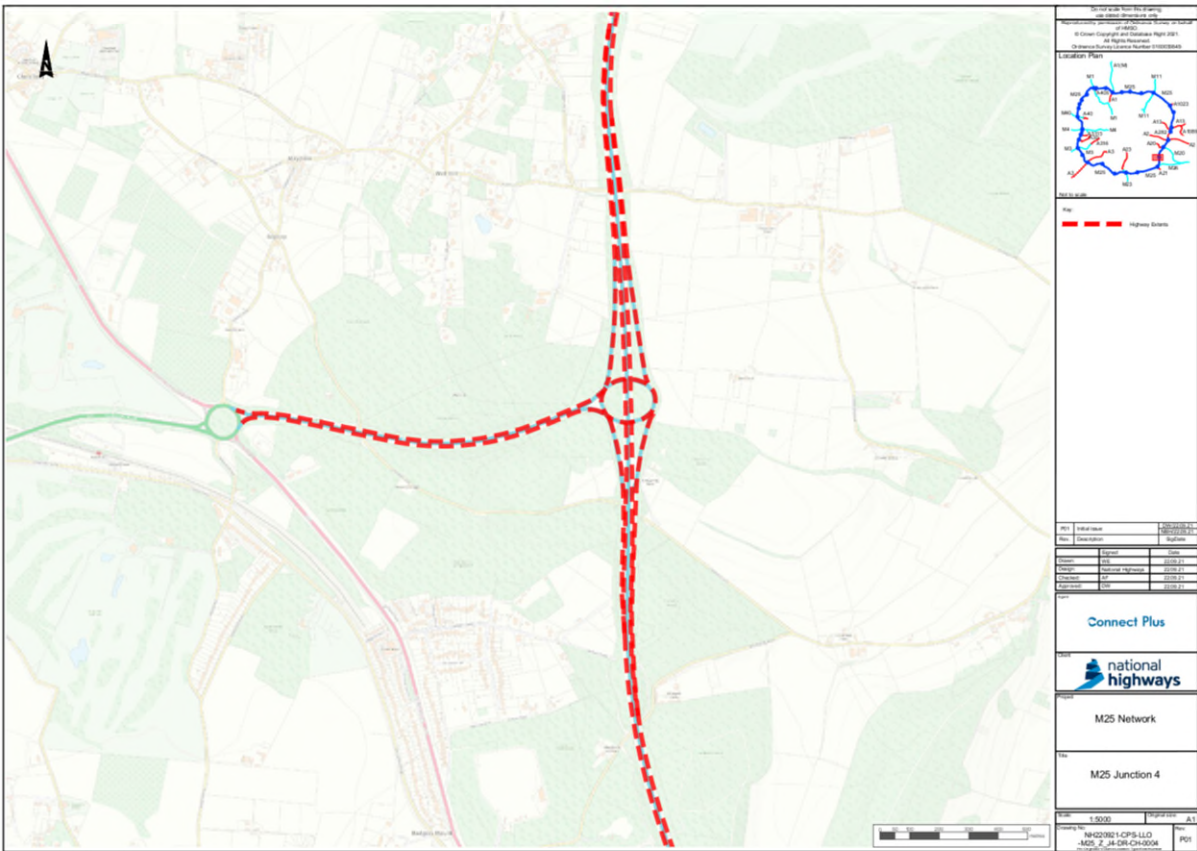
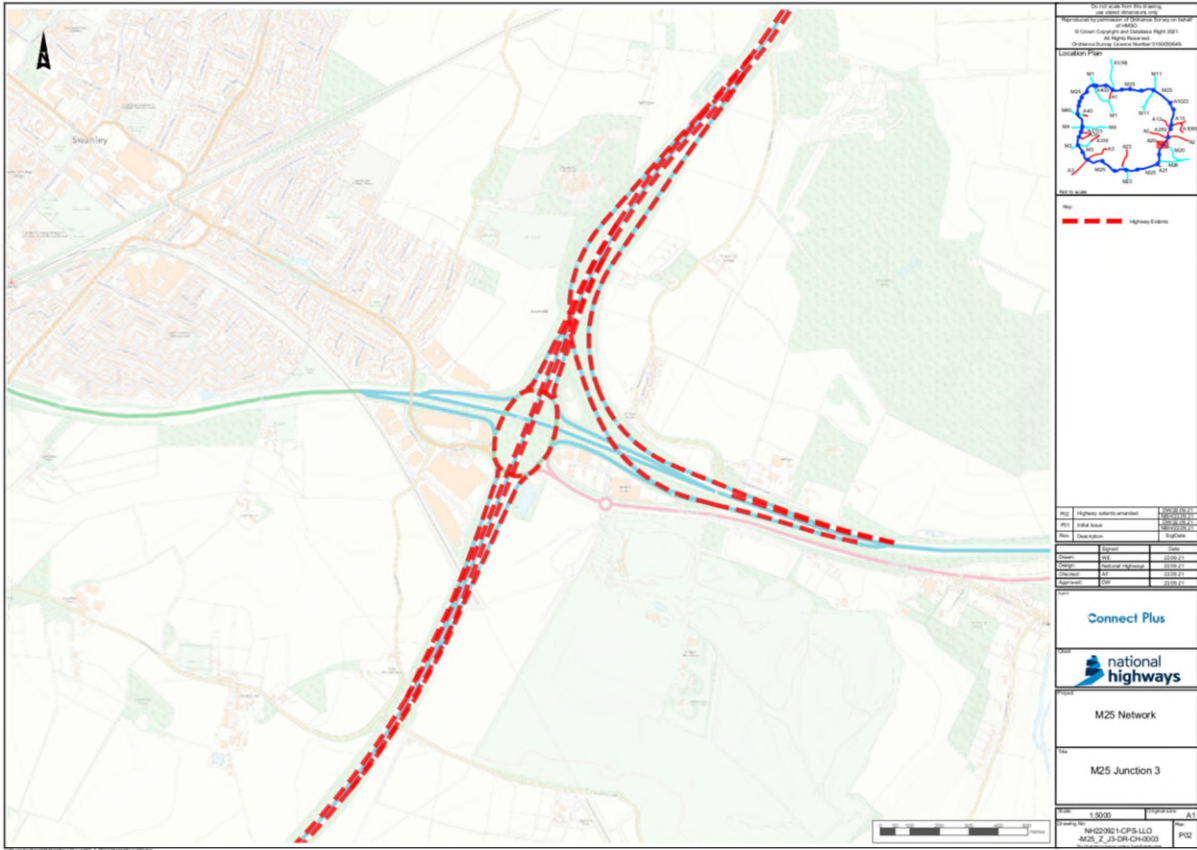
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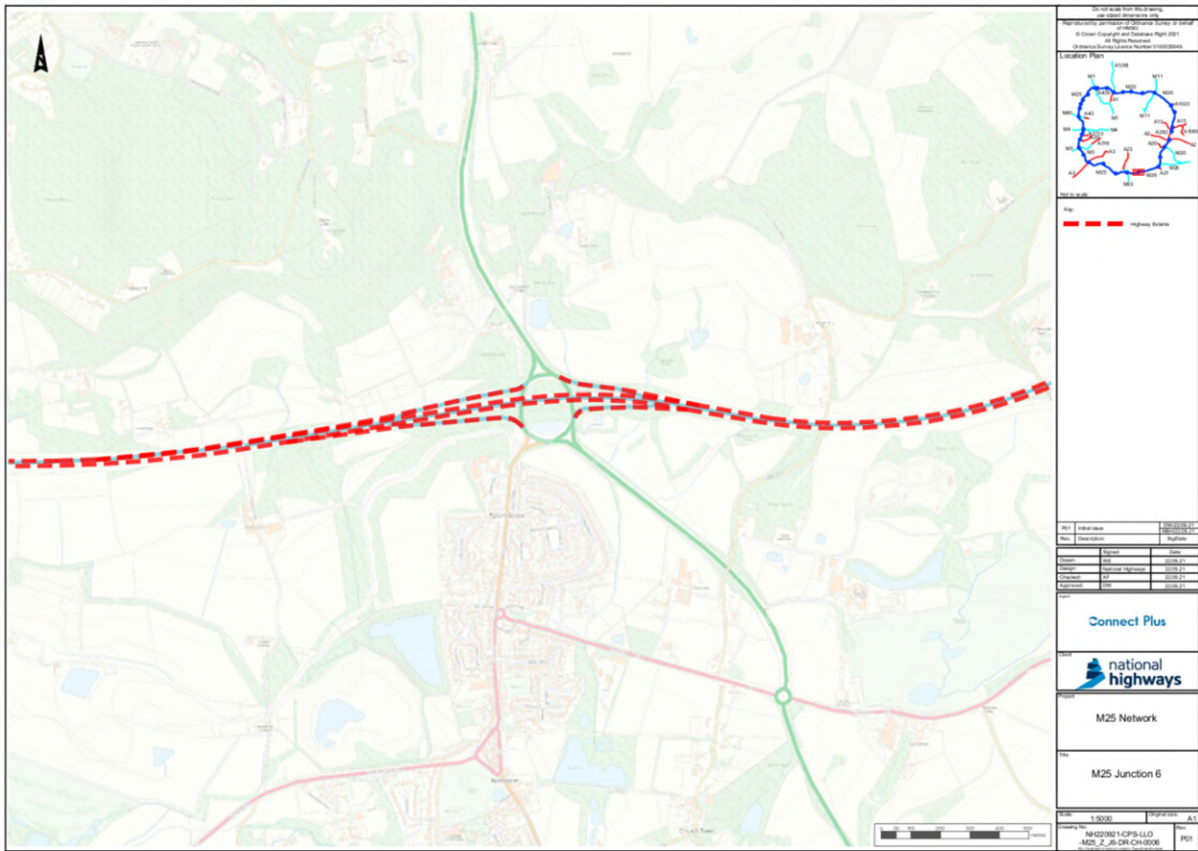
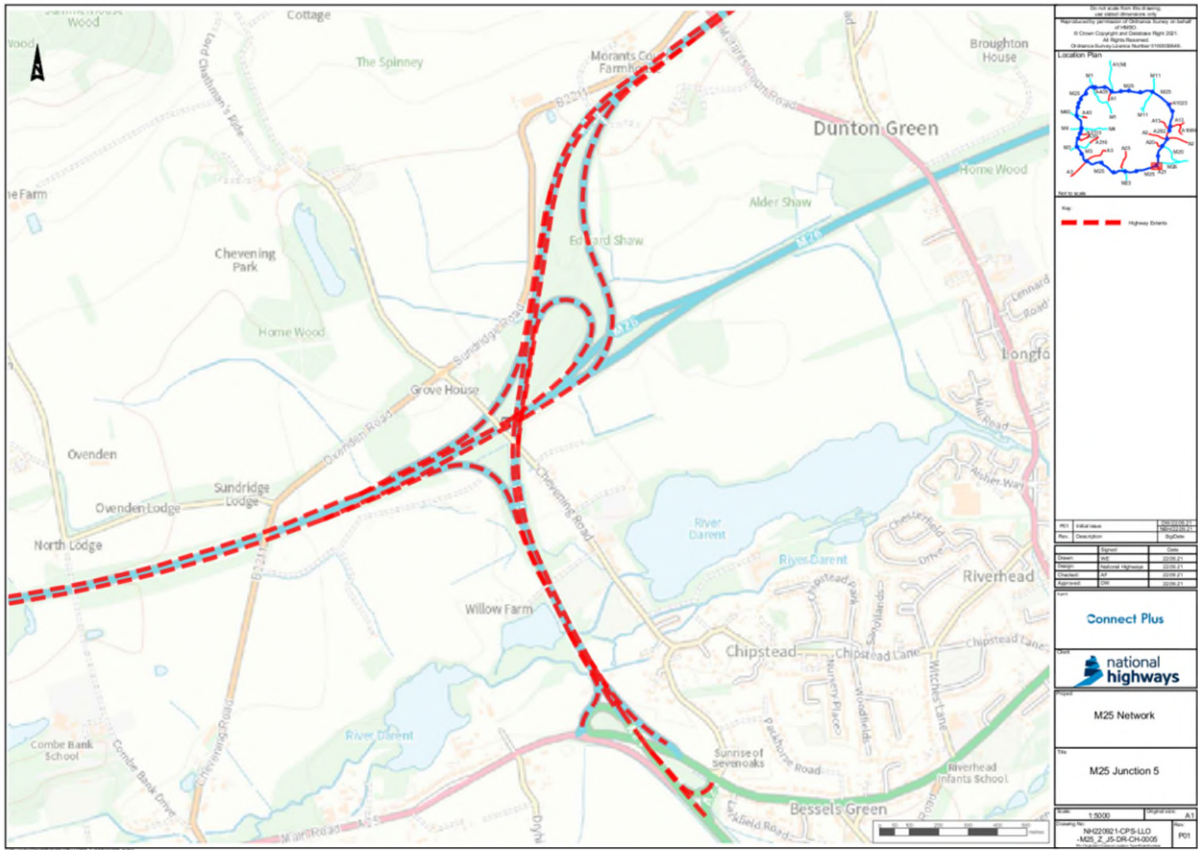
BY THE COURT

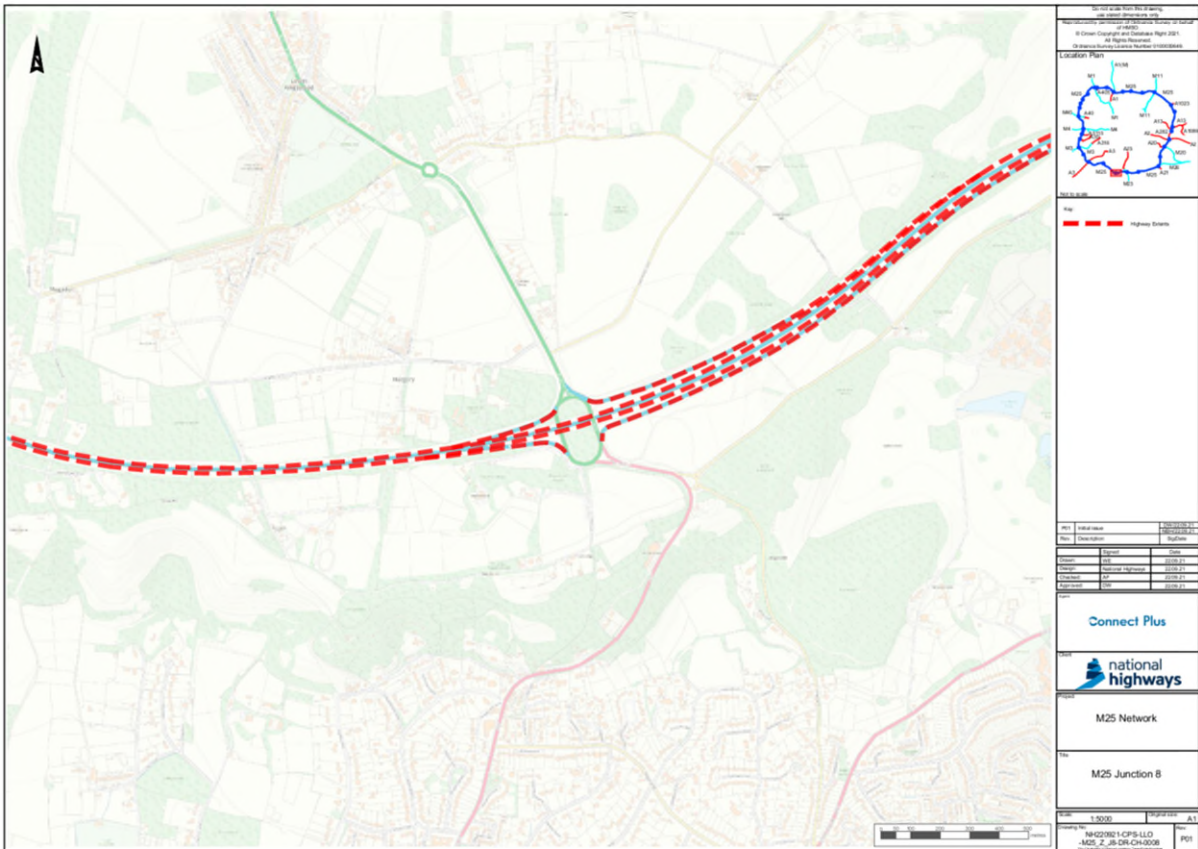
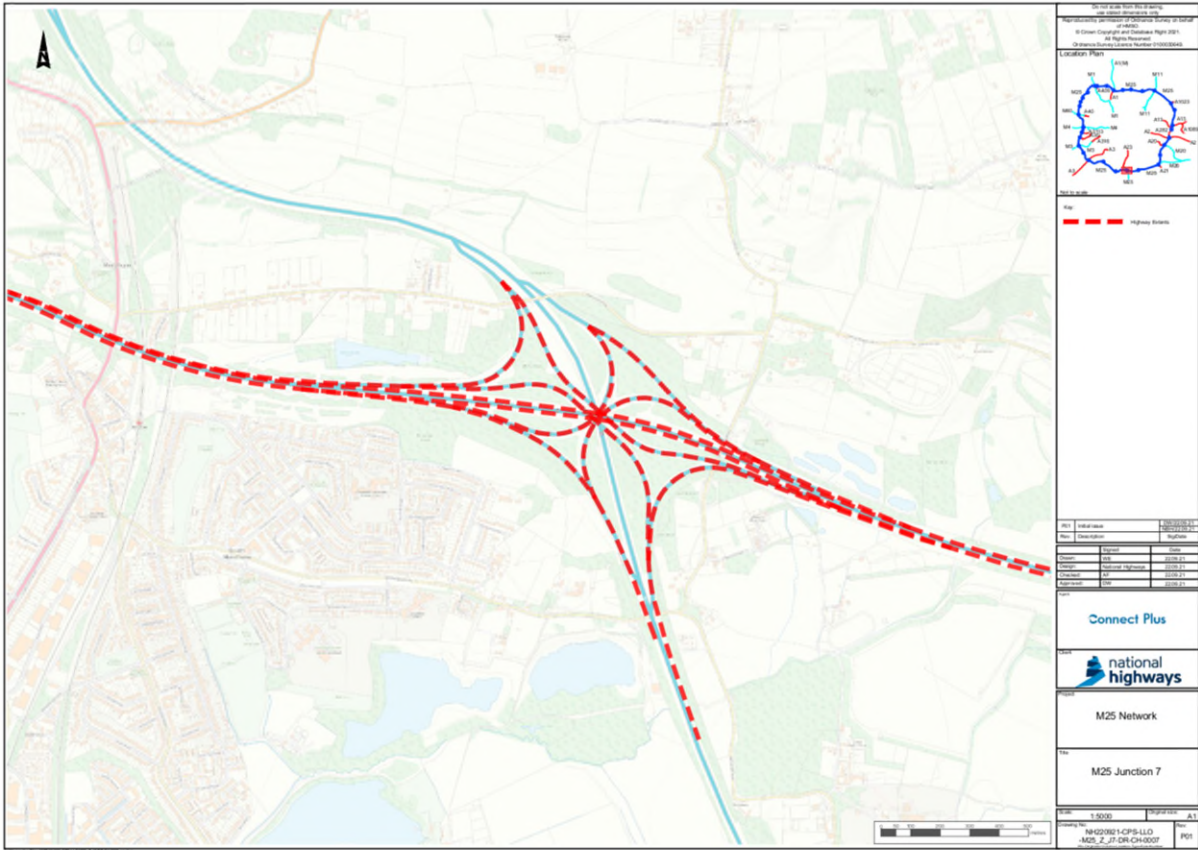
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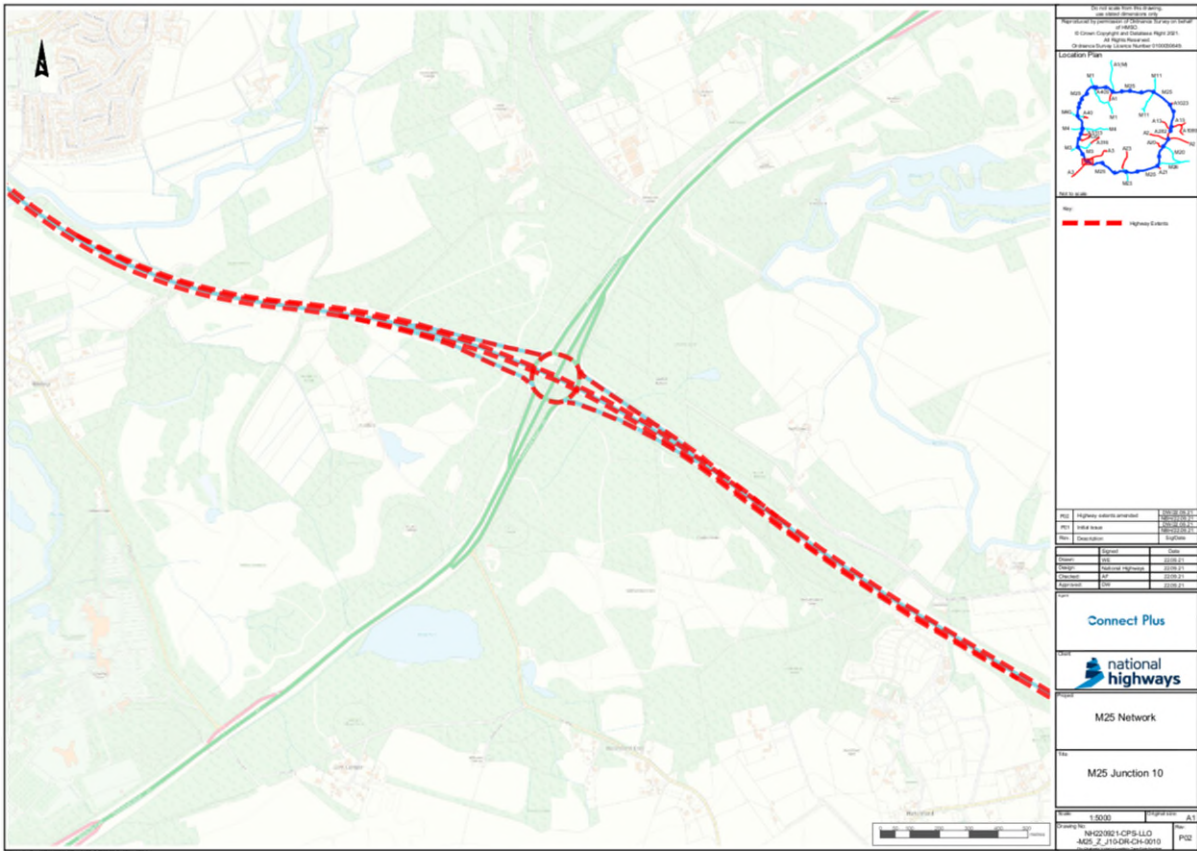
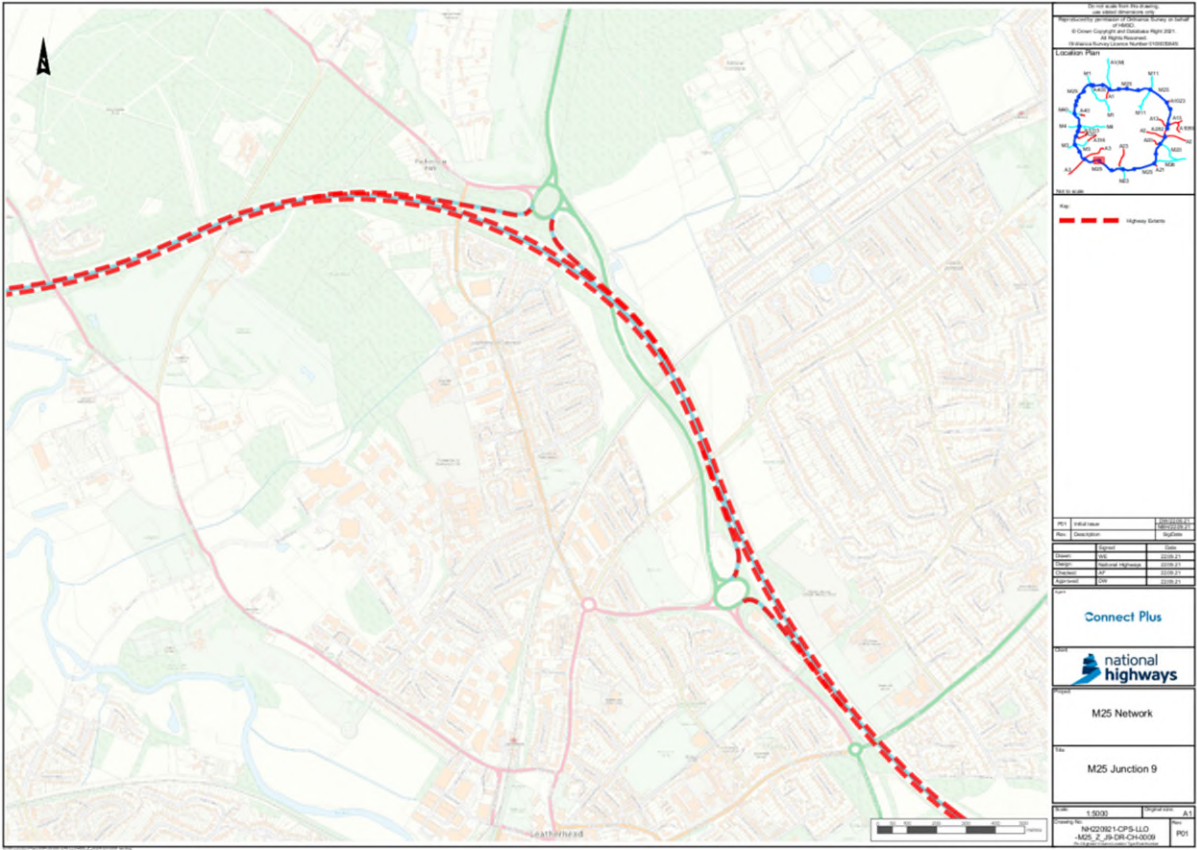
APPENDIX 1

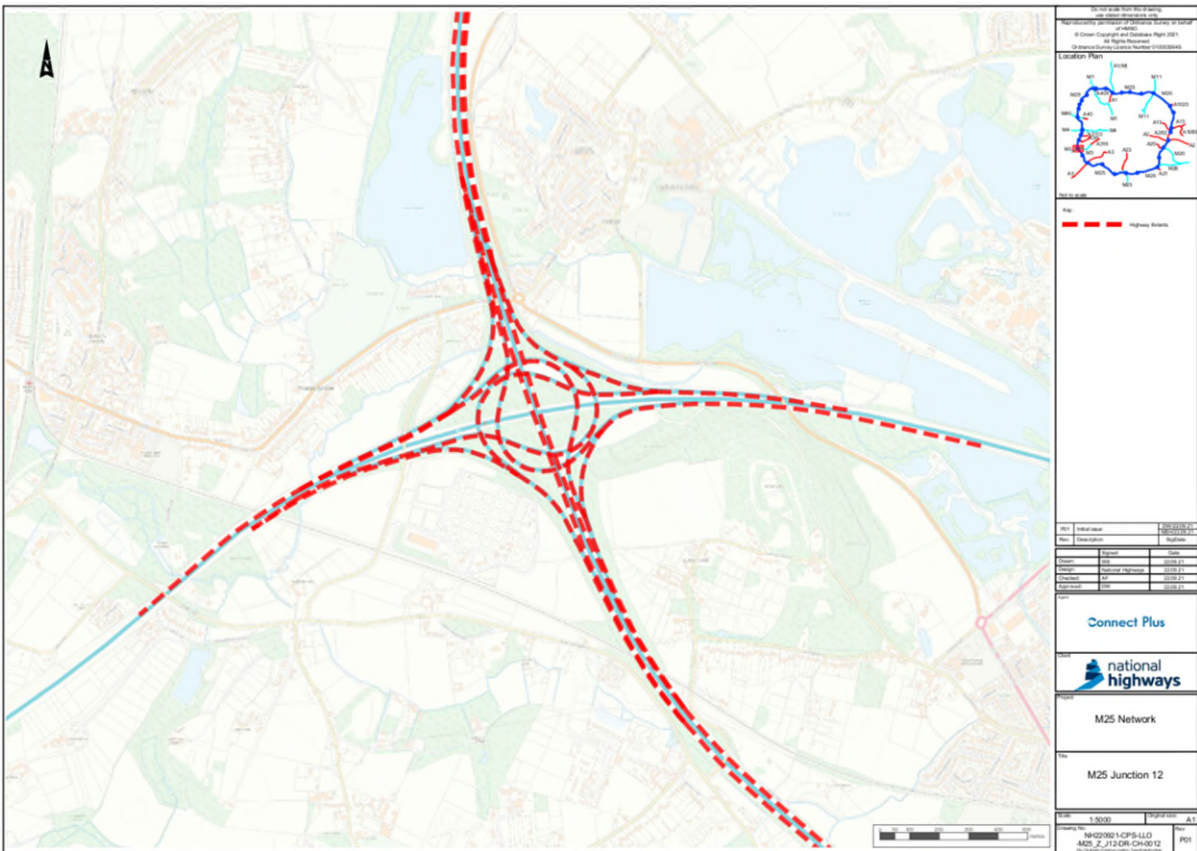
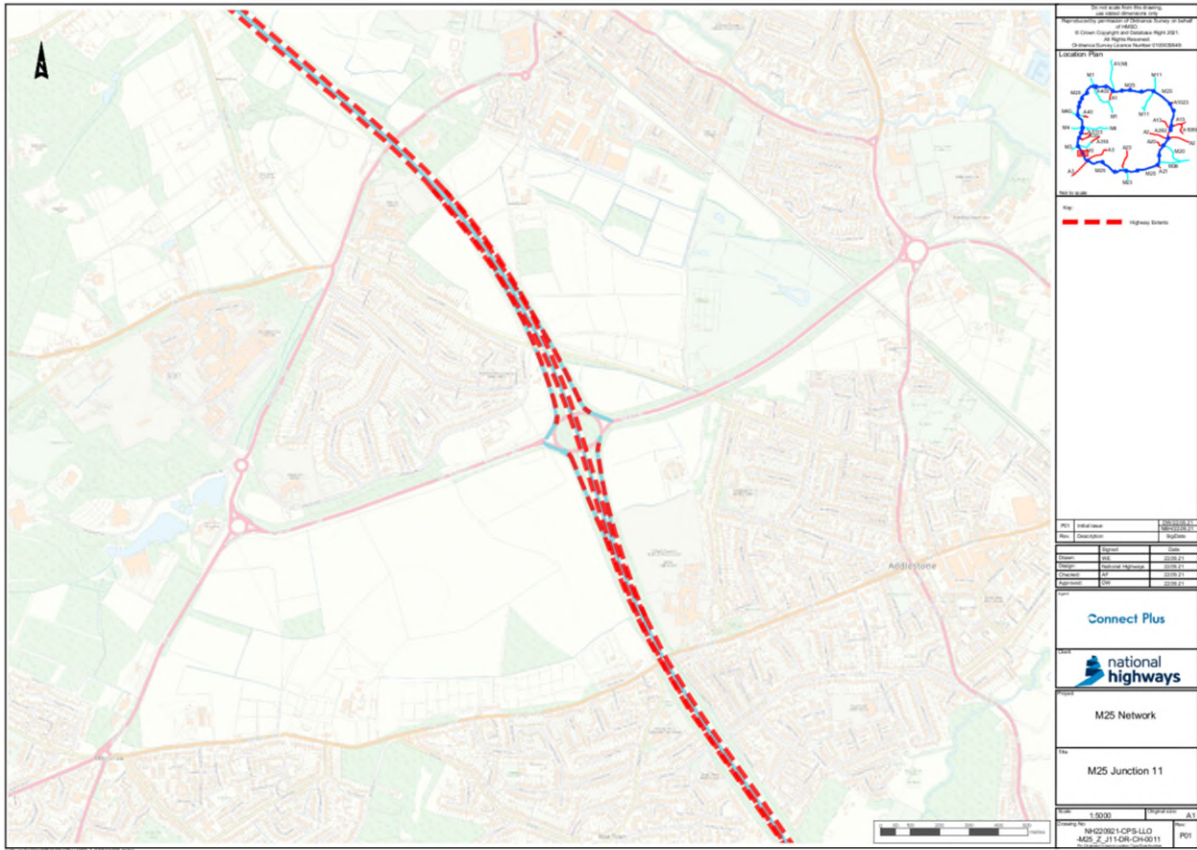


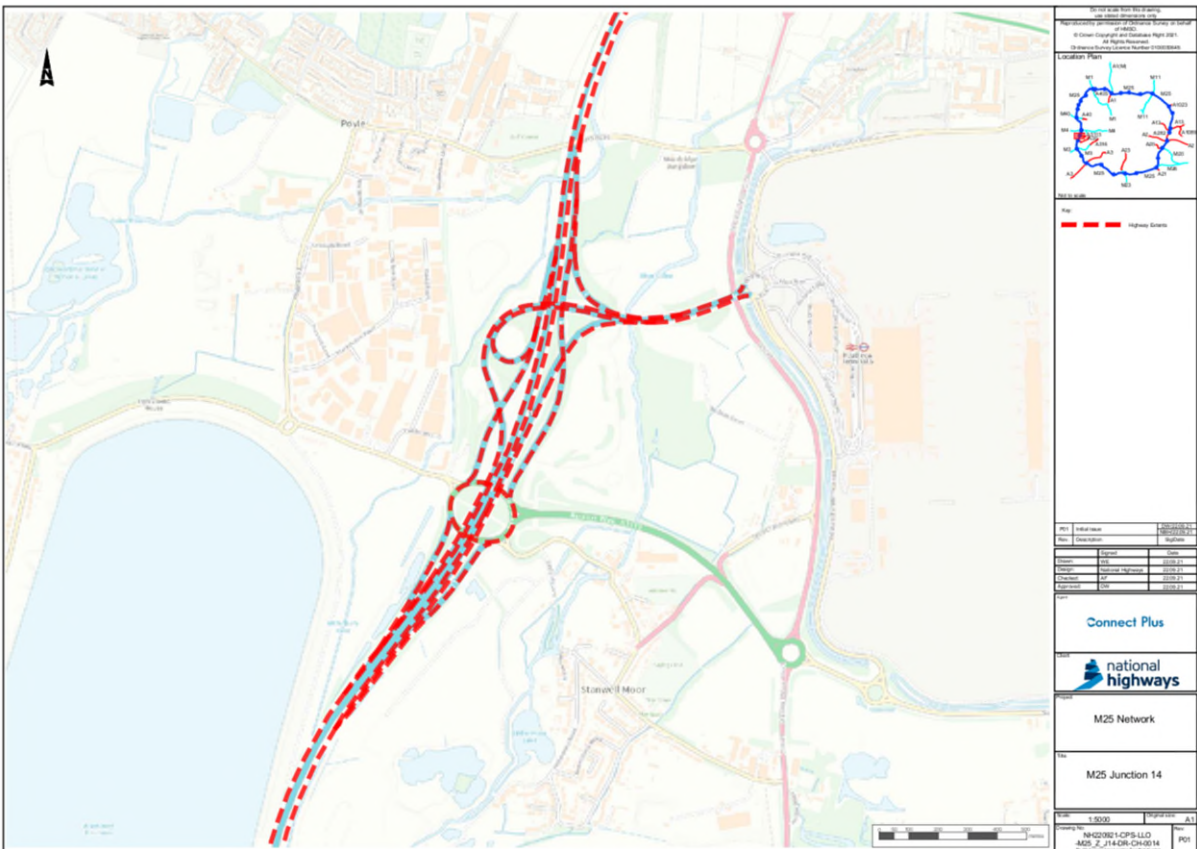


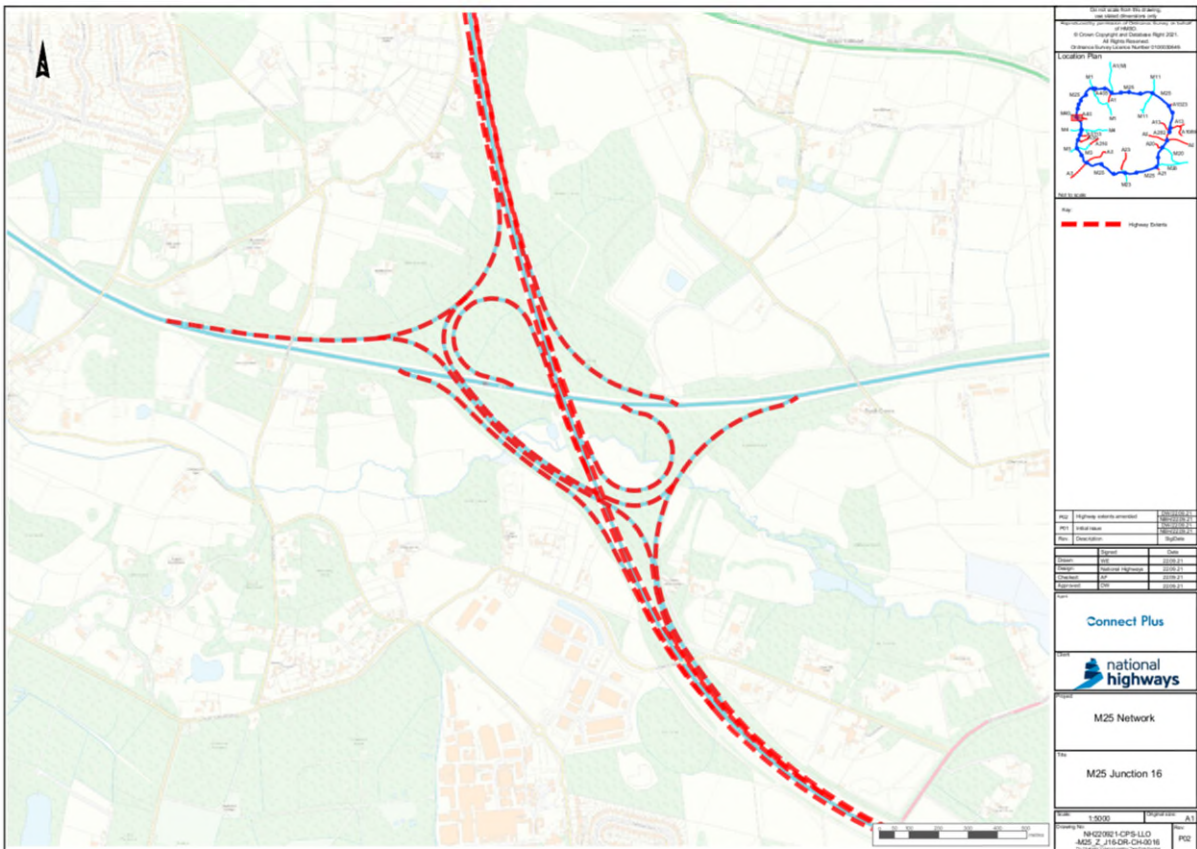
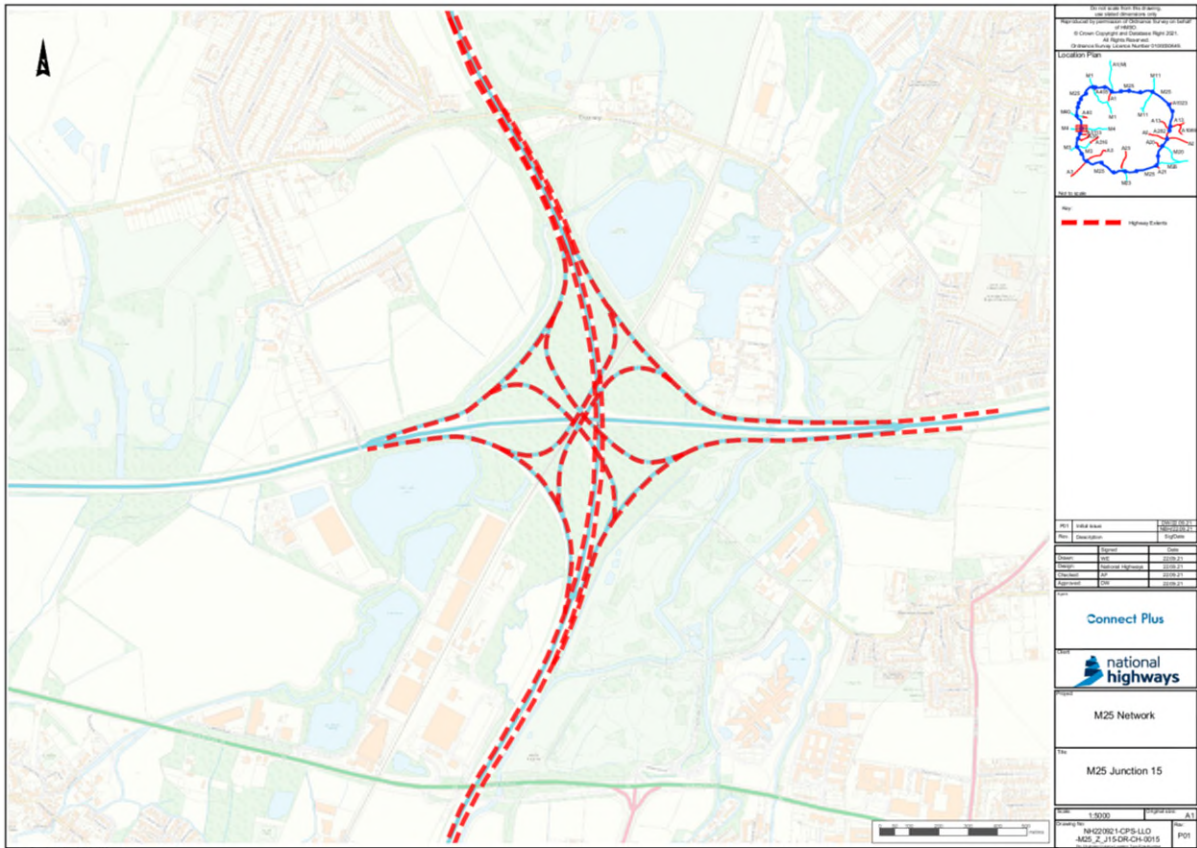


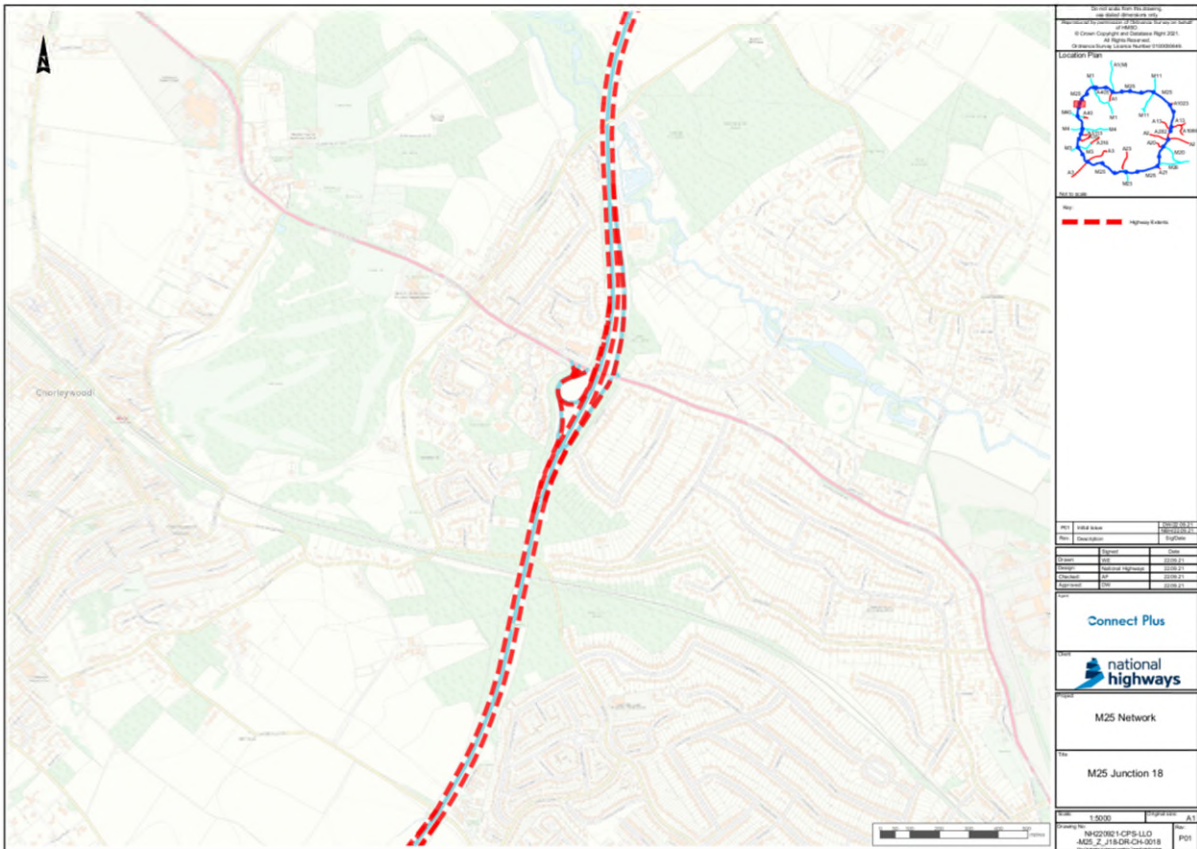
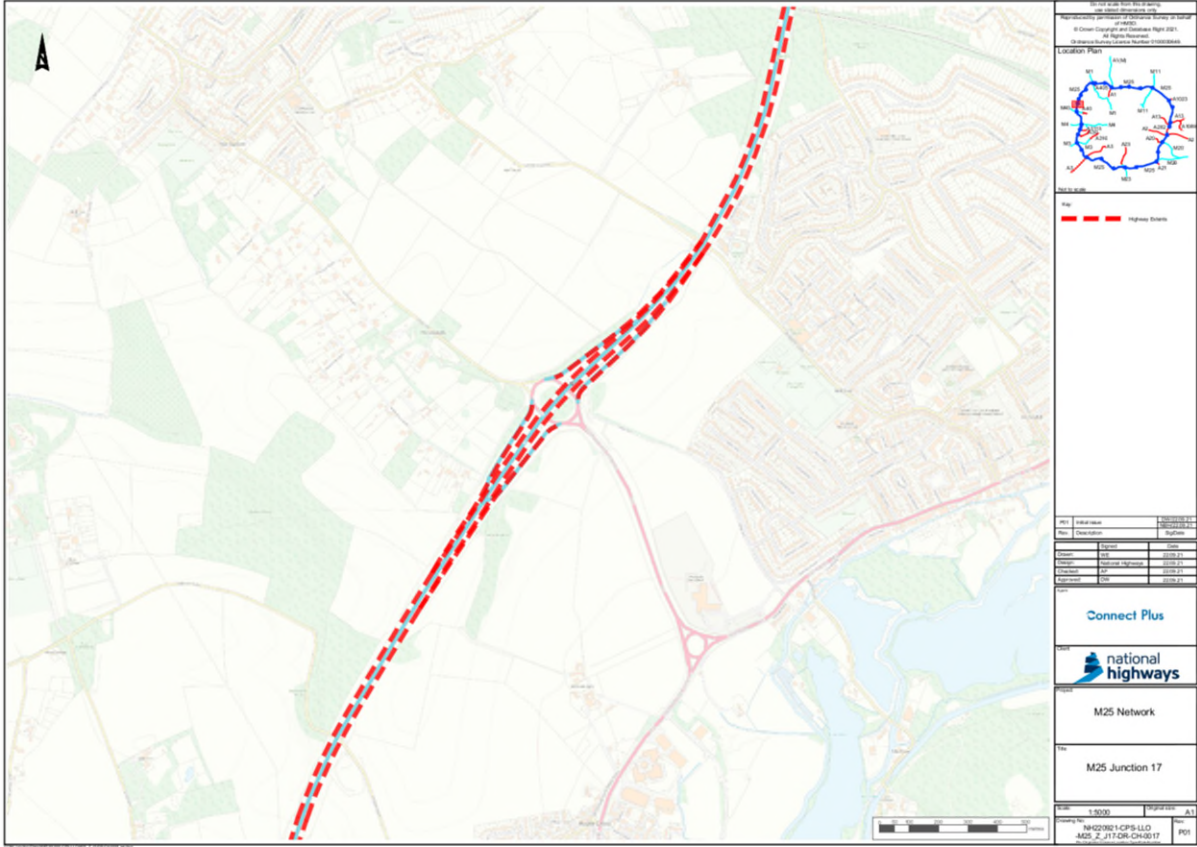


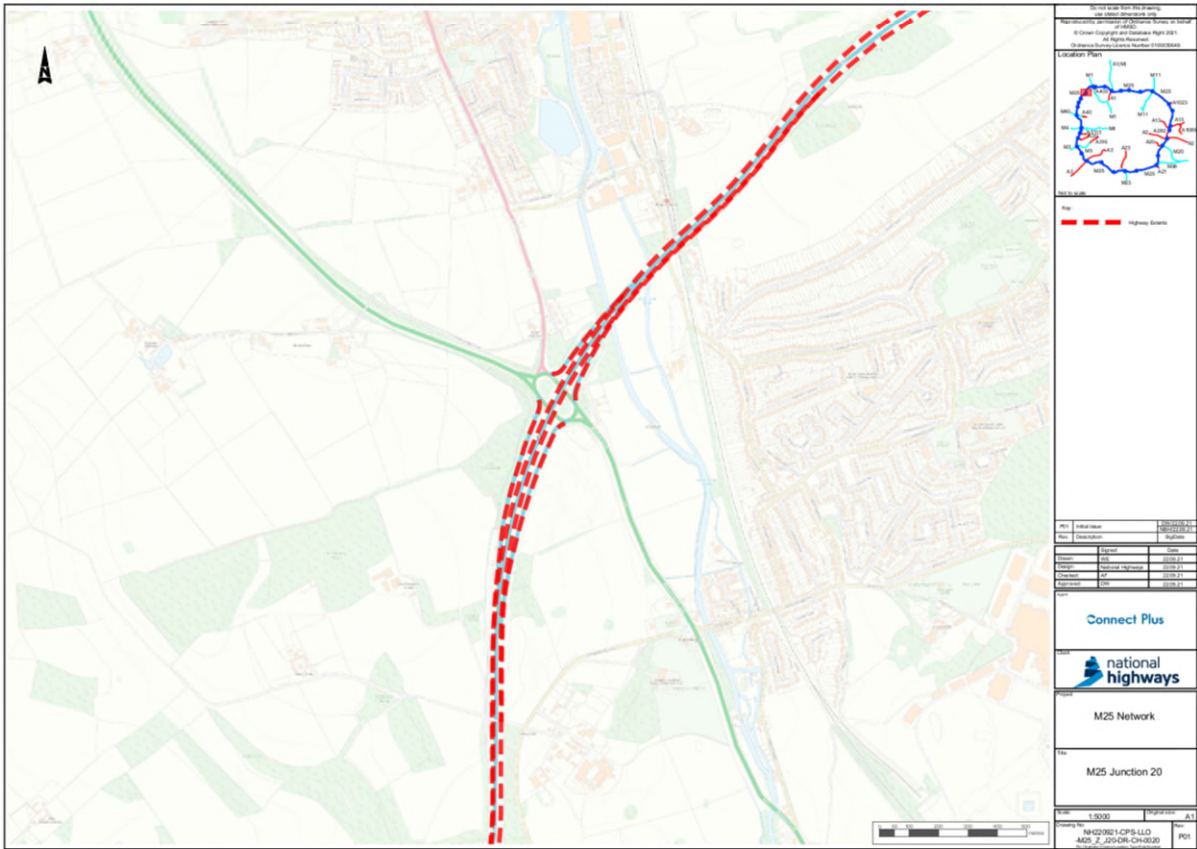
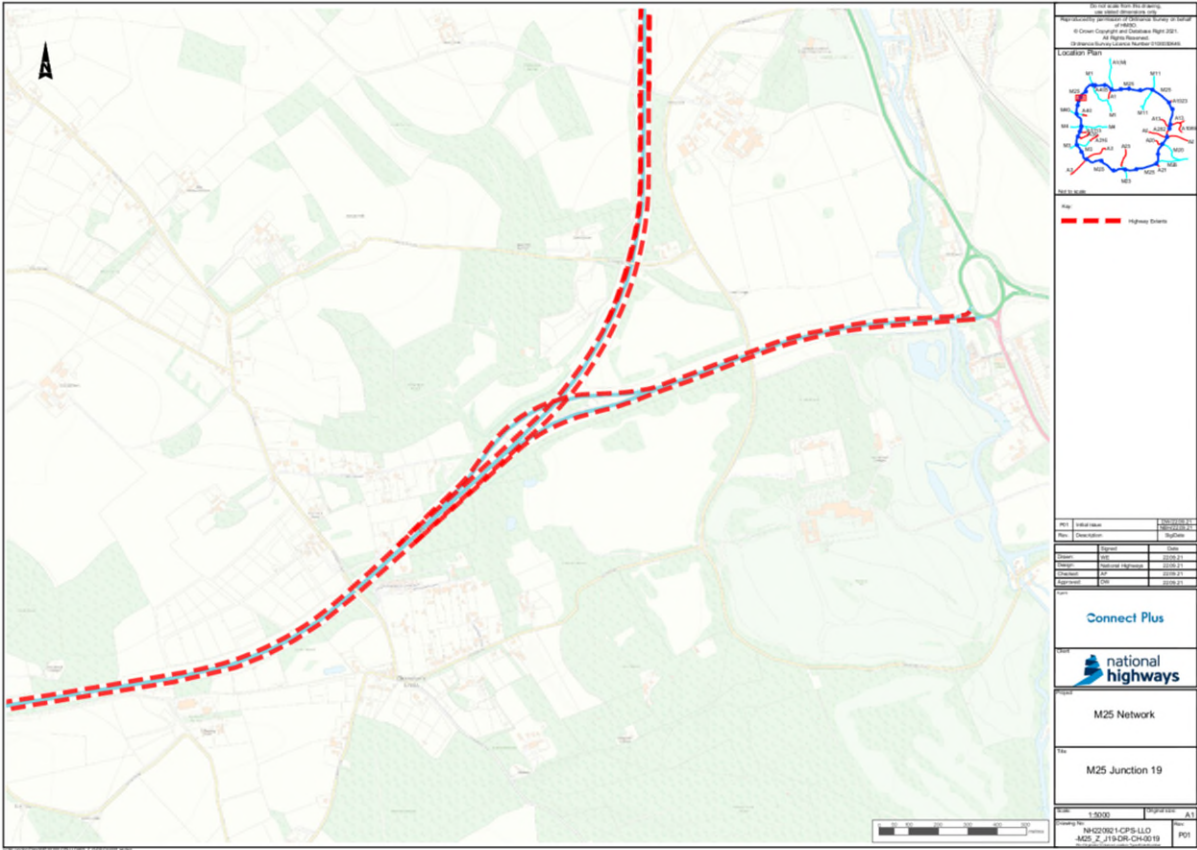


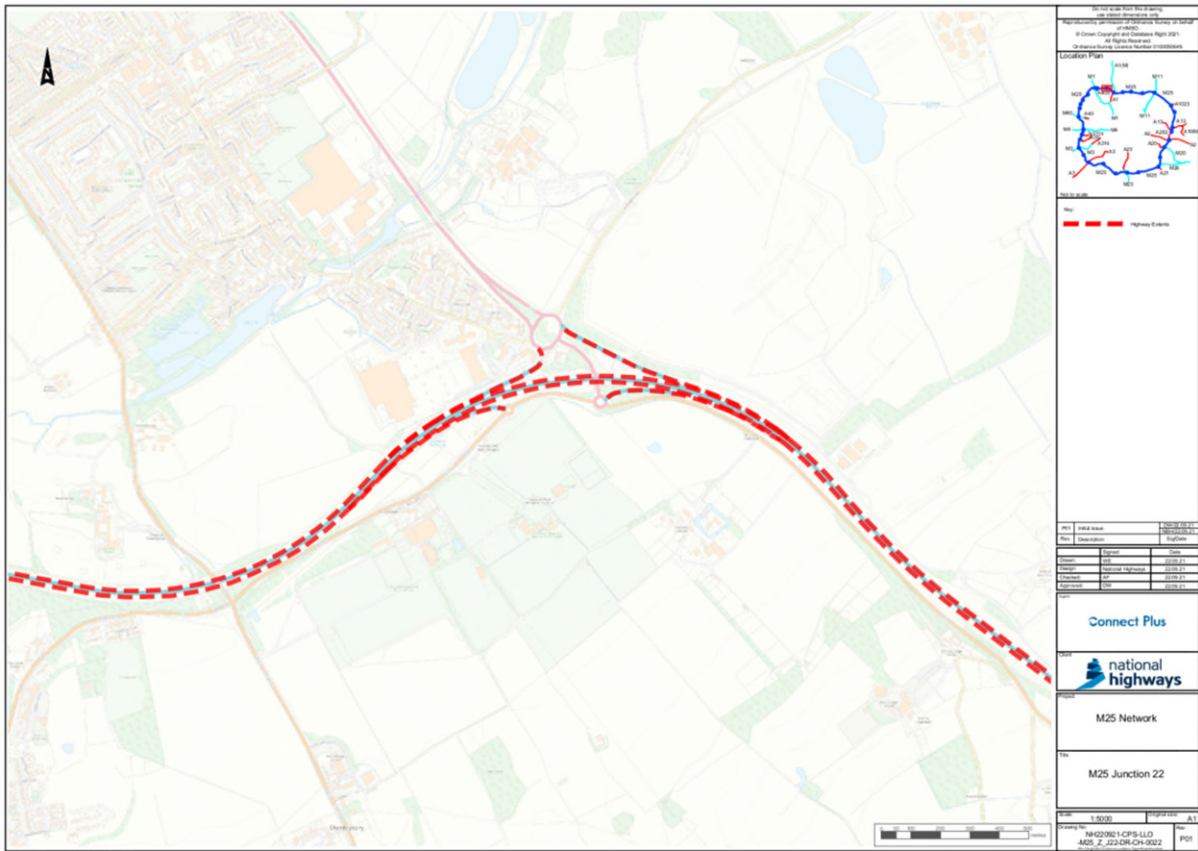
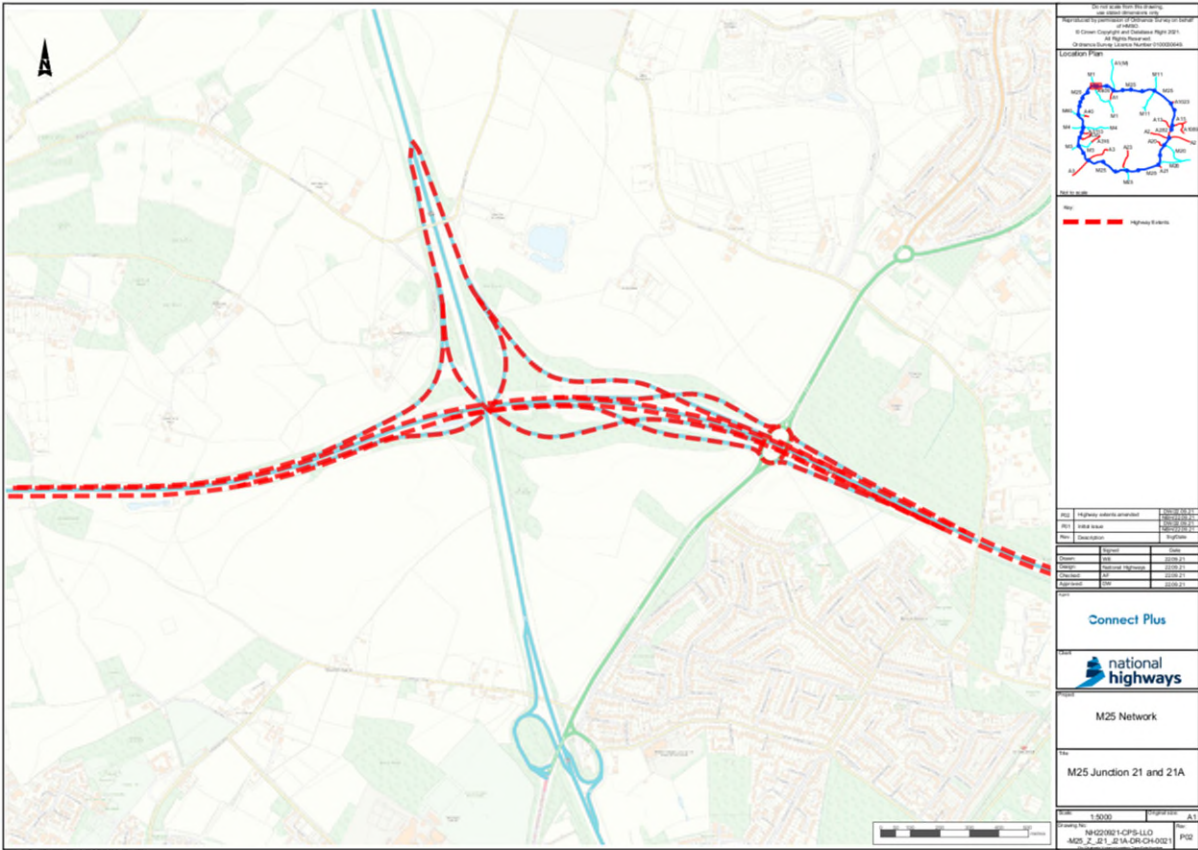


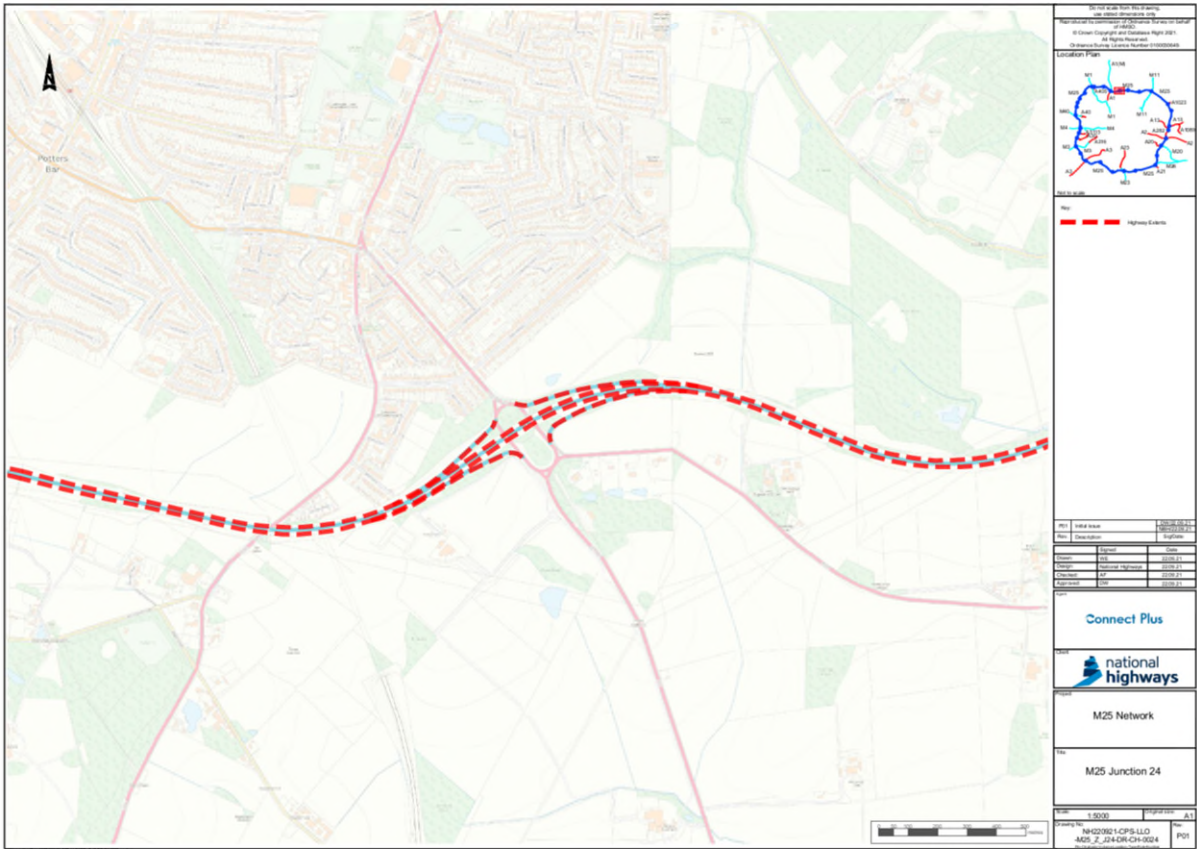
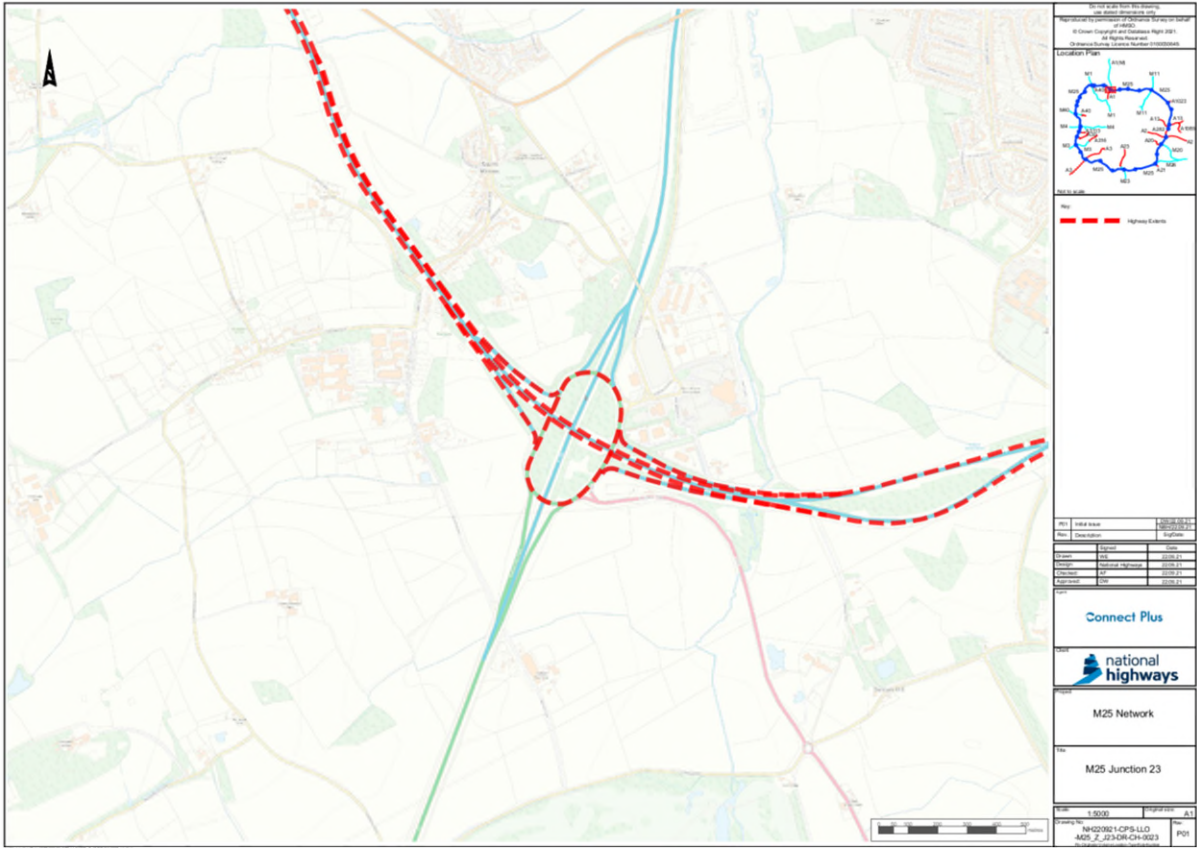


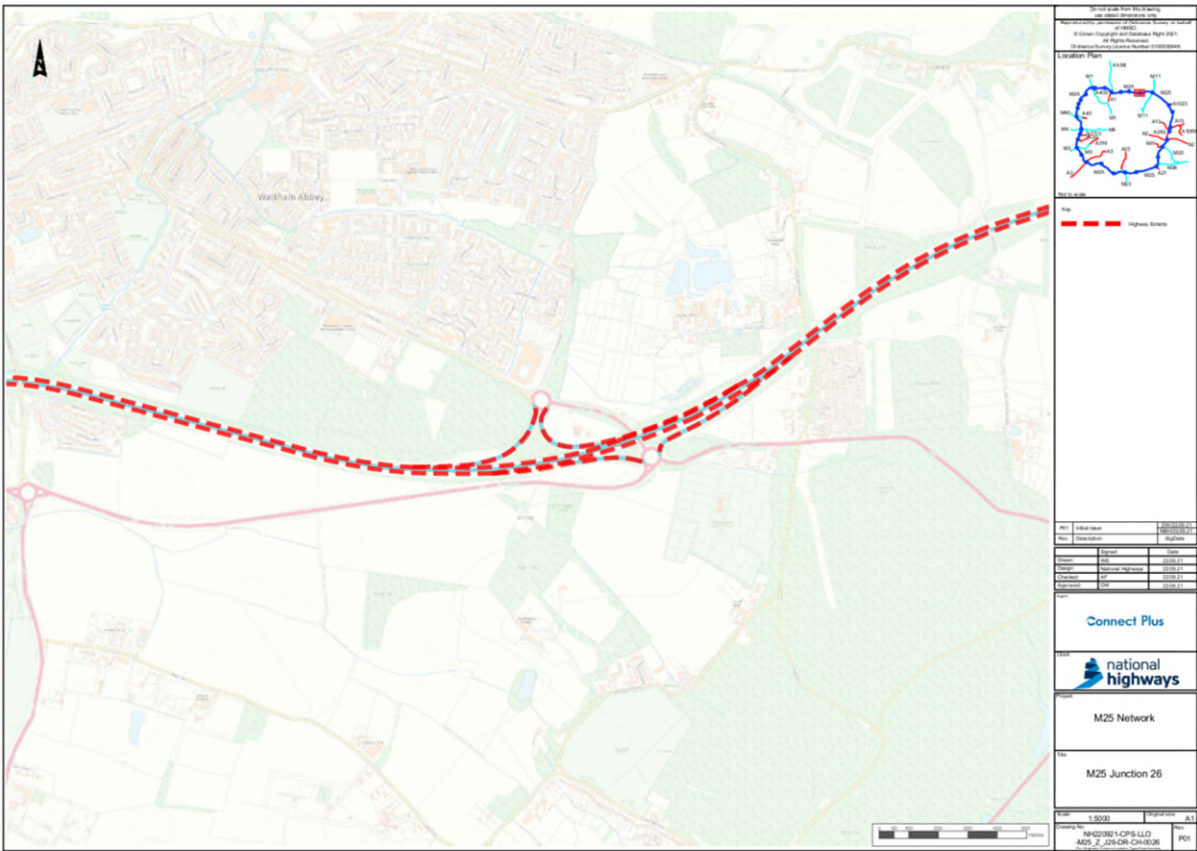
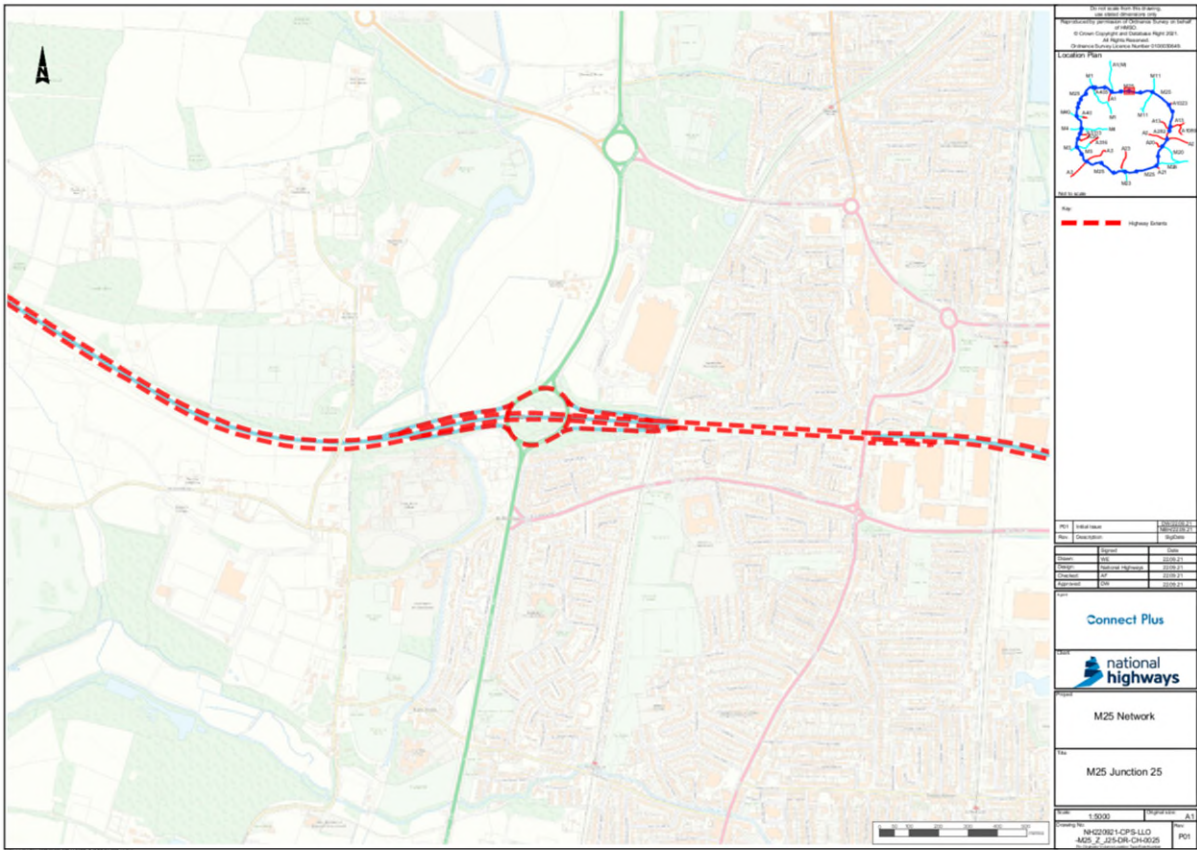


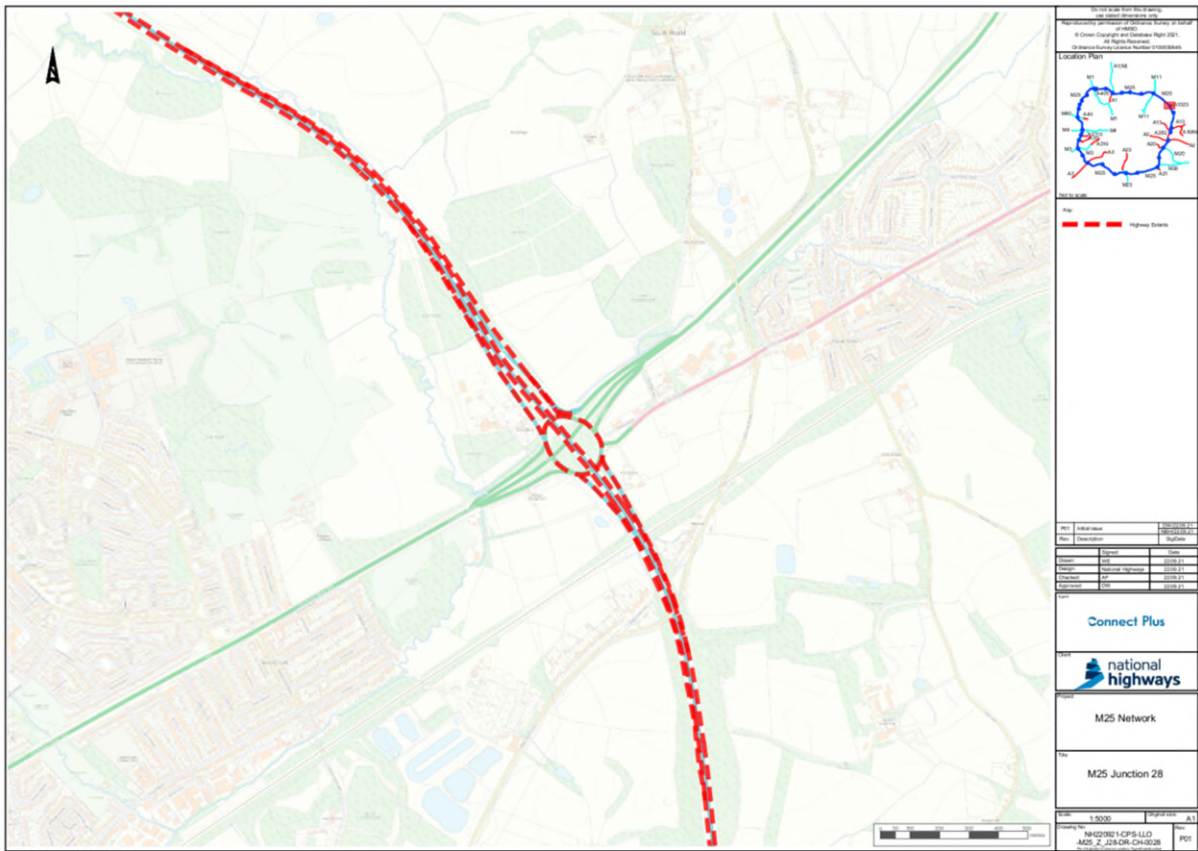
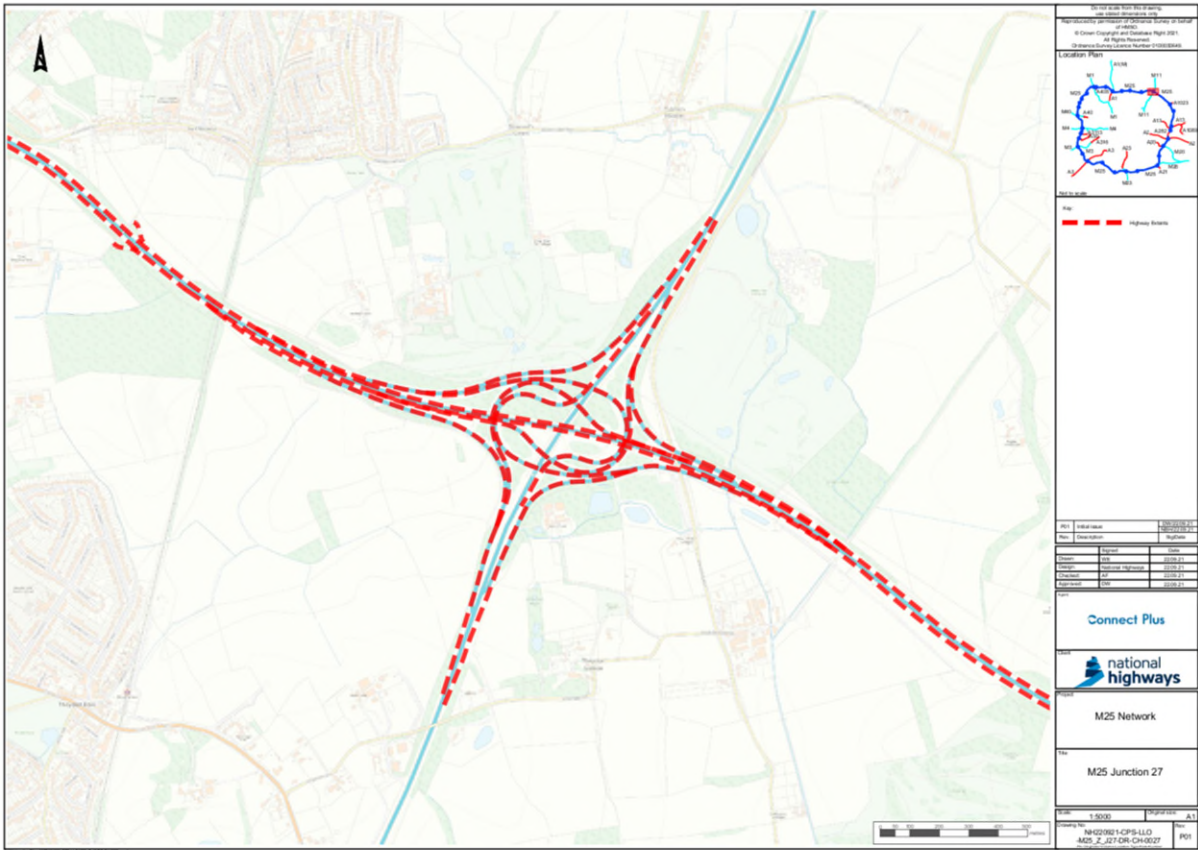


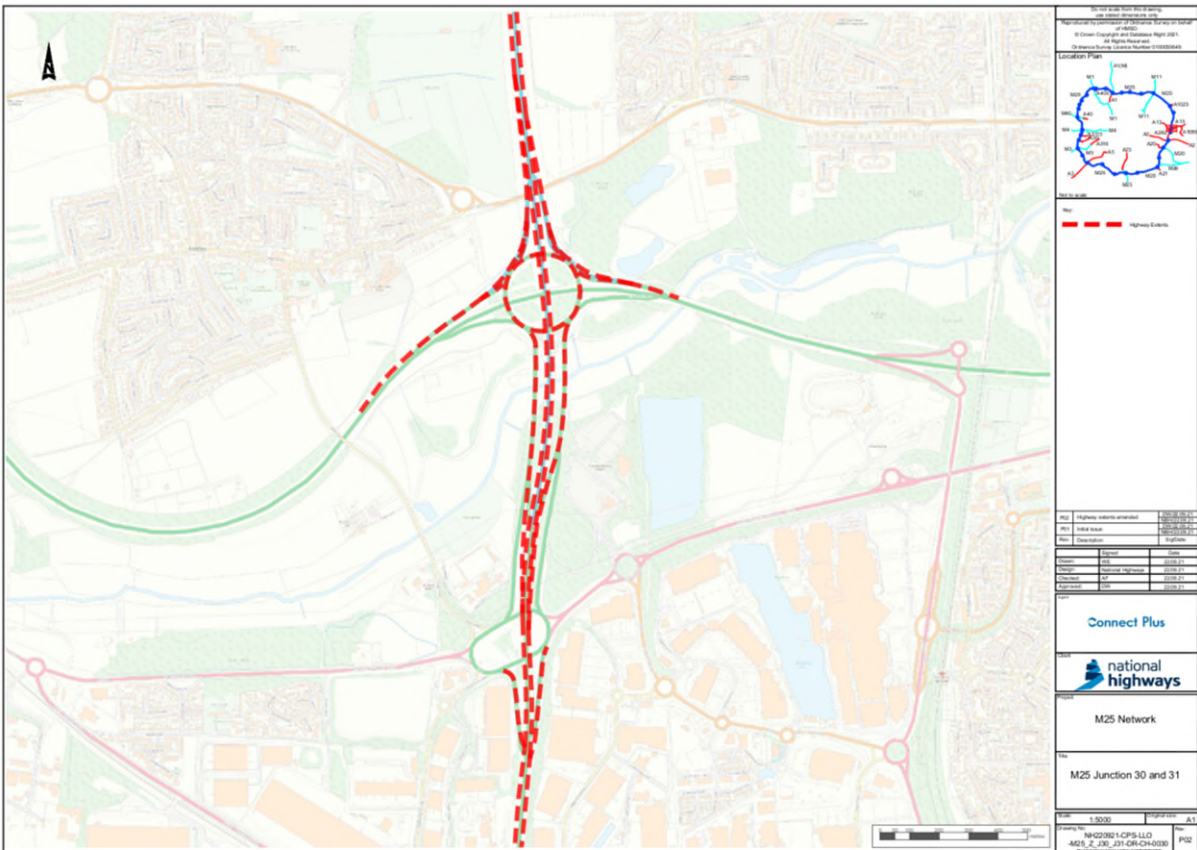
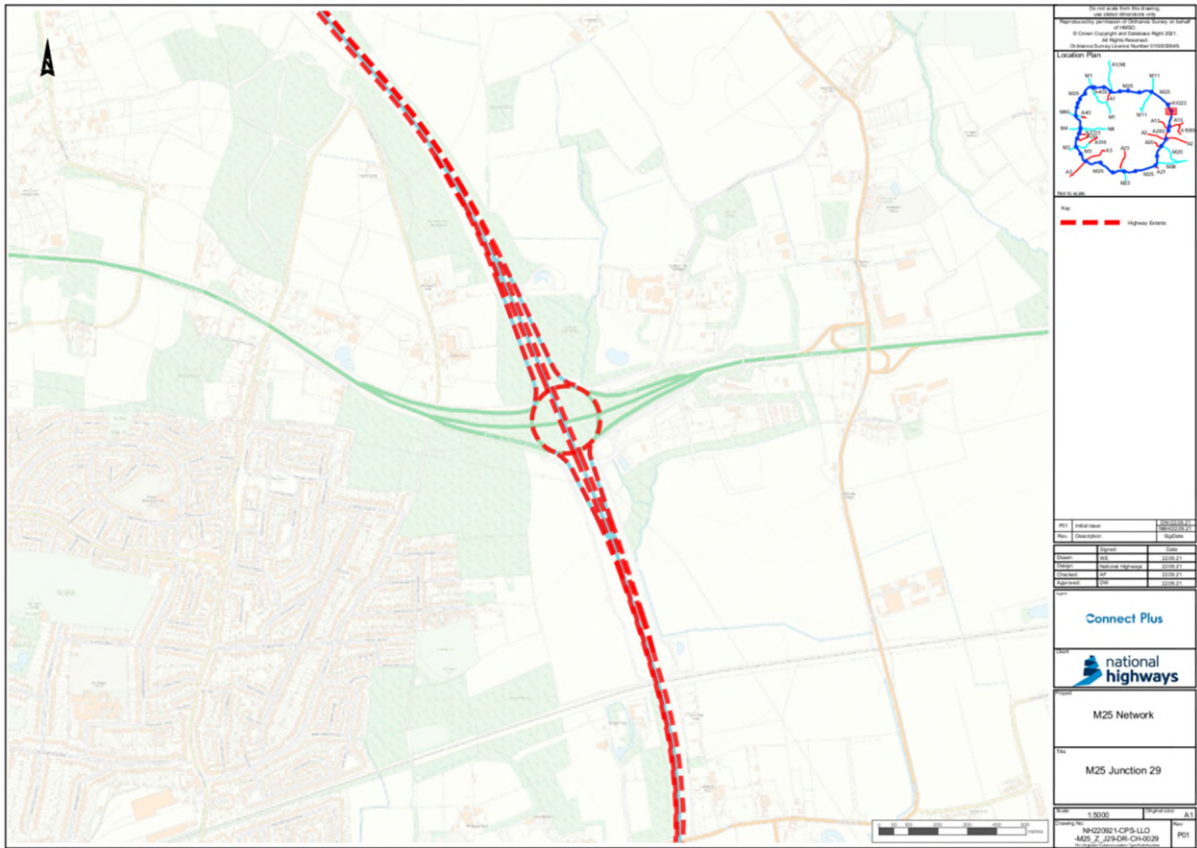






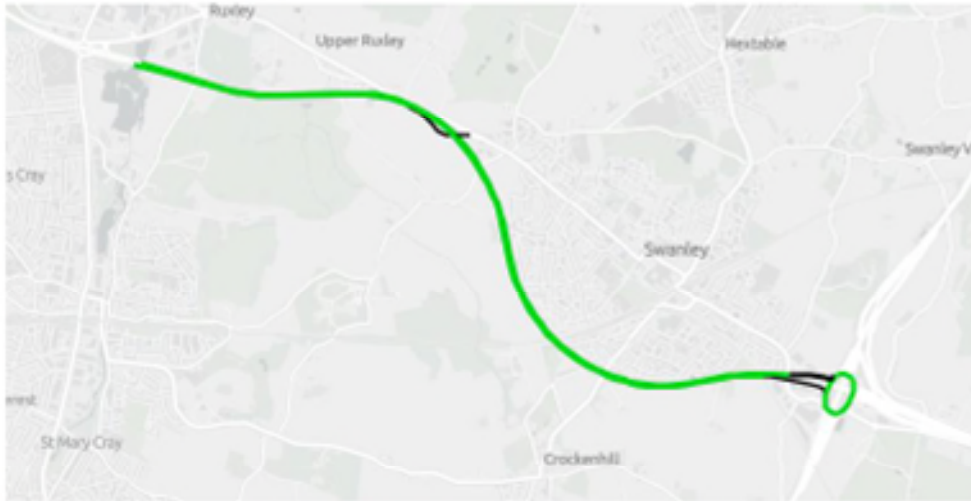




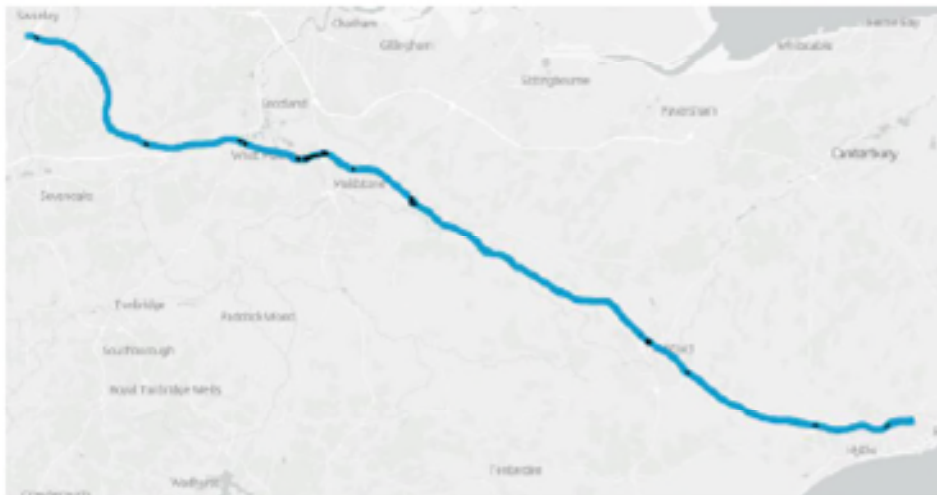


APPENDIX 2

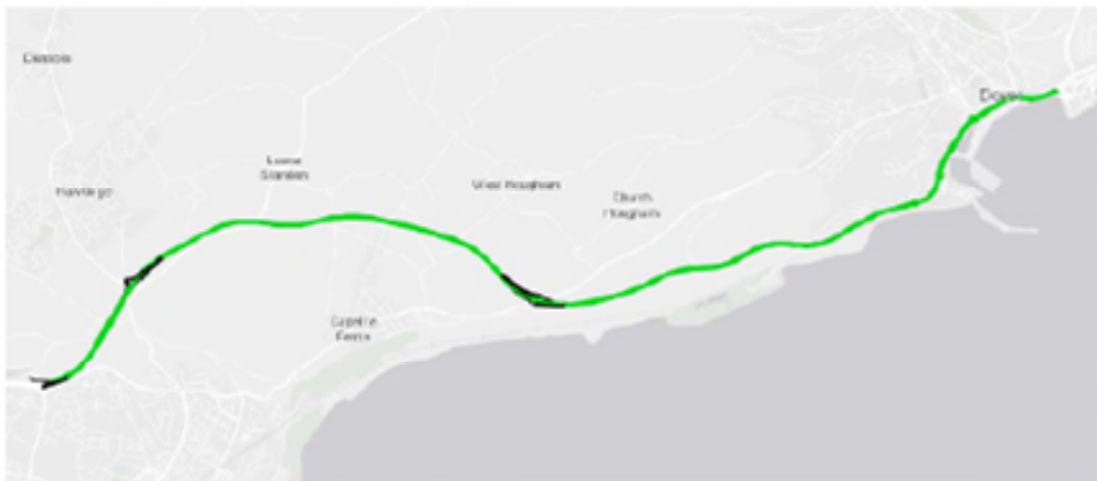
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M20



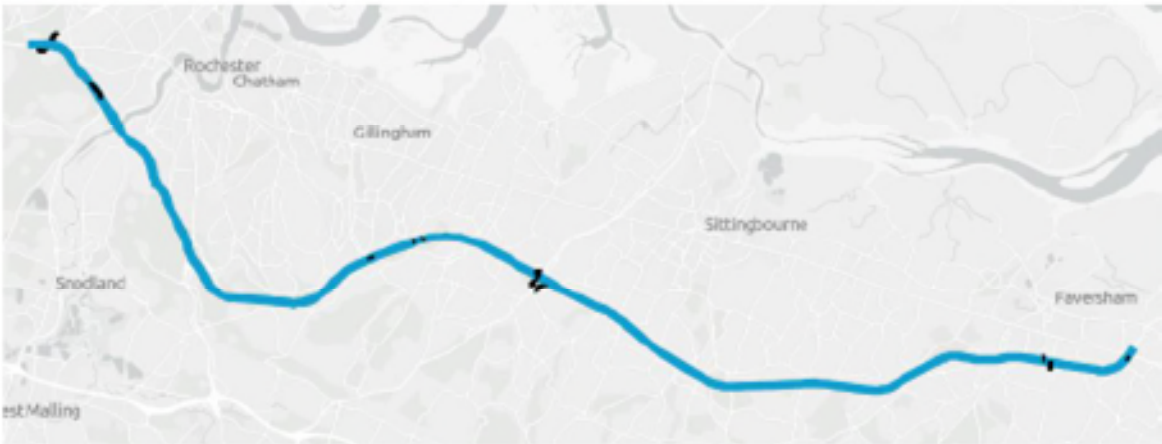
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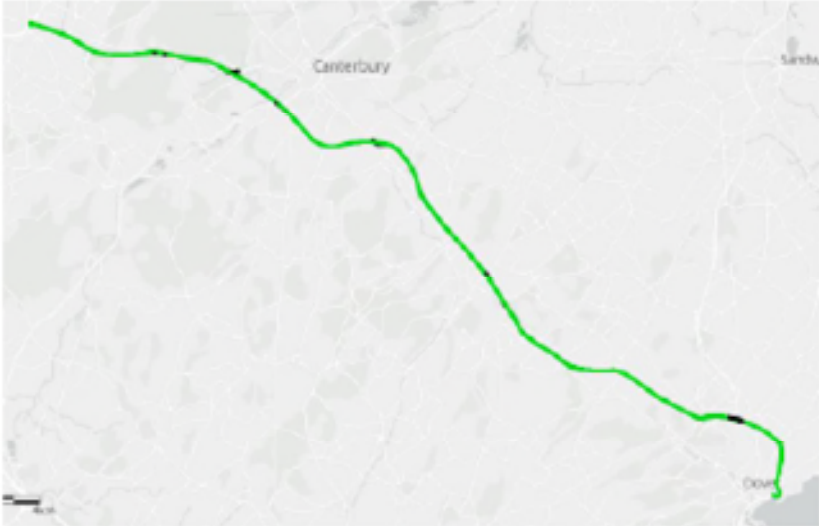
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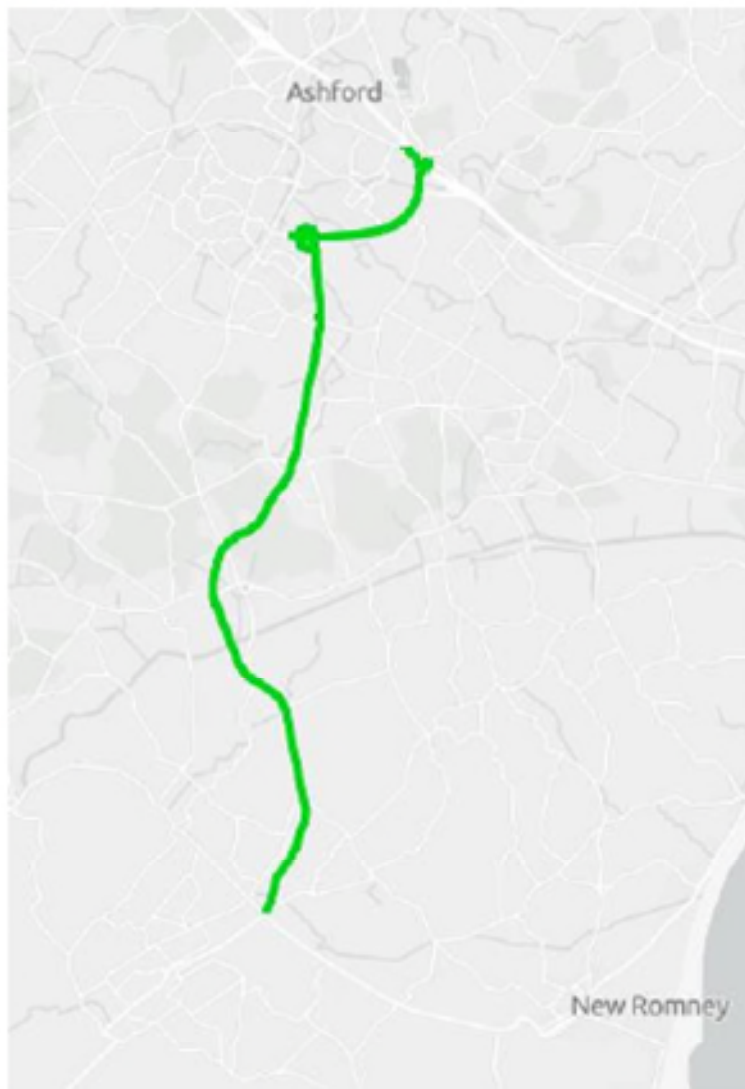
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A2 M2 - Dover Section



A2070

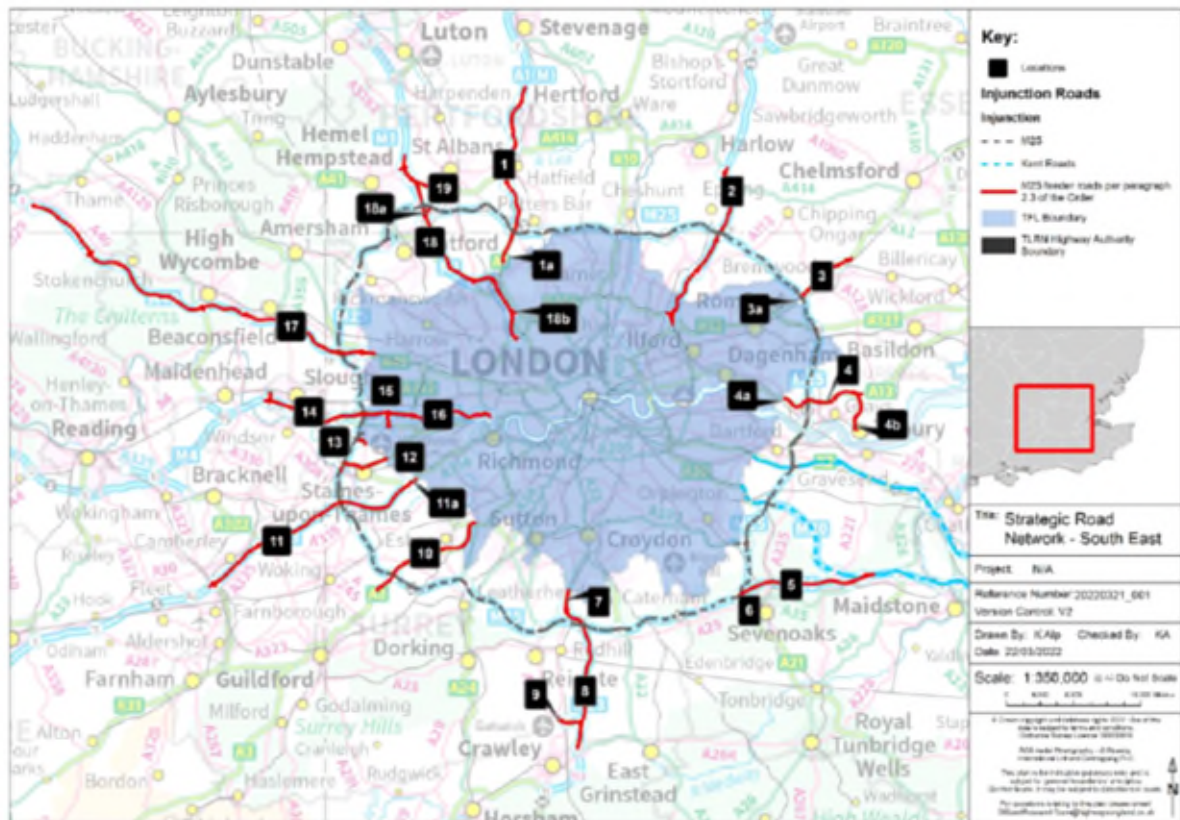


Kent & Surrounding areas SRN



APPENDIX 3

Strategic Road Network – South East



1. A1(M) from Junction 1 to Junction 6

1a. A1 from A1(M) to Rowley Lane

2. M11 from Junction 4 to Junction 7

3. A12 from M25 Junction 28 to A12 Junction 12

3a. A1023 (Brook Street) from M25 Junction 28 roundabout to Brook Street Shell Petrol Station access

4. A13 from M25 Junction 30 to junction with A1089

4a. A13 from junction with A1306 for Wennington to M25 Junction 30

4b. A1089 from junction with A13 to Port of Tilbury entrance

5. M26 (the whole motorway) from M25 to M20
6. A21 from the M25 to B2042
7. A23 from M23 to Star Shaw
8. M23 from Junction 7 to Junction 10 (including M23 Gatwick Spur)
9. A23 between North and South Terminal Roundabouts
10. A3 from A309 to B2039 Ripley Junction
11. M3 from Junction 1 to Junction 4
- 11a. A316 from M3 Junction 1 to Felthamhill Brook
12. A30 from M25 Junction 13 to Harrow Road, Stanwell, Feltham
13. A3113 from M25 Junction 14 to A3044
14. M4 from Junction 4B to Junction 7
15. M4 Spur (whole spur) from M4 Junction 4 to M4 Junction 4a
16. M4 from Junction 1 to Junction 4B
17. M40 from M40 Junction 7 to A40 (Fray's River Bridge)
18. M1 from Junction 1 to Junction 8
- 18a. A405 from M25 Junction 21A to M1 Junction 6
- 18b. A1 from Fiveways Corner roundabout to Hilltop Gardens
19. A414 from M1 Junction 8 to A405

APPENDIX 4

[On the package containing the Court order]

“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 EMAIL NH-INJUNCTIONS@DLAPIPER.COM”

[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 EMAIL: NH-INJUNCTIONS@DLAPIPER.COM”

SCHEDULE 1 – NAMED DEFENDANTS

For the avoidance of doubt, any person who has been a defendant in these proceedings, or who has given undertakings to the Claimant, may nevertheless become Defendant 1 as a person unknown if they commit any of the prohibited acts.

	Name	Address
1.	PERSONS UNKNOWN CAUSING THE BLOCKING OF, OR ENDANGERING, OR OTHERWISE PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25 MOTORWAY, A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY, 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	
2.	Alexander RODGER	
3.	Alyson LEE	
4.	Amy PRITCHARD	
5.	Ana HEYATAWIN	
6.	Not used.	
7.	Anne TAYLOR	
8.	Anthony WHITEHOUSE	
9.	Not used.	
10.	Ben TAYLOR	
11.	Benjamin BUSE	
12.	Not used.	
13.	Cameron FORD	
14.	Catherine RENNIE-NASH	

15.	Catherine EASTBURN	
16.	Christian MURRAY-LESLIE	
17.	Christian ROWE	
18.	Cordelia ROWLATT	
19.	Daniel Lee Charles SARGISON	
20.	Daniel SHAW	
21.	David CRAWFORD	
22.	David JONES	
23.	David NIXON	
24.	David SQUIRE	
25.	Diana Elizabeth BLIGH	
26.	Diana HEKT	
27.	Diana Lewen WARNER	
28.	Donald BELL	
29.	Not used.	
30.	Elizabeth ROSSER	
31.	Emma Joanne SMART	

32.	Gabriella DITTON	
33.	Gregory FREY	
34.	Gwen HARRISON	
35.	Harry BARLOW	
36.	Ian BATES	
37.	Ian Duncan WEBB	
38.	James BRADBURY	
39.	James Malcolm Scott SARGISON	
40.	James THOMAS	
41.	Janet BROWN	
42.	Janine EAGLING	
43.	Jerrard Mark LATIMER	
44.	Jessica CAUSBY	
45.	Jonathan Mark COLEMAN	
46.	Joseph SHEPHERD	
47.	Joshua SMITH	
48.	Judith BRUCE	

49.	Julia MERCER	
50.	Julia SCHOFIELD	
51.	Karen MATTHEWS	
52.	Karen WILDIN	
53.	Liam NORTON	
54.	Louis MCKECHNIE	
55.	Louise Charlotte LANCASTER	
56.	Lucy CRAWFORD	
57.	Mair BAIN	
58.	Margaret MALOWSKA	
59.	Marguerite DOUBLEDAY	
60.	Maria LEE	
61.	Martin John NEWELL	
62.	Mary ADAMS	
63.	Not used.	
64.	Not used.	
65.	Meredith WILLIAMS	

66.	Michael BROWN	
67.	Michael Anthony WILEY	
68.	Michelle CHARLSWORTH	
69.	Not used.	
70.	Nathaniel SQUIRE	
71.	Nicholas COOPER	
72.	Nicholas ONLEY	
73.	Nicholas TILL	
74.	Oliver ROCK	
75.	Paul COOPER	
76.	Paul SHEEKY	
77.	Peter BLENCOWE	
78.	Peter MORGAN	
79.	Philippa CLARKE	
80.	Priyadaka CONWAY	
81.	Richard RAMSDEN	
82.	Rob STUART	
83.	Robin Andrew COLLETT	

84.	Roman Andrzej PALUCH-MACHNIK	
85.	Rosemary WEBSTER	
86.	Rowan TILLY	
87.	Ruth Ann COOK	
88.	Ruth JARMAN	
89.	Sarah HIRONS	
90.	Simon REDING	
91.	Stefania MOROSI	
92.	Stephanie AYLETT	
93.	Stephen Charles GOWER	
94.	Stephen PRITCHARD	
95.	Susan CHAMBERS	
96.	Sue PARFITT	
97.	Sue SPENCER- LONGHURST	
98.	Susan HAGLEY	
99.	Suzie WEBB	

100.	Tessa-Marie BURNS	
101.	Theresa NORTON	
102.	Tim SPEERS	
103.	Tim William HEWES	
104.	Tracey MALLAGHAN	
105.	Not used.	
106.	Venitia CARTER	
107.	Victoria Anne LINSELL	
108.	Not used.	
109.	Bethany MOGIE	
110.	Indigo RUMBELOW	
111.	Not used.	
112.	Ben NEWMAN	
113.	Christopher PARISH	
114.	Elizabeth SMAIL	
115.	Not used.	
116.	Rebecca LOCKYER	

117.	Simon MILNER-EDWARDS	
118.	Stephen BRETT	
119.	Virginia MORRIS	
120.	Andria EFTHIMIOUS-MORDAUNT	
121.	Christopher FORD	
122.	Darcy MITCHELL	
123.	David MANN	
124.	Ellie LITTEN	
125.	Julie MECOLI	
126.	Kai BARTLETT	
127.	Sophie FRANKLIN	
128.	Not used.	
129.	Nicholas BENTLEY	
130.	Nicola STICKELLS	
131.	Mary LIGHT	
132.	David McKENNY	
133.	Giovanna LEWIS	

134.	Margaret REID	
135.	Marcus DECKER	
136.	Morgan TROWLAND	
137.	Abigail PERCY- RADCLIFF	
138.	Alexander WILCOX	
139.	Cressida GETHIAN	
140.	Emma MANI	

SCHEDULE 2

CHIEF CONSTABLES OF THE FORCES OF:

City of London Police

Metropolitan Police Service

Avon and Somerset Constabulary

Bedfordshire Police

Cambridgeshire Constabulary

Cheshire Constabulary

Cleveland Police

Cumbria Constabulary

Derbyshire Constabulary

Devon & Cornwall Police

Dorset Police

Durham Constabulary

Essex Police

Gloucestershire Constabulary

Greater Manchester Police

Hampshire Constabulary

Hertfordshire Constabulary

Humberside Police

Kent Police

Lancashire Constabulary

Leicestershire Police

Lincolnshire Police

Merseyside Police

Norfolk Constabulary

North Yorkshire Police

Northamptonshire Police

Northumbria Police

Nottinghamshire Police

South Yorkshire Police

Staffordshire Police

Suffolk Constabulary

Surrey Police

Sussex Police

Thames Valley Police

Warwickshire Police

West Mercia Police

West Midlands Police

West Yorkshire Police

Wiltshire Police

DEFENDANTS TO BE ADDED TO BENNATHAN ORDER

	Name	Address
135.	Marcus DECKER	
136.	Morgan TROWLAND	
137.	Abigail PERCY- RADCLIFF	
138.	Alexander WILCOX	
139.	Cressida GETHIAN	
140.	Emma MANI	

DEFENDANTS TO BE REMOVED FROM BENNATHAN ORDER

	Name
6.	Andrew Taylor Worsley
9.	Barry Mitchell
12.	Biff Whipster
29.	Edward Leonard Herbert
63.	Matthew Lunnon
64.	Matthew Tulley
69.	Natalie Clare Morley
105.	Valerie Saunders
108.	Xavier Gonzalez Trimmer
111.	Adrian Temple Brown
115.	Julian Maynard Smith
128.	Tony Hill

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

**Before: Mr Justice Lavender
On: 21 September 2021**

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-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
PURPOSE OF PROTESTING**

Defendants

ORDER

PENAL NOTICE

**IF YOU THE WITHIN NAMED DEFENDANTS 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 the Claimant’s claim in trespass, nuisance and under the Highways Act 1980 by Claim Form dated 21 September 2021 (“the Claim”)

AND UPON READING the Claim Form and the supporting evidence

AND UPON hearing Michael Fry and Jonathan Welch, Counsel for the Claimant

AND UPON the Claimant undertaking to pay the relevant court fees and to provide any witness statement(s) supporting the Claim within 48 hours of the sealing of this Order

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 confirming that this Order is not intended to prohibit lawful protest which does not endanger, slow, obstruct, or prevent the free flow of traffic onto or along the M25 motorway nor to prevent lawful use of the M25 by any person

IT IS ORDERED THAT:

1. For the purposes of this Order, the “M25” means the London Orbital Motorway including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges including the Dartford Crossing and Queen Elizabeth II Bridge, and any apparatus related to that motorway.

Injunction in force

2. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 21 March 2022, the Defendants and each of them are forbidden from:

- 2.1 Blocking, endangering, slowing down, preventing, or obstructing the free flow of traffic onto or along or off the M25 for the purposes of protesting.
 - 2.2 Causing damage to the surface of or to any apparatus on or around the M25 including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 2.3 Affixing themselves (“locking on”) to any other person or object on the M25.
 - 2.4 Erecting any structure on the M25.
 - 2.5 Tunnelling in the vicinity of the M25.
 - 2.6 Entering onto the M25 unless in a motor vehicle.
 - 2.7 Abandoning any vehicle or item on the M25 with the intention of causing an obstruction.
 - 2.8 Refusing to leave the area of the M25 when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
 - 2.9 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 2.1 – 2.8 above.
 - 2.10 Continuing any act prohibited by paragraphs 2.1 – 2.9 above.
3. The Claimant shall:
 - 3.1 Place copies of this Order and the Claim Form on the National Highways and Gov.uk website; and
 - 3.2 Send a copy of this Order and the Claim Form to Insulate Britain’s email address: Insulate Britain ring2021@protonmail.com.
 4. For the avoidance of doubt, compliance with paragraph 3 shall not constitute service.

Further directions

5. 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).

6. 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.
7. The Claimant has liberty to apply to extend or vary this Order or for further directions.
8. The return date hearing to be listed for 10.30 am on 5 October 2021 in person.
9. Costs reserved.

Communications with the Claimant

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

FAO Antony Nwanodi
Government Legal Department,
102 Petty France, Westminster,
London SW1H 9GL
E: tony.nwanodi@governmentlegal.gov.uk
T: 020 7210 3424

BY THE COURT

Dated: 21 September 2021

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Before: Mr Justice Cavanagh

On: 24 September 2021

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

-and-

(1) 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 A2070 TRUNK
ROADS AND M2 AND M20 MOTORWAY FOR THE PURPOSE OF
PROTESTING



Defendants

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS 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 the Claimant’s claim in trespass and nuisance by Claim Form dated 24 September 2021 (“the Claim”)

AND UPON READING the Claim Form and the Witness Statement of Nicola Bell dated 24 September 2021

AND UPON hearing Michael Fry and Jonathan Welch, Counsel for the Claimant

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 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 A2, A20, A2070, M2 or M20 nor to prevent lawful use of the A2, A20, A2070, M2 or M20 by any person

IT IS ORDERED THAT:

1. For the purposes of this Order, the A2, A20, A2070, M2 and M20 (together the “Roads”) means the roads identified in the plans annexed to this Order including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges and any apparatus related to that motorway.

Injunction in force

2. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 24 March 2022, the Defendants and each of them are forbidden from:
 - 2.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.

- 2.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.
 - 2.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 2.4 Affixing themselves (“locking on”) to any other person or object on the Roads.
 - 2.5 Erecting any structure on the Roads.
 - 2.6 Tunnelling in the vicinity of the Roads.
 - 2.7 Entering onto the Roads unless in a motor vehicle.
 - 2.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.
 - 2.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
 - 2.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 2.1 – 2.9 above.
 - 2.11 Continuing any act prohibited by paragraphs 2.1 – 2.10 above.
3. The Claimant shall:
 - 3.1 Place copies of this Order and the Claim Form on the National Highways and Gov.uk website; and
 - 3.2 Send a copy of this Order and the Claim Form to Insulate Britain’s email address: Insulate Britain ring2021@protonmail.com.
 4. For the avoidance of doubt, compliance with paragraph 3 shall not constitute service.

Further directions

5. 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).
6. 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.
7. The Claimant has liberty to apply to extend or vary this Order or for further directions.
8. The return date hearing to be listed for 10.30 am on 5 October 2021 in person.
9. Costs reserved.

Communications with the Claimant

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

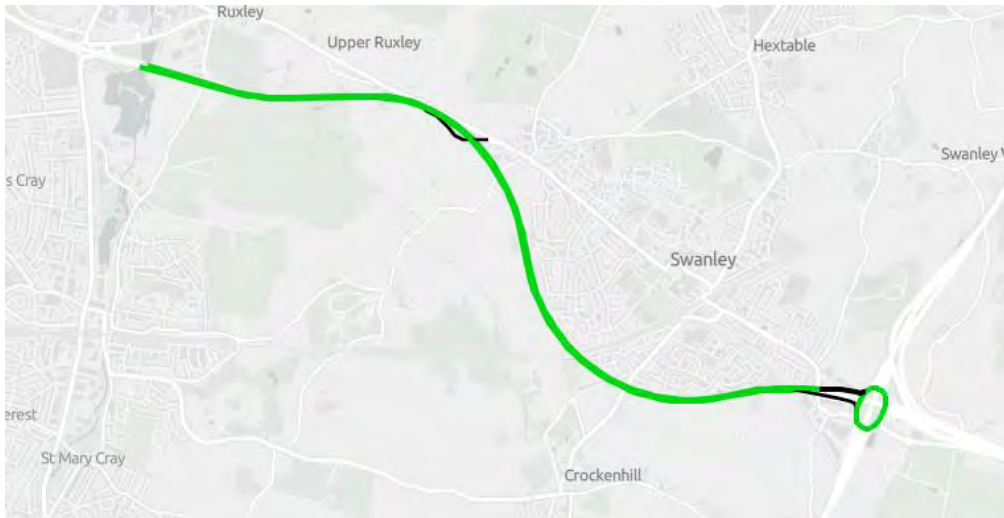
FAO Antony Nwanodi
Government Legal Department,
102 Petty France, Westminster,
London SW1H 9GL
E: tony.nwanodi@governmentlegal.gov.uk
T: 020 7210 3424

BY THE COURT

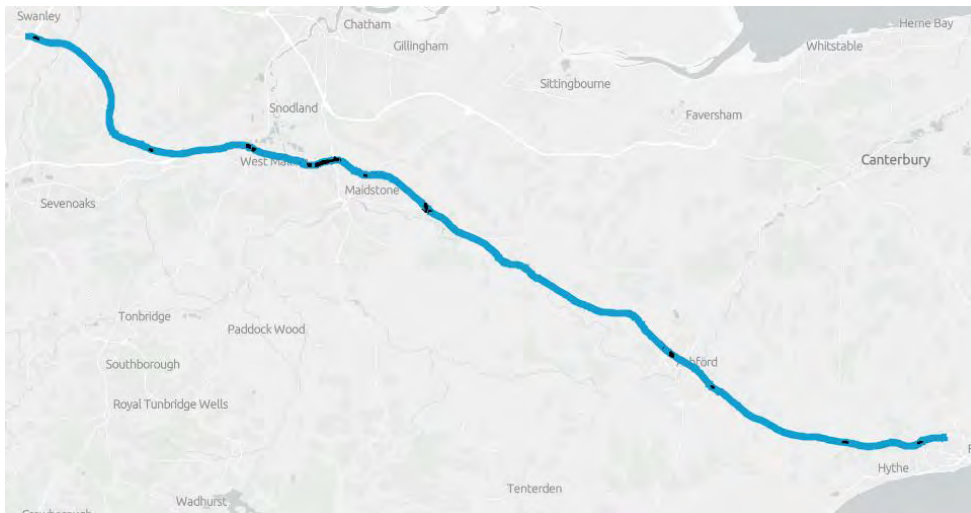
Dated: 24 September 2021

ANNEX TO THE ORDER OF MR JUSTICE CAVANAGH DATED 24 SEPTEMBER 2021

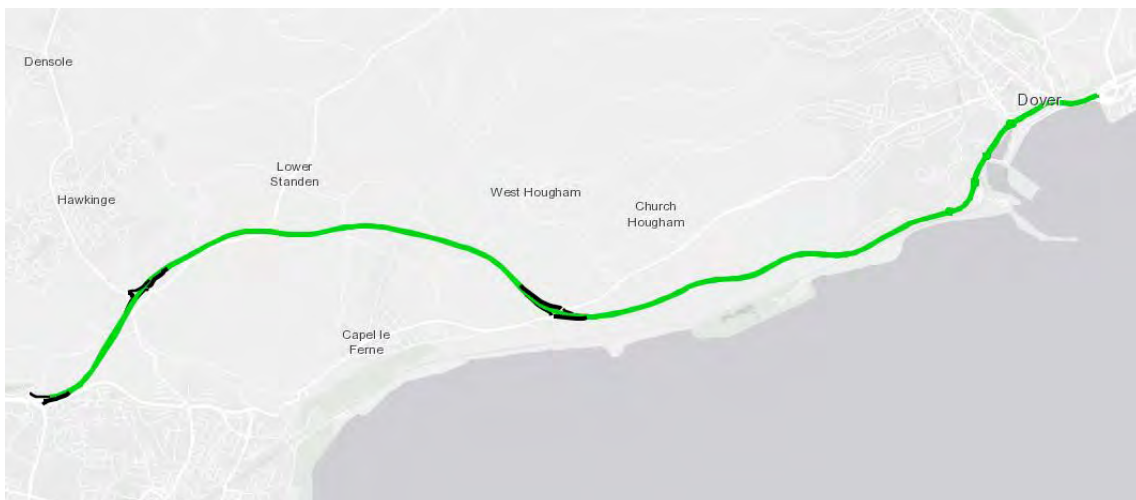
A20 London - M25



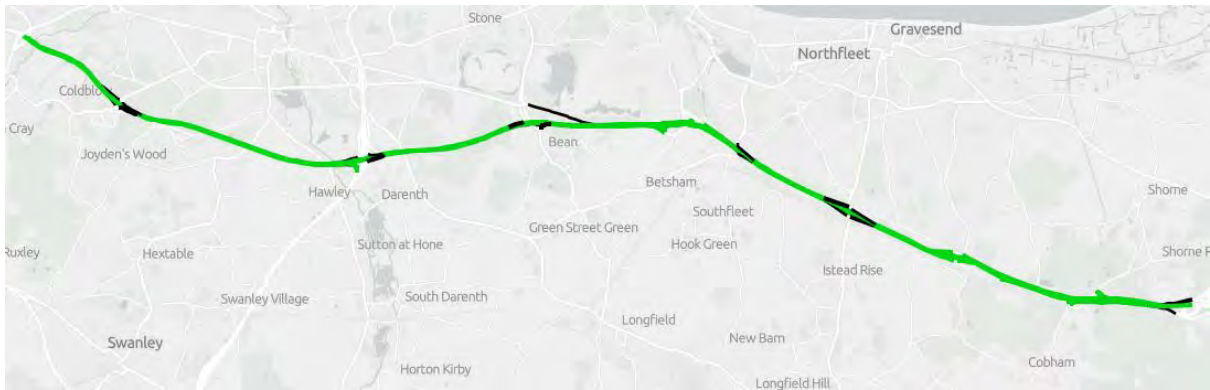
M20



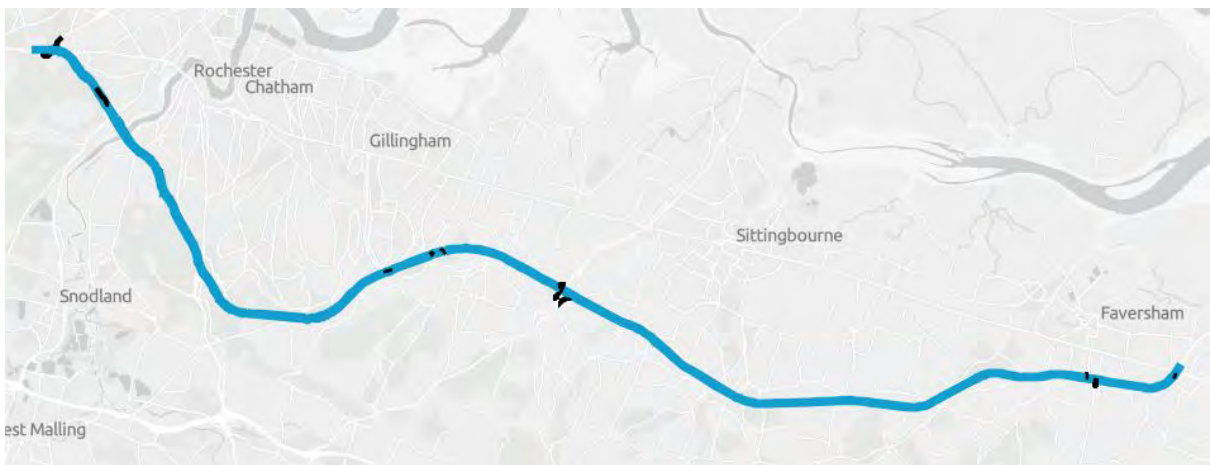
A20 Coast Section



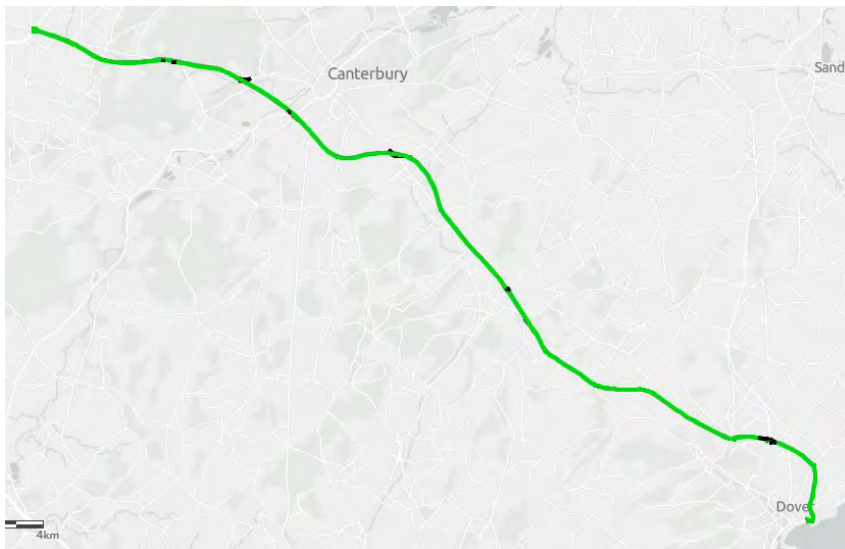
A2 London – M2 Section



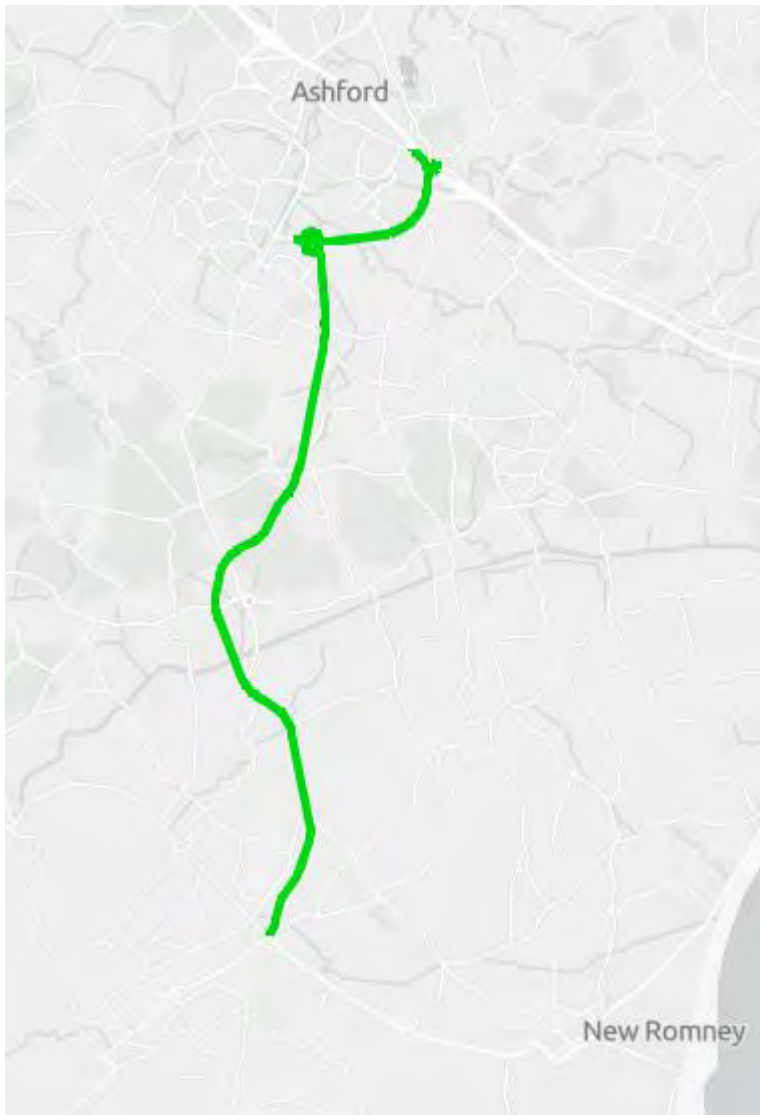
M2



A2 M2 - Dover Section



A2070



Kent & Surrounding areas SRN



IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

Mrs Justice May

B E T W E E N

NATIONAL HIGHWAYS LIMITED

-and-



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 A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY FOR THE PURPOSE OF PROTESTING

Defendant

ORDER

UPON hearing counsel for the Claimant

AND UPON reading the witness statement of Antony Nwanodi on behalf of the Claimant

AND UPON the Claimant making the application for disclosure at the request of the police

AND UPON the Claimant's evidence of the attempts that have been made to effect personal service on the Defendants and the list of those now identified and served.

IT IS ORDERED THAT:-

1. The Defendants whose names appear in the list annexed to this Order shall be joined as named Defendants to these proceedings.

Disclosure

2. The Chief Constables listed in Schedule 1 to this order shall disclose to the Claimant 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 highway referred to in these proceedings.

3. The disclosure of information required by paragraph 2 of this order shall be made by 4pm on 4 October 2021.
4. The Chief Constables listed in Schedule 1 to this Order shall disclose to the Claimant all arrest notes, body cam footage and/or other photographic material relating to possible breaches of the Court Order of 24th September.

Service

5. The Claimant is permitted in addition to personal service to serve the Order of 24th September and the claim form and other documents in these proceedings by all of the following methods together:
 - a. service by email on Insulate Britain; and
 - b. posting a copy of the Order of 24th September 2021 together with a copy of the claim form and evidence in support through the letterbox of each Defendant 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 Court orders and the proceedings 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 Schedule 2]

Costs

6. No order for costs.
7. Permission to apply to vary or discharge this Order on 24 hours' written notice to the Claimant.

Signed:

Dated: 1 October 2021

IN THE HIGH COURT OF JUSTICE
QUEEN’S BENCH DIVISION
B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**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 A2070 TRUNK ROADS
AND M2 AND M20 MOTORWAY FOR THE PURPOSE OF PROTESTING**

Defendants

ANNEXE TO ORDER – NAMED DEFENDANTS

	Name	Address	Surrey Police	Essex Police	Met Police	Hertfords hire Police	Kent Police	Tham es Valle y Police
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 WHITEHO USE	[REDACTED]						
8	Arne Springorum	[REDACTED]						
9	Barry Mitchell	[REDACTED]						
10	Barry Mitchell	[REDACTED]						
11	Ben TAYLOR	[REDACTED]						
12	Benjamin Buse	[REDACTED]						
13	Biff William	[REDACTED]						

	Courtenay Whipster	██████████ ██████████						
14	Cameron FORD	██████████ ██████████ ██████████ ██████████						
15	Catherine RENNIE-NASH	██████████ ██████████ ██████████						
16	Cathy Eastburn	██████████ ██████████ ██████████ ██████████						
17	Christian Murray-Leslie	██████████ ██████████ ██████████ ██████████						
18	Christian Rowe	██████████ ██████████ ██████████ ██████████						
19	Cordelia Rowlatt	██████████ ██████████ ██████████ ██████████ ██████████ ██████████						
20	Daniel Sargison	██████████ ██████████						
21	Daniel Shaw	██████████ ██████████ ██████████ ██████████ ██████████						
22	David CRAWFORD	██████████ ██████████ ██████████						
23	David JONES	██████████ ██████████ ██████████ ██████████ ██████████						

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	██████████ ██████████████████ ██████████████ ██████████████████ ██████████████						
35	Gregory FREY	██████████ ██████████						
36	Gwen HARRISO N	██████████████ ██████████████████ ██████████						
37	Harry Barlow	██████████████ ██████████ ██████████████ ██████████████						
38	Ian Bates	██████████████ ██████████████ ██████████ ██████████████████ ██████████						
39	Ian Duncan Webb	██████████████ ██████████ ██████████████ ██████████						
40	James Bradbury	██████████████ ██████████ ██████████████████ ██████████████ ██████████						
41	James Sargison	██████████ ██████████						
42	James Thomas	██████████ ██████████████ ██████████ ██████████████████ ██████████████ ██████████						
43	Janet Brown	██████████████ ██████████████████ ██████████ ██████████████████ ██████████						

		██████████ ██████████						
44	Janine EAGLING	██████████ ██████████ ██████████						
45	Jerrard Mark Latimer	██████████ ██████████ ██████████ ██████████						
46	Jessica Causby	██████████ ██████████ ██████████ ██████████ ██████████						
47	Jonathan Coleman	██████████ ██████████ ██████████ ██████████						
48	Joseph SHEPHER D	██████████ ██████████ ██████████ ██████████						
49	Joshua Smith	██████████ ██████████ ██████████ ██████████ ██████████						
50	Judith Bruce	██████████ ██████████ ██████████ ██████████ ██████████						
51	Julia Mercer	██████████ ██████████ ██████████ ██████████						
52	Julia Schofield	██████████ ██████████ ██████████ ██████████						
53	Karen Matthews	██████████ ██████████ ██████████ ██████████ ██████████						

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 MALOWS KA	[REDACTED]						
61	Marguerite Dowbleday	[REDACTED]						
62	Maria Lee	[REDACTED]						
63	Martin NEWELL	[REDACTED]						

		██████████ ██████████						
64	Mary Adams	██████████ ██████████ ██████████████████ ██████████ ██████████ ██████████████ ██████████						
65	Martin Lunnon	██████████████ ██████████████ ██████████████ ██████████████ ██████████						
66	Matthew Tulley	██████████████ ██████████████ ██████████████ ██████████████ ██████████						
67	Meredith Williams	██████████████ ██████████████ ██████████████ ██████████████ ██████████						
68	Michael Brown	██████████████ ██████████ ██████████████ ██████████████ ██████████████ ██████████						
69	Michael WILEY	██████████████ ██████████████ ██████████ ██████████████ ██████████████ ██████████						
70	Michelle Charlesworth	██████████████ ██████████ ██████████ ██████████████ ██████████████						
71	Natalie MORLEY	██████████████ ██████████ ██████████████ ██████████████ ██████████████						

72	Nathaniel Squire	██████████ ██████████ ██████████ ██████████						
73	Nicholas Cooper	██████████ ██████████ ██████████						
74	Nicholas ONLEY	██████████ ██████████ ██████████ ██████████ ██████████ ██████████						
75	Nicholas TILL	██████████ ██████████ ██████████						
76	Oliver Rock	██████████ ██████████ ██████████ ██████████ ██████████						
77	Paul Cooper	██████████ ██████████ ██████████ ██████████ ██████████						
78	Paul Sheeky	██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████						
79	Peter BLENCOW E	██████████ ██████████ ██████████ ██████████ ██████████						
80	Peter Morgan	██████████ ██████████ ██████████ ██████████ ██████████						
81	Phillipa CLARKE	██████████ ██████████ ██████████						

		██████████ ██████████						
82	Priyadaka CONWAY	██████████ ██████████ ██████████ ██████████ ██████████						
83	Richard RAMSDEN	██████████ ██████████ ██████████ ██████████						
84	Rob STUART	██████████ ██████████ ██████████ ██████████						
85	Robin COLLETT	██████████ ██████████ ██████████ ██████████						
86	Roman Andrzej Paluch- Machnik	██████████ ██████████ ██████████ ██████████ ██████████						
87	Rosemary Webster	██████████ ██████████ ██████████ ██████████ ██████████						
88	Rowan Tilly	██████████ ██████████ ██████████ ██████████ ██████████						
89	Ruth Ann Cook	██████████ ██████████ ██████████ ██████████ ██████████						
90	Ruth Jarman	██████████ ██████████ ██████████ ██████████ ██████████ ██████████						

91	Sarah Hirons	[REDACTED]						
92	Serena Schellenber g	[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	Teresa NORTON	[REDACTED]						
106	Tim Speers	[REDACTED]						
107	Tim William Hewes	[REDACTED]						
108	Tracey Mallaghan	[REDACTED]						
109	Tryrone Hodge	[REDACTED]						

11 0	Valeria SAUNDER S	██████████ ██████████ ██████████ ██████████ ██████████						
11 1	Venitia CARTER	██████████ ██████████ ██████████ ██████████ ██████████						
11 2	Victoria Anne Lindsell	██████████ ██████████ ██████████						
11 3	Xabier GONZALE Z TRIMMER	██████████ ██████████ ██████████						

Schedule 1

Those not opposing this order include:

1. The Chief Constable of Kent Police.

Schedule 2

[On the package containing the Court order and 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 [XXXXXX]”

[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 [XXXXXX]”

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

Mrs Justice May

B E T W E E N

NATIONAL HIGHWAYS LIMITED

-and-



**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 PURPOSE OF
PROTESTING**

ORDER

UPON hearing counsel for the Claimant

AND UPON reading the witness statement of Antony Nwanodi on behalf of the Claimant

AND UPON the Claimant making the application for disclosure at the request of the police

AND UPON the Claimant's evidence of the attempts that have been made to effect personal service on the Defendants and the list of those now identified and served.

IT IS ORDERED THAT:-

1. The Defendants whose names appear in the list annexed to this Order shall be joined as named Defendants to these proceedings.

Disclosure

2. The Chief Constables listed in Schedule 1 to this order shall disclose to the Claimant 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 highway referred to in these proceedings.

3. The disclosure of information required by paragraph 2 of this order shall be made by 4pm on 4 October 2021.
4. The Chief Constables listed in Schedule 1 to this Order shall disclose to the Claimant all arrest notes, body cam footage and/or other photographic material relating to possible breaches of the Court Order of 21st September.

Service

5. The Claimant is permitted in addition to personal service to serve the Order of 21st September and the claim form and other documents in these proceedings by all of the following methods together:
 - a. service by email on Insulate Britain; and
 - b. posting a copy of the Order of 24th September 2021 together with a copy of the claim form and evidence in support through the letterbox of each Defendant 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 Court orders and the proceedings 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 Schedule 2]
6. No order for costs.
7. Permission to apply to vary or discharge this Order on 24 hours' written notice to the Claimant.

Signed:

Dated: 1 October 2021

IN THE HIGH COURT OF JUSTICE

QUEEN’S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

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 PURPOSE OF PROTESTING

ANNEXE TO ORDER – NAMED DEFENDANTS

	Name	Address	Surrey Police	Essex Police	Met Police	Hertfords hire Police	Kent Police	Thames Valley Police
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 WHITEHO USE	[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	Cathy 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 CRAWFOR D	[REDACTED]	
23	David JONES	[REDACTED]	
24	David Nixon	[REDACTED]	
25	David Squire	[REDACTED]	

		██████████ ██████████	
26	Diana Bligh	██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████	
27	Diana Hekt	██████████ ██████████ ██████████ ██████████ ██████████	
28	Diana Lewen Warner	██████████ ██████████ ██████████ ██████████ ██████████	
29	Donald BELL	██████████ ██████████ ██████████	
30	Edward HERBERT	██████████ ██████████ ██████████ ██████████ ██████████	
31	Elizabeth Rosser	██████████ ██████████ ██████████ ██████████ ██████████ ██████████	
32	Emily Brockleban k	██████████ ██████████ ██████████ ██████████ ██████████	
33	Emma Joanne Smart	██████████ ██████████ ██████████	
34	Gabriella Ditton	██████████ ██████████ ██████████ ██████████	

		██████████ ██████████	
35	Gregory FREY	██████████ ██████████	
36	Gwen HARRISON	██████████ ██████████ ██████████	
37	Harry Barlow	██████████ ██████████ ██████████ ██████████	
38	Ian Bates	██████████ ██████████ ██████████ ██████████	
39	Ian Duncan Webb	██████████ ██████████ ██████████	
40	James Bradbury	██████████ ██████████ ██████████ ██████████	
41	James Sargison	██████████ ██████████	
42	James Thomas	██████████ ██████████ ██████████ ██████████	
43	Janet Brown	██████████ ██████████ ██████████ ██████████ ██████████ ██████████	
44	Janine EAGLING	██████████ ██████████ ██████████	

45	Jerrard Mark Latimer	██████ ██████████ ██████████████ ██████████████
46	Jessica Causby	██████████████ ██████████ ██████████ ██████████████ ██████
47	Jonathan Coleman	██████████ ██████████ ██████████ ██████████
48	Joseph SHEPHER D	██████████ ██████████ ██████████████ ██████████████ ██████████
49	Joshua Smith	██████████████ ██████████ ██████████ ██████████████ ██████
50	Judith Bruce	██████████████ ██████████ ██████████████ ██████████████ ██████
51	Julia Mercer	██████████ ██████████ ██████████ ██████████
52	Julia Schofield	██████████████ ██████████████ ██████████████ ██████████
53	Karen Matthews	██████████████ ██████████ ██████████████ ██████ ██████████████ ██████████
54	Karen Wildin	██████████████ ██████████████ ██████████████ ██████████

55	Liam Norton	[REDACTED]	
56	Louis McKechnie	[REDACTED]	
57	Louise Charlotte Lancaster	[REDACTED]	
58	Lucy Crawford	[REDACTED]	
59	Mair Bain	[REDACTED]	
60	Margaret MALOWS KA	[REDACTED]	
61	Marguerite Dowbleday	[REDACTED]	
62	Maria Lee	[REDACTED]	
63	Martin NEWELL	[REDACTED]	




64	Mary Adams	██████████ ██████████ ██████████████████ ██████████ ██████████ ██████████████ ██████████	
65	Martin Lunnon	██████████████ ██████████████ ██████████ ██████████████ ██████████	
66	Matthew Tulley	██████████████ ██████████████ ██████████████ ██████████████ ██████████	
67	Meredith Williams	██████████████ ██████████████ ██████████ ██████████	
68	Michael Brown	██████████████ ██████████ ██████████████ ██████████ ██████████████ ██████████	
69	Michael WILEY	██████████████ ██████████████ ██████████ ██████████████ ██████████████ ██████████	
70	Michelle Charlesworth	██████████████ ██████████ ██████████ ██████████████ ██████████████	
71	Natalie MORLEY	██████████████ ██████████ ██████████████ ██████████████ ██████████████	
72	Nathaniel Squire	██████████████ ██████████████ ██████████ ██████████████ ██████████	

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 BLENCOW E	[REDACTED]	
80	Peter Morgan	[REDACTED]	
81	Phillipa CLARKE	[REDACTED]	
82	Priyadaka CONWAY	[REDACTED]	

83	Richard RAMSDEN	██████████ ██████████ ██████████ ██████████	
84	Rob STUART	██████████ ██████████ ██████████ ██████████	
85	Robin COLLETT	██████████ ██████████ ██████████ ██████████	
86	Roman Andrzej Paluch- Machnik	██████████ ██████████ ██████████ ██████████ ██████████	
87	Rosemary Webster	██████████ ██████████ ██████████ ██████████ ██████████	
88	Rowan Tilly	██████████ ██████████ ██████████ ██████████ ██████████	
89	Ruth Ann Cook	██████████ ██████████ ██████████ ██████████ ██████████	
90	Ruth Jarman	██████████ ██████████ ██████████ ██████████ ██████████ ██████████	
91	Sarah Hirons	██████████ ██████████ ██████████ ██████████ ██████████	
92	Serena Schellenber g	██████████ ██████████ ██████████ ██████████	

		██████████ X ██████████	
93	Simon REDING	██████████ ██████████ ██████████ ██████████ ██████████	
94	Stefania MOROSI	██████████ ██████████ ██████████ ██████████ ██████████	
95	Stephanie AYLETT	██████████ ██████████ ██████████ ██████████	
96	Stephen Gower	██████████ ██████████ ██████████ ██████████ ██████████	
97	Stephen Pritchard	██████████ ██████████ ██████████ ██████████ ██████████ ██████████	
98	Sue Chambers	██████████ ██████████ ██████████ ██████████ ██████████	
99	Sue Parfitt	██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████	
10 0	Sue Spencer- Longhurst	██████████ ██████████ ██████████	
10 1	Susan HAGLEY	██████████ ██████████ ██████████ ██████████ ██████████	

10 2	Suzie WEBB	[REDACTED]	
10 3	Tam Millar	[REDACTED]	
10 4	Tessa-Marie Burns	[REDACTED]	
10 5	Teresa NORTON	[REDACTED]	
10 6	Tim Speers	[REDACTED]	
10 7	Tim William Hewes	[REDACTED]	
10 8	Tracey Mallaghan	[REDACTED]	
10 9	Tryrone Hodge	[REDACTED]	
11 0	Valeria SAUNDER S	[REDACTED]	

11 1	Venitia CARTER								
11 2	Victoria Anne Lindsell								
11 3	Xabier GONZALE Z TRIMMER								

Schedule 1

Those not opposing this order include:

1. The Commissioner of Police of the Metropolis
of New Scotland Yard, Victoria Embankment, SW1A 2JL
2. The Chief Constables of Hertfordshire, Essex,
Kent, Surrey, Thames Valley

Schedule 2

[On the package containing the Court order and 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 [XXXXXX]”

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IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Before: The Honourable Mr Justice Holgate

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

(1) 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

(2) MR ALEXANDER RODGER AND 112 OTHERS

Defendants



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 HEARING the Claimant's out of hours application in trespass and nuisance by Claim Form dated 1 October 2021 ("the Claim")

AND UPON READING the Claim Form and the Witness Statements of Nicola Bell

dated 1 October 2021 and the statements of Dhiresh Bhatt and Robert Bell dated 2 October 2021

AND UPON the Claimant undertaking to file the claim and application, and the note of this hearing, and pay the relevant court fees within 24 hours of the sealing of this Order

AND UPON hearing Leading Counsel for the Claimant

AND UPON the Claimant undertaking that it will provide to the Defendants copies of further evidence or other documents filed in these proceedings upon request, including the Claimant's note of this hearing, 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 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 A1(M) (Junction 1 to Junction 6), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A13 (M25 Junction 30 to A1089), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8) and A414 (M1 Junction 8 to A405).

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 A1(M) (Junction 1 to Junction 6), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A13 (M25 Junction 30 to A1089), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray’s River Bridge), M1 (Junction 1 to Junction 8) and A414 (M1 Junction 8 to A405) (together “the Roads”) means the Roads identified by the descriptions and plan annexed to this Order (Annex 2) including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges, including any roundabouts for access to and from the Roads, and any apparatus related to those Roads.
3. The Claimant has permission to amend the claim form and the notice of application to more accurately describe the Roads.

Injunction in force

4. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 24 March 2022, the Defendants and each of them are forbidden from:
 - 4.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.
 - 4.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.

- 4.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 4.4 Affixing themselves (“locking on”) to any other person or object on the Roads.
 - 4.5 Erecting any structure on the Roads.
 - 4.6 Tunnelling in the vicinity of the Roads.
 - 4.7 Entering onto the Roads unless in a motor vehicle.
 - 4.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.
 - 4.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
 - 4.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 4.1 – 4.9 above.
 - 4.11 Continuing any act prohibited by paragraphs 4.1 – 4.10 above.
5. The Claimant shall:
 - 5.1 Place copies of this Order and the Claim Form on the National Highways and Gov.uk website; and
 - 5.2 Send a copy of this Order and the Claim Form to Insulate Britain’s email address: Insulate Britain ring2021@protonmail.com.
 6. For the avoidance of doubt, compliance with paragraph 5 shall not constitute service.

Alternative Service

7. The Claimant is permitted in addition to personal service to serve this Order and the claim form and other documents in these proceedings both of the following methods together:
 - 7.1 Service of the sealed Order on Insulate Britain by email; and
 - 7.2 posting a copy of this Order together with a copy of the claim form and evidence in support 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 this Order and the proceedings 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 Schedule 1.

Further directions

8. 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).
9. 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.
10. The Claimant has permission to apply to extend or vary this Order or for further directions.
11. The return date hearing to be listed for 10.30 am on 12 October 2021 in person. Time estimate 2-3 hours. Any party disagreeing with the time estimate should notify the Court as soon as possible.

12. Any Defendant who proposes to attend and oppose the order on the return date shall file a skeleton argument and any evidence to be relied upon by no later than 10 am on 11 October 2021.

13. Costs reserved.

Communications with the Claimant

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

FAO Antony Nwanodi
Government Legal Department,
102 Petty France, Westminster,
London SW1H 9GL
E: tony.nwanodi@governmentlegal.gov.uk
T: 020 7210 3424

BY THE COURT

Sir David

Holgate

Dated: 2 October 2021

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

(1) 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

(2) MR ALEXANDER RODGER AND 112 OTHERS

Defendants

ANNEXE 1 TO ORDER – NAMED DEFENDANTS

	Name	Address	Surrey Police	Essex Police	Met Police	Hertfordshire Police	Kent Police	Thames Valley Police
1								
2								
3								

4	Ana Heyata win	
5	Andrew Worsley	
6	Anne Taylor	
7	Anthony WHITE HOUSE	
8	Arne Springorum	
9	Barry Mitchell	
10	Barry Mitchell	
11	Ben TAYLOR R	
12	Benjamin Buse	

13	Biff William Courten ay Whipst er	
14	Camero n FORD	
15	Catheri ne RENNI E- NASH	
16	Cathy Eastbur n	
17	Christia n Murray- Leslie	
18	Christia n Rowe	
19	Cordeli a Rowlatt	
20	Daniel Sargiso n	
21	Daniel Shaw	
22	David CRAW FORD	

23	David JONES	
24	David Nixon	
25	David Squire	
26	Diana Bligh	
27	Diana Hekt	
28	Diana Lewen Warner	
29	Donald BELL	
30	Edward HERBE RT	
31	Elizabet h Rosser	

32	Emily Brocklebank	
33	Emma Joanne Smart	
34	Gabriella Ditton	
35	Gregory FREY	
36	Gwen HARRISON	
37	Harry Barlow	
38	Ian Bates	
39	Ian Duncan Webb	
40	James Bradbury	
41	James Sargison	
42	James Thomas	

43	Janet Brown	
44	Janine EAGLING	
45	Jerrard Mark Latimer	
46	Jessica Causby	
47	Jonathan Coleman	
48	Joseph SHEPHERD	
49	Joshua Smith	
50	Judith Bruce	
51	Julia Mercer	
52	Julia Schofield	

53	Karen Matthe ws	
54	Karen Wildin	
55	Liam Norton	
56	Louis McKec hnie	
57	Louise Charlott e Lancast er	
58	Lucy Crawfor d	
59	Mair Bain	
60	Margar et MALO WSKA	
61	Margue rite Dowble day	
62	Maria Lee	

63	Martin NEWEL L	
64	Mary Adams	
65	Martin Lunnon	
66	Matthe w Tulley	
67	Meredi h William s	
68	Michael Brown	
69	Michael WILEY	
70	Michell e Charles worth	

71	Natalie MORLE Y	
72	Nathani el Squire	
73	Nichola s Cooper	
74	Nichola s ONLEY	
75	Nichola s TILL	
76	Oliver Rock	
77	Paul Cooper	
78	Paul Sheeky	
79	Peter BLENC OWE	

80	Peter Morgan	
81	Phillipa CLARK E	
82	Priyada ka CONW AY	
83	Richard RAMS DEN	
84	Rob STUAR T	
85	Robin COLLE TT	
86	Roman Andrzej Paluch- Machni k	
87	Rosem ary Webste r	
88	Rowan Tilly	
89	Ruth Ann Cook	

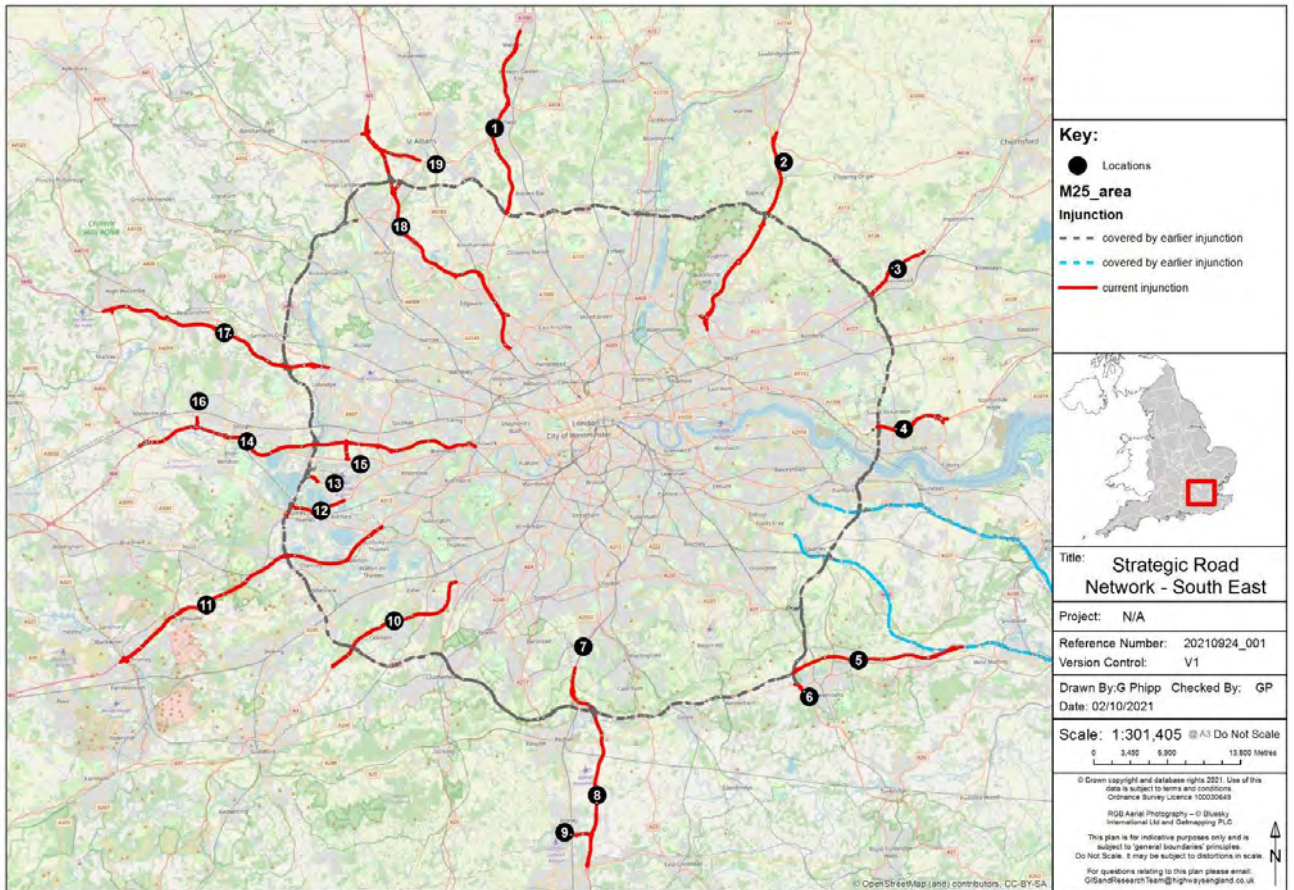
90	Ruth Jarman	
91	Sarah Hirons	
92	Serena Schellenberg	
93	Simon REDING	
94	Stefania MOROSI	
95	Stephanie AYLETT	
96	Stephen Gower	
97	Stephen Pritchard	
98	Sue Chambers	

99	Sue Parfitt	
100	Sue Spence r- Longhurst	
101	Susan HAGLEY	
102	Suzie WEBB	
103	Tam Millar	
104	Tessa- Marie Burns	
105	Teresa NORTON	
106	Tim Speers	
107	Tim William Hewes	
108	Tracey Mallaghan	

109	Tryrone Hodge	
110	Valeria SAUND ERS	
111	Venitia CARTE R	
112	Victoria Anne Lindsell	
113	Xabier GONZA LEZ TRIMM ER	

ANNEX 2

Plan and description of the Roads covered by this Order



- 1.A1(M) from Junction 1 to Junction 6
- 2.M11 from Junction 4 to Junction 7
- 3.A12 from M25 Junction 28 to A12 Junction 12
- 4.A13 from M25 Junction 30 to A1089
- 5.M26 (the whole motorway) from M25 to M20
- 6.A21 from the M25 to B2042
- 7.A23 from M23 to Star Shaw
- 8.M23 from Junction 7 to Junction 10 (including M23 Gatwick Spur)
- 9.A23 between North and South Terminal Roundabouts
- 10.A3 from A309 to B2039 Ripley Junction
- 11.M3 from Junction 1 to Junction 4
- 12.A30 from M25 Junction 13 to Harrow Road, Stanwell, Feltham
- 13.A3113 from M25 Junction 14 to A3044
- 14.M4 from Junction 4B to Junction 7
- 15.M4 Spur (whole spur) from M4 Junction 4 to M4 Junction 4a
- 16.M4 from Junction 1 to Junction 4B
- 17.M40 from M40 Junction 7 to A40 (Fray's River Bridge)
- 18.M1 from Junction 1 to Junction 8
- 19.A414 from M1 Junction 8 to A405

SCHEDULE 1

[On the package containing the Court order and 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 - Antony Nwanodi, Government Legal Department, Tel: 020 7210 3424”

[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 - Antony Nwanodi, Government Legal Department, Tel: 020 7210 3424”

IN THE HIGH COURT OF JUSTICE Claims nos. QB-2021-003576 & 003626
QUEEN'S BENCH DIVISION
Before the Honourable Mr Justice Lavender
5 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) MR ALEXANDER RODGER AND 112 OTHERS



Defendants

ORDER

UPON HEARING leading and junior counsel for the Claimant, there being no attendance by any Defendants.

AND UPON the grant of urgent interim injunctions on 21 September 2021 by Lavender J (QB-2021-003576) and on 24 September by Cavanagh J (QB-2021-003626) (“the September Orders”) and the listing of a return date hearing for the September Orders on 5 October 2021 before Lavender J.

AND UPON considering the two Orders granted by May J on 1 October 2021 (and sealed on 4 October 2021) joining Defendants to these proceedings, ordering the disclosure of information and permitting alternative service of the September Orders.

AND UPON reading the documents filed with the Court.

IT IS ORDERED THAT:

1. The return date hearing for the September Orders be adjourned to 12 October 2021 and listed together with the return date hearing for the Order made by Holgate J on 2 October 2021.

2. Time be extended for service of the particulars of claim in these two claims to 26 March 2021.
3. Paragraph 5(b) in the Order of May J of 1 October 2021 in QB-2021-003576 is amended to substitute “21st September” in place of the reference to “24th September”.
4. The Claimant has permission to serve a notice of change of solicitor in addition to other methods of service under CPR Part 6.20 in accordance with the alternative method of service prescribed in paragraph 5 of the Orders of May J dated 1 October 2021.

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

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

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

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

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

114	Bethany MOGIE	
115	Indigo RUMBELOW	

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*]”

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Before the Honourable Mr Justice Lavender
19 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 123 OTHERS

Defendants

ORDER

UPON the court requesting that the Claimant attend for the return date hearing of the claim by Transport for London ("**TfL**") for an injunction granted by May J on an interim basis on 8 October 2021 ("**the TfL Claim**")

UPON reading the Witness Statement of Nicola Bell dated 18 October 2021, and the Claimant's skeleton argument

AND UPON hearing Counsel for the Claimant

IT IS ORDERED THAT:

1. Claim Nos. **QB-2021-003576, 003626 and 003737** and the TfL Claim shall proceed and be heard together.
2. The Claimant has permission to amend the Schedule of Defendants to join additional Named Defendants listed at Annex A to this Order, as Defendants 116 – 124.
3. With regard to disclosure:
 - 3.1 The Chief Constables listed at paragraph 3.3 below (in addition to those already under the duty pursuant to the Lavender J 12 October Order) 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.
 - 3.2 The duty to disclose the matters specified in paragraph 3.1 shall continue until 5pm on 30 November 2021, unless extended by further order.
 - 3.3 The duty to disclose shall apply to the following persons: the Chief Constables of Hampshire, Sussex and Bedfordshire.
4. 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.
5. The Claimant shall:
 - 5.1 Place copies of this Order on the National Highways and Gov.uk websites;
 - 5.2 Send a copy of this Order to Insulate Britain's email address: Insulate Britain ring2021@protonmail.com.

6. The Claimant is permitted to serve this order, in addition to other methods of service applicable under CPR Part 6.20, by:

6.1 sending it by email to Insulate Britain; and

6.2 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.

Further directions

7. 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).

8. 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.

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

10. Costs reserved.

Communications with the Claimant

11. 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: 19 October 2021

ANNEX A**SCHEDULE 1 – NAMED DEFENDANTS (AS AMENDED 14.10.21)**

	Name	Address
1	Alexander RODGER	
2	Alyson LEE	
3	Amy PRITCHARD	
4	Ana HEYATAWIN	
5	Andrew WORSLEY	
6	Anne TAYLOR	
7	Anthony WHITEHOUSE	
8	Arne SPRINGORUM	
9	Barry MITCHELL	S
10	Barry MITCHELL	S
11	Ben TAYLOR	
12	Benjamin BUSE	7
13	Biff William Courtenay WHIPSTER	
14	Cameron FORD	
15	Catherine RENNIE- NASH	
16	Catherine EASTBURN	

17	Christian MURRAY-LESLIE	
18	Christian ROWE	
19	Cordelia ROWLATT	
20	Daniel SARGISON	
21	Daniel SHAW	J
22	David CRAWFORD	
23	David JONES	
24	David NIXON	
25	David SQUIRE	
26	Diana BLIGH	PL
27	Diana HEKT	
28	Diana Lewen WARNER	
29	Donald BELL	
30	Edward HERBERT	
31	Elizabeth ROSSER	an
32	Emily BROCKLEBANK	
33	Emma Joanne SMART	
34	Gabriella DITTON	
35	Gregory FREY	

36	Gwen HARRISON	
37	Harry BARLOW	
38	Ian BATES	
39	Ian Duncan WEBB	
40	James BRADBURY	
41	James SARGISON	
42	James THOMAS	
43	Janet BROWN	
44	Janine EAGLING	
45	Jerrard Mark LATIMER	
46	Jessica CAUSBY	
47	Jonathan COLEMAN	
48	Joseph SHEPHERD	
49	Joshua SMITH	
50	Judith BRUCE	
51	Julia MERCER	
52	Julia SCHOFIELD	
53	Karen MATTHEWS	
54	Karen WILDIN	

55	Liam NORTON	
56	Louis MCKECHNIE	
57	Louise Charlotte LANCASTER	
58	Lucy CRAWFORD	
59	Mair BAIN	
60	Margaret MALOWSKA	
61	Marguerite DOWBLEDAY	
62	Maria LEE	
63	Martin NEWELL	
64	Mary ADAMS	n,
65	Matthew LUNNON	
66	Matthew TULLEY	
67	Meredith WILLIAMS	
68	Michael BROWN	
69	Michael WILEY	
70	Michelle CHARLSWORTH	
71	Natalie MORLEY	
72	Nathaniel SQUIRE	
73	Nicholas COOPER	

74	Nicholas ONLEY	
75	Nicholas TILL	
76	Oliver ROCK	
77	Paul COOPER	
78	Paul SHEEKY	2,
79	Peter BLENCOWE	
80	Peter MORGAN	
81	Phillipa CLARKE	
82	Priyadaka CONWAY	
83	Richard RAMSDEN	
84	Rob STUART	
85	Robin COLLETT	
86	Roman Andrzej PALUCH-MACHNIK	
87	Rosemary WEBSTER	
88	Rowan TILLY	
89	Ruth Ann COOK	PL
90	Ruth JARMAN	
91	Sarah HIRONS	

92	Serena SCHELLENBERG	
93	Simon REDING	
94	Stefania MOROSI	
95	Stephanie AYLETT	
96	Stephen GOWER	
97	Stephen PRITCHARD	
98	Sue CHAMBERS	
99	Sue PARFITT	
100	Sue SPENCER-LONGHURST	
101	Susan HAGLEY	
102	Suzie WEBB	
103	Tam MILLAR	
104	Tessa-Marie BURNS	
105	Theresa NORTON	
106	Tim SPEERS	
107	Tim William HEWES	K
108	Tracey MALLAGHAN	
109	Tyrone HODGE	
110	Valerie SAUNDERS	

111	Venitia CARTER	
112	Victoria Anne LINSELL	
113	Xavier GONZALEZ TRIMMER	
114	Bethany MOGIE	
115	Indigo RUMBELOW	
116	Adrian TEMPLE- BROWN	
117	Ben NEWMAN	
118	Christopher PARISH	
119	Elizabeth SMAIL	e,
120	Julian MAYNARD SMITH	
121	Rebecca LOCKYER	
122	Simon MILNER- EDWARDS	
123	Stephen BRETT	
124	Virginia MORRIS	

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
BEFORE THE HONOURABLE MRS JUSTICE THORNTON DBE
24/11/2021

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 142 OTHERS

Defendants

CONSENT ORDER

UPON the application of the Claimant

AND UPON the Chief Constables for those forces listed in the Schedule to this order having consented to an order being made in the terms set out below

WITHOUT A HEARING

AND BY CONSENT

IT IS ORDERED THAT:

1.
 - 1.1 The Chief Constables for those forces listed in the Schedule to this order shall disclose to the Claimant all of the names and addresses of any person who has been arrested by one of their

officers in the course of, or as a result of, protests on the highway referred to in these proceedings; and

- 1.2 The Chief Constables for those forces listed in the Schedule to this Order shall disclose to the Claimant all arrest notes, body camera footage and/or all other photographic material relating to the possible breaches of the Orders

And those obligations in both paragraphs 1.1 and 1.2 shall continue until the earlier of trial, further order or 23.59 pm on 24 March 2022.

2. The Claimant is to serve this order on the Police Representative named below by email only and on the Defendants by first class post or by email in circumstances where a Defendant has requested email service of documents.
3. No order for costs.
4. Permission to apply to vary or discharge this Order on 24 hours written notice to the Claimant.

Dated 24th November 2021

Schedule

The Chief Constables for the forces of:

City of London Police

Metropolitan Police Service

Avon and Somerset Constabulary

Bedfordshire Police

Cambridgeshire Constabulary

Cheshire Constabulary

Cleveland Police

Cumbria Constabulary

Derbyshire Constabulary

Devon & Cornwall Police

Dorset Police

Durham Constabulary

Essex Police

Gloucestershire Constabulary

Greater Manchester Police

Hampshire Constabulary

Hertfordshire Constabulary

Humberside Police

Kent Police

Lancashire Constabulary

Leicestershire Police

Lincolnshire Police

Merseyside Police

Norfolk Constabulary

North Yorkshire Police

Northamptonshire Police

Northumbria Police

Nottinghamshire Police

South Yorkshire Police

Staffordshire Police

Suffolk Constabulary

Surrey Police

Sussex Police

Thames Valley Police

Warwickshire Police

West Mercia Police

West Midlands Police

West Yorkshire Police

Wiltshire Police

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Before the Honourable Mr Justice Chamberlain
On 17 March 2022

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 142 OTHERS

Defendants

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS OR 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.

FURTHER TO the Orders made in these proceedings by Lavender J on 22 September 2021 (the “**M25 Order**”), Cavanagh J on 24 September 2021 (the “**Kent Roads Order**”) and Holgate J on 4 October 2021 (the “**Feeder Roads Order**”)

AND UPON the Claimant’s application by Application Notice dated 4 March 2022, pursuant to the liberty to apply provisions at paragraph 7 of the M25 and Kent Roads Orders and paragraph 10 of the Feeder Roads Order to extend the duration of the injunctions contained at paragraph 2 of the M25 and Kent Roads Orders and paragraph 4 of the Feeder Roads Order (the “**Extension Application**”)

AND UPON READING the Witness Statement of Robert Shaw dated 4 March 2022, and the Claimant’s skeleton argument.

AND UPON hearing David Elvin QC, Counsel for the Claimant

AND UPON the Court accepting the Claimant’s undertaking 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 renewed 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 Court accepting the Claimant’s renewed 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 confirming that this Order is not intended to prohibit lawful protest which does not endanger, slow, obstruct, prevent or otherwise interfere with the flow of traffic onto off or along the M25, Kent Roads or Feeder Roads nor to

prevent lawful use of the Roads by any person

AND UPON the Claimant confirming that it will file summary judgment applications in respect of Claim Nos. QB-2021-003576, 003626 and 003737 as soon as reasonably practicable

AND UPON the Chief Constables for those forces listed in Schedule 2 to this order having consented to an order being made in the terms set out below

IT IS ORDERED THAT:

Continuation of the M25 Order

1. For the purposes of this Order, the

1.1 M25 means the London Orbital Motorway including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges including the Dartford Crossing and Queen Elizabeth II Bridge, and any apparatus related to that motorway.

1.2 the Kent Roads mean the A2, A20, A2070, M2 and M20 as identified in the plans annexed at Annex A to this Order, including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges and any apparatus related to that motorway;

1.3 the Feeder Roads mean the A1(M) (Junction 1 to Junction 6), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A13 (M25 Junction 30 to A1089), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8) and A414 (M1 Junction 8 to A405) as identified by the descriptions and plan annexed at Annex B to this Order, including but not

limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges, including any roundabouts for access to and from the Feeder Roads, and any apparatus related to those roads.

(together the “**Roads**”).

Continuation of the M25 Order

2. The long-stop date of 21 March 2022 be deleted, and the injunction at paragraph 2 of the M25 Order as set out in full at paragraph 3 below shall continue until 9 May 2022 or further order.

Injunction in force – M25 Order

3. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:
 - 3.1 Blocking, endangering, slowing down, preventing, or obstructing the free flow of traffic onto or along or off the M25 for the purposes of protesting.
 - 3.2 Causing damage to the surface of or to any apparatus on or around the M25 including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 3.3 Affixing themselves (“locking on”) to any other person or object on the M25.
 - 3.4 Erecting any structure on the M25.
 - 3.5 Tunnelling in the vicinity of the M25.
 - 3.6 Entering onto the M25 unless in a motor vehicle.
 - 3.7 Abandoning any vehicle or item on the M25 with the intention of causing an obstruction.
 - 3.8 Refusing to leave the area of the M25 when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.

3.9 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 3.1 – 3.8 above.

3.10 Continuing any act prohibited by paragraphs 3.1 – 3.9 above.

Continuation of the Kent Roads Order

4. The long-stop date of 24 March 2022 be deleted, and the injunction at paragraph 2 of the Kent Roads Order as set out in full at paragraph 5 below shall continue until 9 May 2022 or further order.

Injunction in force - Kent Roads Order

5. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:

5.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.

5.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.

5.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.

5.4 Affixing themselves (“locking on”) to any other person or object on the Roads.

5.5 Erecting any structure on the Roads.

5.6 Tunnelling in the vicinity of the Roads.

5.7 Entering onto the Roads unless in a motor vehicle.

5.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.

- 5.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
- 5.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 5.1 – 5.9 above.
- 5.11 Continuing any act prohibited by paragraphs 5.1 – 5.10 above.

Continuation of the Feeder Roads Order

- 6. The long-stop date of 24 March 2022 be deleted, and the injunction at paragraph 4 of the Feeder Roads Order as set out in full at paragraph 7 below shall continue 9 May 2022 or further order.

Injunction in force – Feeder Roads Order

- 7. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:
 - 7.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.
 - 7.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.
 - 7.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 7.4 Affixing themselves (“locking on”) to any other person or object on the Roads.
 - 7.5 Erecting any structure on the Roads.
 - 7.6 Tunnelling in the vicinity of the Roads.
 - 7.7 Entering onto the Roads unless in a motor vehicle.

- 7.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.
- 7.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
- 7.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 7.1 – 7.9 above.
- 7.11 Continuing any act prohibited by paragraphs 7.1 – 7.10 above.

Alternative Service

- 8. The Claimant is permitted in addition to personal service to serve this Order and other documents in these proceedings by the following three methods:
 - 8.1 placing a copy of this Order on the National Highways website; and
 - 8.2 sending a copy of this Order to Insulate Britain's email addresses: Insulate Britain ring2021@protonmail.com and insulatebritainlegal@protonmail.com; and
 - 8.3 posting a copy of this Order together with covering letter 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 this 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 Notices shall be given in prominent lettering in the form set out in Schedule 1; or
 - 8.4 instead of by post as set out in paragraph 8.3 above, by email in circumstances where a Defendant has requested email service of documents.
- 9. Compliance with paragraph 8 shall constitute service of this Order.

Third-Party Disclosure

10. The disclosure obligations contained in the order of Thornton J dated 24 November 2021, as set out in full at paragraph 11 below, shall be extended to continue until 31 July 2022 or further order.
11. The Chief Constables for those forces listed in the Schedule to this order shall disclose to the Claimant:
 - 11.1 all of the names and addresses of any person who has been arrested by one of their officers in the course of, or as a result of, protests on the highway referred to in these proceedings; and
 - 11.2 all arrest notes, body camera footage and/or all other photographic material relating to possible breaches of the Orders.
12. The Claimant is to serve this order on the Police Representative Assistant Chief Constable Owen Weatherill (owen.weatherill@npocc.police.uk), by email only.

Further directions

13. 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).
14. 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 (to the extent they are not already so named).
15. The Claimant has permission to apply to extend or vary this Order or for further directions.
16. The Claimant is to file its application for summary judgment ("**the Application**") by 4pm on 25 March 2022.
17. The Claimant is to serve the Application and evidence in support thereof on the Defendants by 4pm on 5 April 2022.

18. Any Defendant wishing to file evidence in response to the Application is to file and serve such evidence in response by 4pm on 22 April 2022.
19. The Claimant and any Defendant wishing to file a Skeleton Argument are to file and serve a Skeleton Argument by 4pm on 27 April 2022.
20. The Application is listed for 4-5 May 2022 with a time estimate of 2 days, with 3 May 2022 set aside as a judicial reading day.
21. Costs reserved.

Communications with the Claimant

22. 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

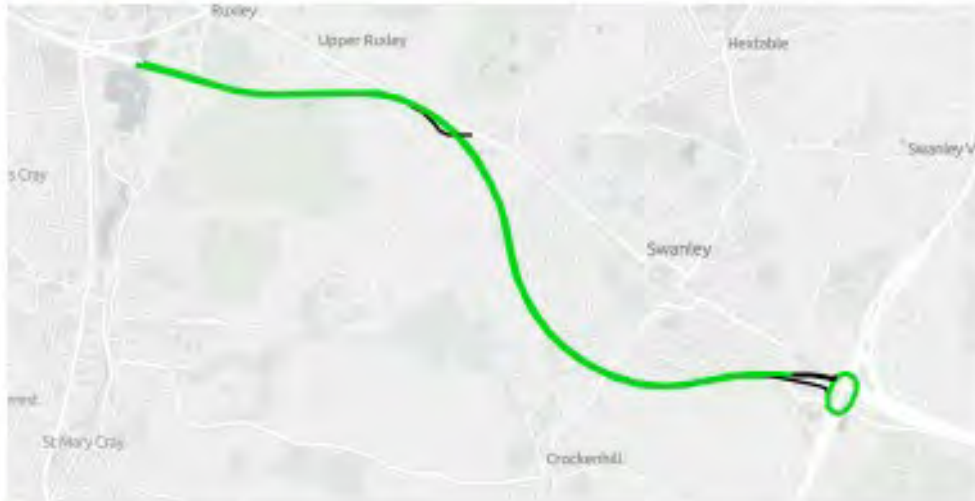
Reference – RXS/366530/107

BY THE COURT

Dated: 18 March 2022

ANNEX A

A20 London - M25



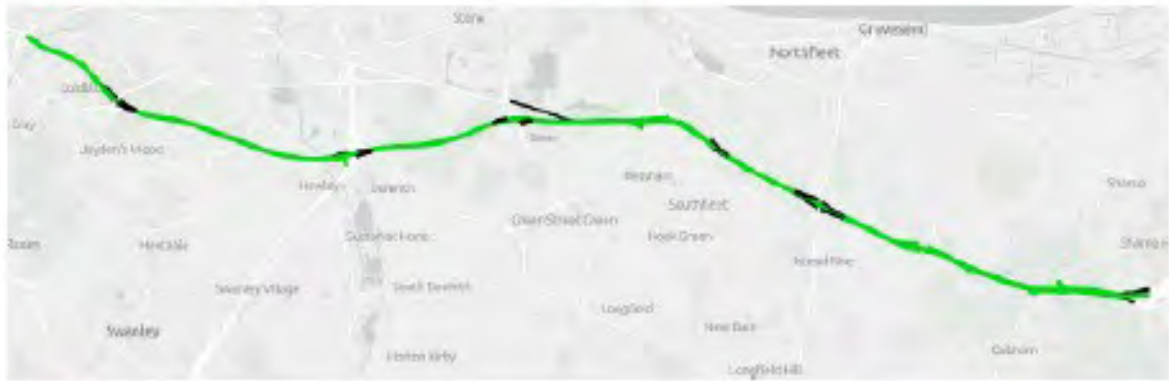
M20



A20 Coast Section



A2 London – M2 Section



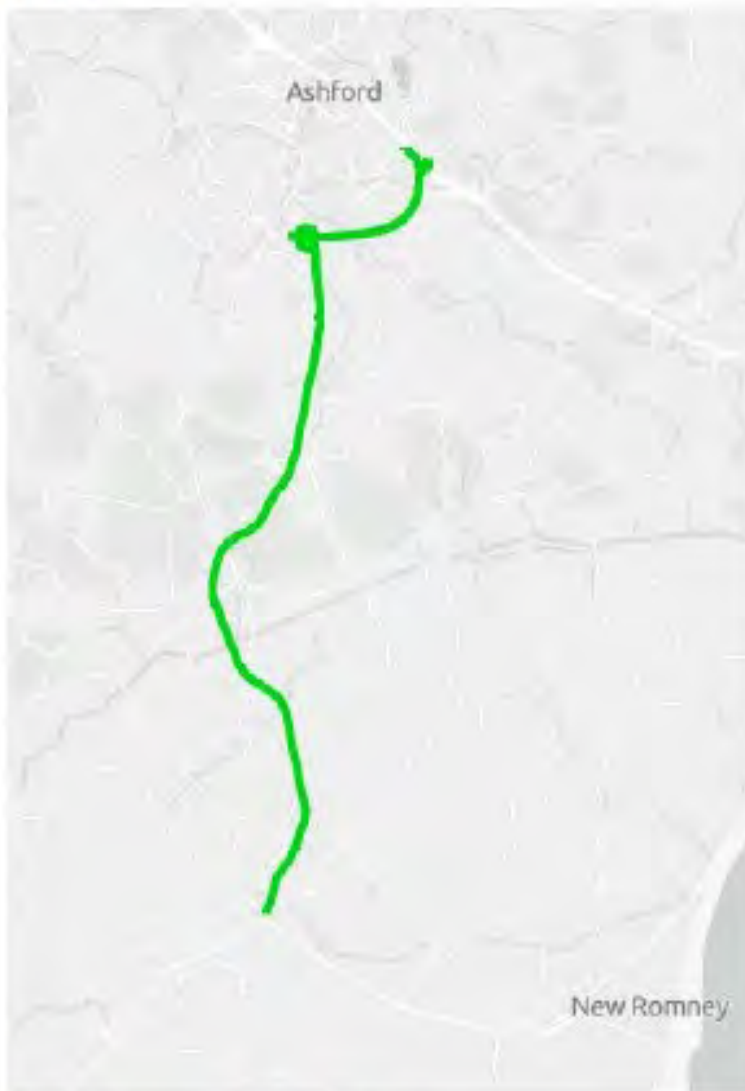
M2



A2 M2 - Dover Section



A2070

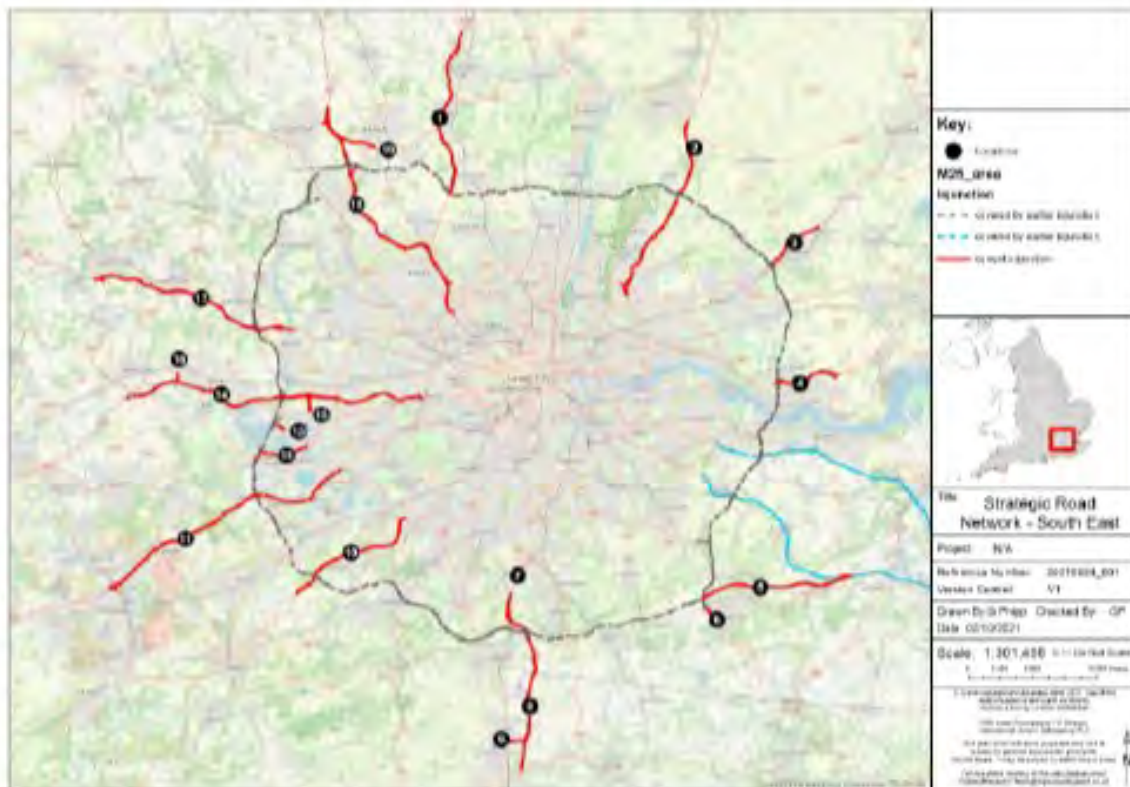


Kent & Surrounding areas SRN



ANNEX B

Plan and description of the Roads covered by this Order



- 1.A1(M) from Junction 1 to Junction 6
- 2.M11 from Junction 4 to Junction 7
- 3.A12 from M25 Junction 28 to A12 Junction 12
- 4.A13 from M25 Junction 30 to A1089
- 5.M26 (the whole motorway) from M25 to M20
- 6.A21 from the M25 to B2042
- 7.A23 from M23 to Star Shaw
- 8.M23 from Junction 7 to Junction 10 (including M23 Gatwick Spur)
- 9.A23 between North and South Terminal Roundabouts
- 10.A3 from A309 to B2039 Ripley Junction
- 11.M3 from Junction 1 to Junction 4
- 12.A30 from M25 Junction 13 to Harrow Road, Stanwell, Feltham
- 13.A3113 from M25 Junction 14 to A3044
- 14.M4 from Junction 4B to Junction 7
- 15.M4 Spur (whole spur) from M4 Junction 4 to M4 Junction 4a
- 16.M4 from Junction 1 to Junction 4B
- 17.M40 from M40 Junction 7 to A40 (Fray's River Bridge)
- 18.M1 from Junction 1 to Junction 8
- 19.A414 from M1 Junction 8 to A405

SCHEDULE 1 - NOTICES

[On the package containing this order]

“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 [XXXXXX]”

[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 [XXXXXX]”

SCHEDULE 2

CHIEF CONSTABLES OF THE FORCES OF:

City of London Police

Metropolitan Police Service

Avon and Somerset Constabulary

Bedfordshire Police

Cambridgeshire Constabulary

Cheshire Constabulary

Cleveland Police

Cumbria Constabulary

Derbyshire Constabulary

Devon & Cornwall Police

Dorset Police

Durham Constabulary

Essex Police

Gloucestershire Constabulary

Greater Manchester Police

Hampshire Constabulary

Hertfordshire Constabulary

Humberside Police

Kent Police

Lancashire Constabulary

Leicestershire Police

Lincolnshire Police

Merseyside Police

Norfolk Constabulary

North Yorkshire Police

Northamptonshire Police

Northumbria Police

Nottinghamshire Police
South Yorkshire Police
Staffordshire Police
Suffolk Constabulary
Surrey Police
Sussex Police
Thames Valley Police
Warwickshire Police
West Mercia Police
West Midlands Police
West Yorkshire Police
Wiltshire Police

SCHEDULE 3 – NAMED DEFENDANTS (AS AT 15.03.2022)

	Name	Address
1.	Alexander RODGER	
2.	Alyson LEE	
3.	Amy PRITCHARD	
4.	Ana HEYATAWIN	
5.	Andrew Taylor WORSLEY	
6.	Anne TAYLOR	
7.	Anthony WHITEHOUSE	
8.	Arne SPRINGORUM	
9.	Barry MITCHELL	
10.	Ben TAYLOR	
11.	Benjamin BUSE	
12.	Biff William Courtenay WHIPSTER	
13.	Cameron FORD	
14.	Catherine RENNIE- NASH	
15.	Catherine EASTBURN	
16.	Christian MURRAY- LESLIE	

17.	Christian ROWE
18.	Cordelia ROWLATT
19.	Daniel Lee Charles SARGISON
20.	Daniel SHAW
21.	David CRAWFORD
22.	David JONES
23.	David NIXON
24.	David SQUIRE
25.	Diana Elizabeth BLIGH
26.	Diana HEKT
27.	Diana Lewen WARNER
28.	Donald BELL
29.	Edward Leonard HERBERT
30.	Elizabeth ROSSER
31.	Emily BROCKLEBANK
32.	Emma Joanne SMART
33.	Gabriella DITTON
34.	Gregory FREY

35.	Gwen HARRISON
36.	Harry BARLOW
37.	Ian BATES
38.	Ian Duncan WEBB
39.	James BRADBURY
40.	James Malcolm Scott SARGISON
41.	James THOMAS
42.	Janet BROWN
43.	Janine EAGLING
44.	Jerrard Mark LATIMER
45.	Jessica CAUSBY
46.	Jonathan Mark COLEMAN
47.	Joseph SHEPHERD
48.	Joshua SMITH
49.	Judith BRUCE
50.	Julia MERCER
51.	Julia SCHOFIELD

52.	Karen MATTHEWS
53.	Karen WILDIN
54.	Liam NORTON
55.	Louis MCKECHNIE
56.	Louise Charlotte LANCASTER
57.	Lucy CRAWFORD
58.	Mair BAIN
59.	Margaret MALOWSKA
60.	Marguerite DOWBLEDAY
61.	Maria LEE
62.	Martin John NEWELL
63.	Mary ADAMS
64.	Matthew LUNNON
65.	Matthew TULLEY
66.	Meredith WILLIAMS
67.	Michael BROWN
68.	Michael Anthony WILEY

69.	Michelle CHARLSWORTH
70.	Natalie Clare MORLEY
71.	Nathaniel SQUIRE
72.	Nicholas COOPER
73.	Nicholas ONLEY
74.	Nicholas TILL
75.	Oliver ROCK
76.	Paul COOPER
77.	Paul SHEEKY
78.	Peter BLENCOWE
79.	Peter MORGAN
80.	Phillipa CLARKE
81.	Priyadaka CONWAY
82.	Richard RAMSDEN
83.	Rob STUART
84.	Robin Andrew COLLETT
85.	Roman Andrzej PALUCH-MACHNIK
86.	Rosemary WEBSTER

87.	Rowan TILLY
88.	Ruth Ann COOK
89.	Ruth JARMAN
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91.	Serena SCHELLENBERG
92.	Simon REDING
93.	Stefania MOROSI
94.	Stephanie AYLETT
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96.	Stephen PRITCHARD
97.	Susan CHAMBERS
98.	Sue PARFITT
99.	Sue SPENCER- LONGHURST
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120.	Simon MILNER- EDWARDS
121.	Stephen BRETT

122.	Virginia MORRIS
123.	Andria EFTHIMIOUS-MORDAUNT
124.	Ben HORTON
125.	Christopher FORD
126.	Darcy MITCHELL
127.	David MANN
128.	Ellie LITTEN
129.	Hannah SHAFER
130.	Jesse LONG
131.	Julie MACOLI
132.	Kai BARTLETT
133.	Marc SABITSKY
134.	Sophie FRANKLIN
135.	Tony HILL
136.	Nicholas BENTLEY
137.	Thomas FRANKE
138.	Nicola STICKELLS

139.	Mary LIGHT
140.	David McKENNY
141.	Giovanna LEWIS
142.	William WRIGHT
143.	Margaret REID

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

BEFORE: MR JUSTICE BENNATHAN

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

-and-



(1) PERSONS UNKNOWN CAUSING THE BLOCKING OF, ENDANGERING OR PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25 MOTORWAY, A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY, A1(M), A3, A12, A13, A21, A23, A30, A414 AND A413 TRUNK ROADS AND THE M1, M3, M4, M4 SPUR, M11, M26, M23 AND M40 MOTORWAYS FOR THE PURPOSE OF PROTESTING

(2) MR ALEXANDER RODGER AND 132 OTHERS

Defendants

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.

UPON the application of the Claimant for summary judgment (“the Application”)

AND UPON hearing Myriam Stacey QC, Admas Habteslasie and Michael Fry for the Claimant, and Owen Greenhall for Jessica Branch being a person who is not a party to the proceedings but who was permitted to make representations pursuant to CPR r. 40.9.

AND UPON the Claimant confirming that this Order is not intended to prohibit lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 4 of this Order (“**the Roads**”).

IT IS ORDERED THAT:

1. The “Named Defendants” are now those Defendants with their numerical designations (e.g. D1, D2 etc.) whose names appear in the revised and re-numbered Schedule 1 annexed to this Order to reflect the Order made at paragraph 8.

2. The “Contemnor Defendants” refers to a sub-set of the Named Defendants, being the Named Defendants who have been found in contempt of Court in these proceedings, namely:
 - 2.1. Ana Heyatawin (D5)
 - 2.2. Ben Taylor (D10)
 - 2.3. Benjamin Buse (D11)
 - 2.4. Biff Whipster (D12)
 - 2.5. Christian Rowe (D17)
 - 2.6. David Nixon (D23)
 - 2.7. Diana Warner (D27)
 - 2.8. Ellie Litten (D124)
 - 2.9. Emma Smart (D31)
 - 2.10. Gabriella Ditton (D32)
 - 2.11. Indigo Rumbelow (D110)
 - 2.12. James Thomas (D40)
 - 2.13. Louis McKechnie (D54)
 - 2.14. Oliver Rock (D74)
 - 2.15. Paul Sheeky (D76)
 - 2.16. Richard Ramsden (D81)
 - 2.17. Roman Paluch-Machnik (D84)
 - 2.18. Ruth Jarman (D88)
 - 2.19. Stephanie Aylett (D92)

- 2.20. Stephen Gower (D93)
 - 2.21. Stephen Pritchard (D94)
 - 2.22. Sue Parfitt (D96)
 - 2.23. Theresa Norton (D101)
 - 2.24. Tim Speers (D102)
3. The term “Defendants” refers to both “persons unknown” as defined as First Defendant in paragraph 6, the Named Defendants, and the Contemnor Defendants.
 4. For the purposes of this Order, “the Roads” shall mean all of the following:
 - 4.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 annexed to this Order.
 - 4.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 annexed to this Order.
 - 4.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25 Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray’s River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 annexed to this Order;

4.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.

Consolidation and Consequential Amendments

5. The three claims (QB-2021-003576, 003626 and 00737) are hereby consolidated.
6. The Claimant has permission to amend the description of the First Defendant in the consolidated claim to:

PERSONS UNKNOWN CAUSING THE BLOCKING OF, ENDANGERING, OR PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25 MOTORWAY, A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY, 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

7. As this is a simple amalgamation of the existing categories of the First Defendants in each of the original claims, the requirements in the CPR to amend other documents in the proceedings and to serve those amended documents on the Defendants is dispensed with.
8. The following defendants are to be removed as defendants:
 - 8.1. Tam Millar
 - 8.2. Hannah Shafer
 - 8.3. Jesse Long
 - 8.4. Thomas Franke
 - 8.5. William Wright
 - 8.6. Arne Springorum
 - 8.7. Ben Horton
 - 8.8. Emily Brocklebank

8.9. Marc Savitsky

8.10. Serena Schellenberg

Injunction in Force

9. The Order of Mr Justice Chamberlain dated 17 March 2022 which continued the M25, Kent Roads and Feeder Roads Orders (“Extension Order”) shall continue and remain in force until 23.59 hrs on 9 June 2022. The Injunctions are not repeated within the body of this Order to avoid confusion. The Extension Order less appendices is appended to this Order at Schedule 2.

Interim Injunction

10. From 10 June 2022 and until 23.59 hrs on 9 May 2023 or until further Order the Defendants (excluding the Contemnor Defendants) and each of them are forbidden from:

- 10.1. Blocking, or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, tunnelling within 25m of the Roads, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.

- 10.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.

- 10.3 Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

Final Injunction

11. From 10 June 2022 until 23.59 hrs on 9 May 2023 the Contemnor Defendants and each of them are forbidden from:

- 11.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, tunnelling within 25m of

the Roads, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.

11.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.

11.3 Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

Alternative service

12. The Claimant is permitted in addition to personal service to serve this Order on Named Defendants by the following methods together:

12.1. service of the sealed Order on Insulate Britain by email to their known email addresses insulatebritainlegal@protonmail.com and ring2021@protonmail.com; and

12.2. posting a copy of this Order through the letterbox of each Named Defendant (or leaving it 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 this 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 Notices shall be given in prominent lettering in the form set out in Appendix 4.

13. The Claimants are directed to take the following steps to publicise the existence of this Order:

13.1. Placing copies of the Order on the National Highways website;

13.2. Advertising the existence of this Order in the London Gazette;

13.3. Sending a copy of this Order to Insulate Britain's known email addresses: ring2021@protonmail.com and insulatebritainlegal@protonmail.com.

14. For the avoidance of doubt, persons who have not been served with this Order by an acceptable method are not bound by its terms. Compliance with paragraphs 12.1 and 13.1 – 13.3 above **does not constitute service** on any Defendant, nor does a failure to comply with paragraph 13 above constitute a failure of service.

Third-Party Disclosure

15. Pursuant to CPR 31.17, the Chief Constables for those forces listed in Schedule 3 to this Order shall procure that the officers within their forces disclose to the Claimant:

15.1. all of the names and addresses 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 referred to in these proceedings; and

15.2. all arrest notes, body camera footage and/or all other photographic material relating to possible breaches of this Order.

16. Without the permission of the Court, the Claimants shall not make use of any document disclosed by virtue of paragraph 15 of this Order, other than for one or more of the following uses:

(i) applying to name and join any person as a named defendant to these proceedings and to serve the said person with any document in these proceedings;

(ii) investigating, formulating, pleading and prosecuting any claim within these proceedings arising out of any alleged breach of this Order;

(iii) use for purposes of formulating, pleading and prosecuting any application for committal for contempt of court against any person for breach of any Order made within these proceedings.

17. Until further Order, the postal address and/or address for service of any person who is added as a defendant to these proceedings shall be redacted in any copy of any document which is served other than by means of it being sent directly to that person or their legal representative.

18. The Claimant is to serve this order on the Police Representative Assistant Chief Constable Owen Weatherill (owen.weatherill@npocc.police.uk), by email only.

Further directions

19. There shall be listed in April 2023 a hearing at which the Court shall review whether it should vary or discharge this Order or any part.
20. 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 Claimants' solicitors by email to the addresses specified at paragraph 28 below 48 hours before making such application of the nature of such application and the basis for it.
21. Any person applying to vary or discharge this Order must provide their full name and address, and address for service to the Claimant and to the Court, and must also apply to be joined as a named defendant to these proceedings at the same time.
22. The Contemnor Defendants have a right to apply for summary judgment as against them to be set aside in accordance with CPR PD 24.8.
23. The Claimants have liberty to apply to extend, vary or discharge this Order, or for further directions.
24. No acknowledgment of service, admission or defence is required by any party until further so ordered.
25. Costs reserved.

Communications with the Claimant

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

DLA Piper UK LLP

Attention: Petra Billing and Rob Shaw

1 St. Paul's Place

Sheffield S1 2JX

E: petra.billing@dlapiper.com and rob.shaw@dlapiper.com

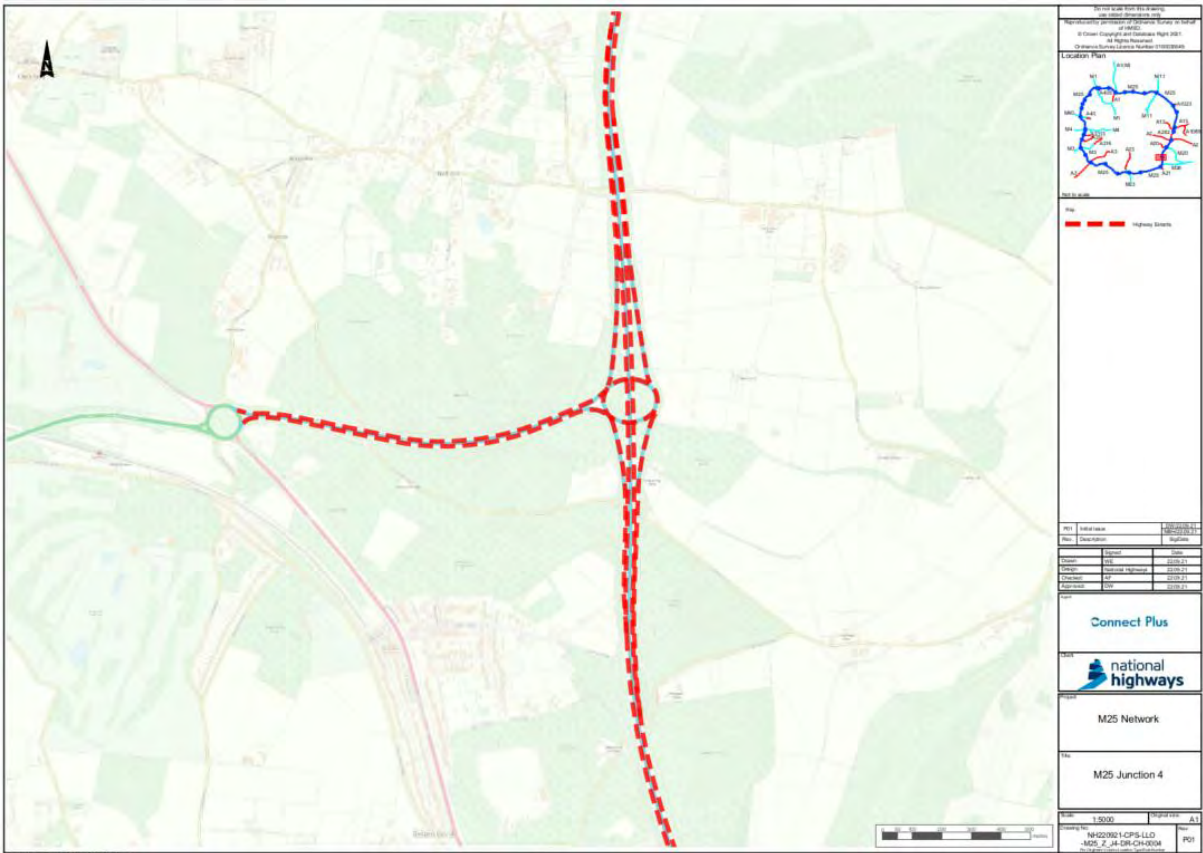
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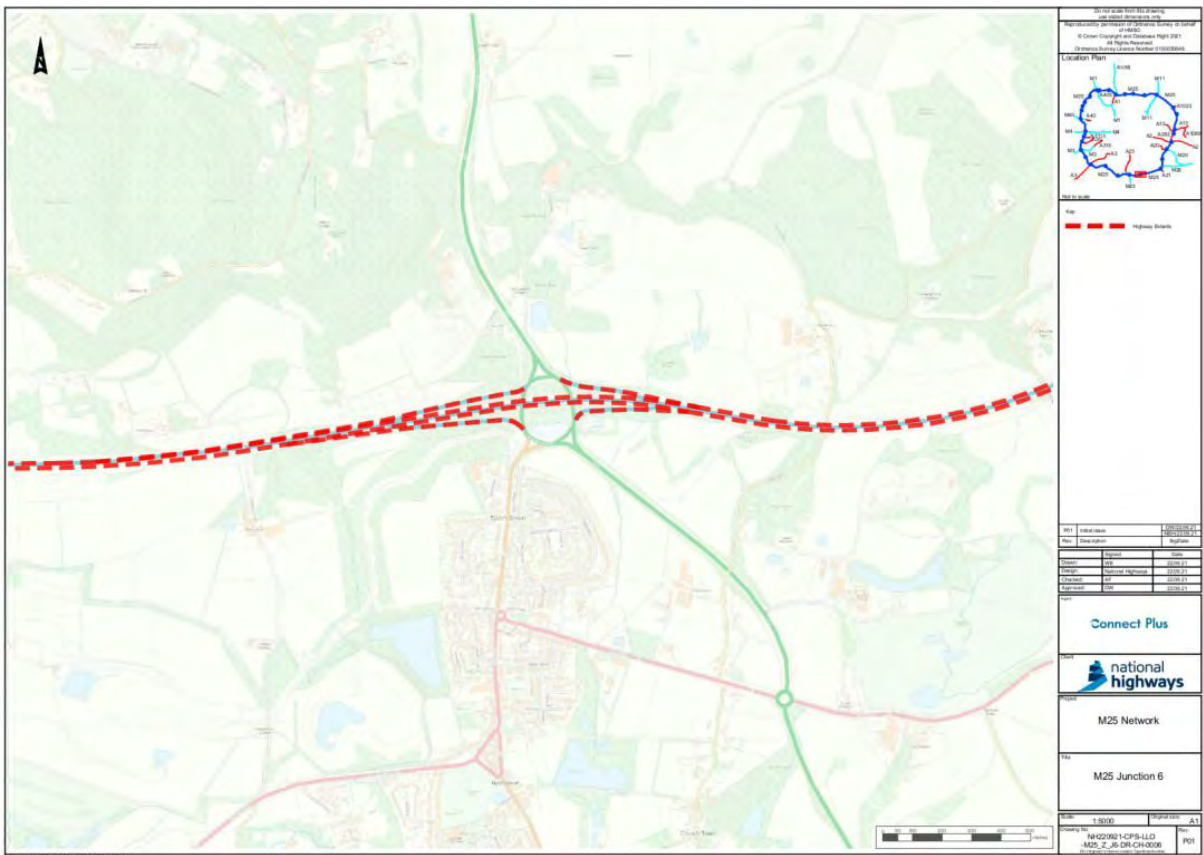
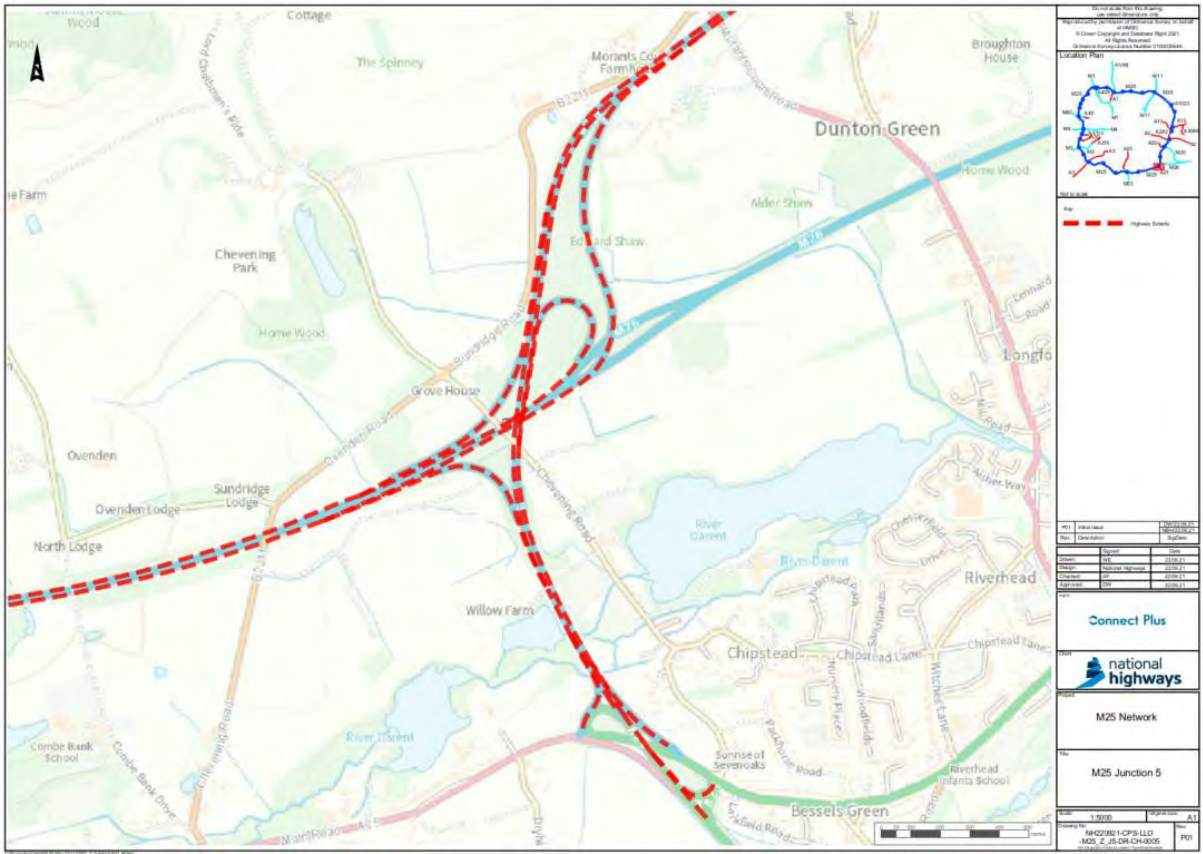
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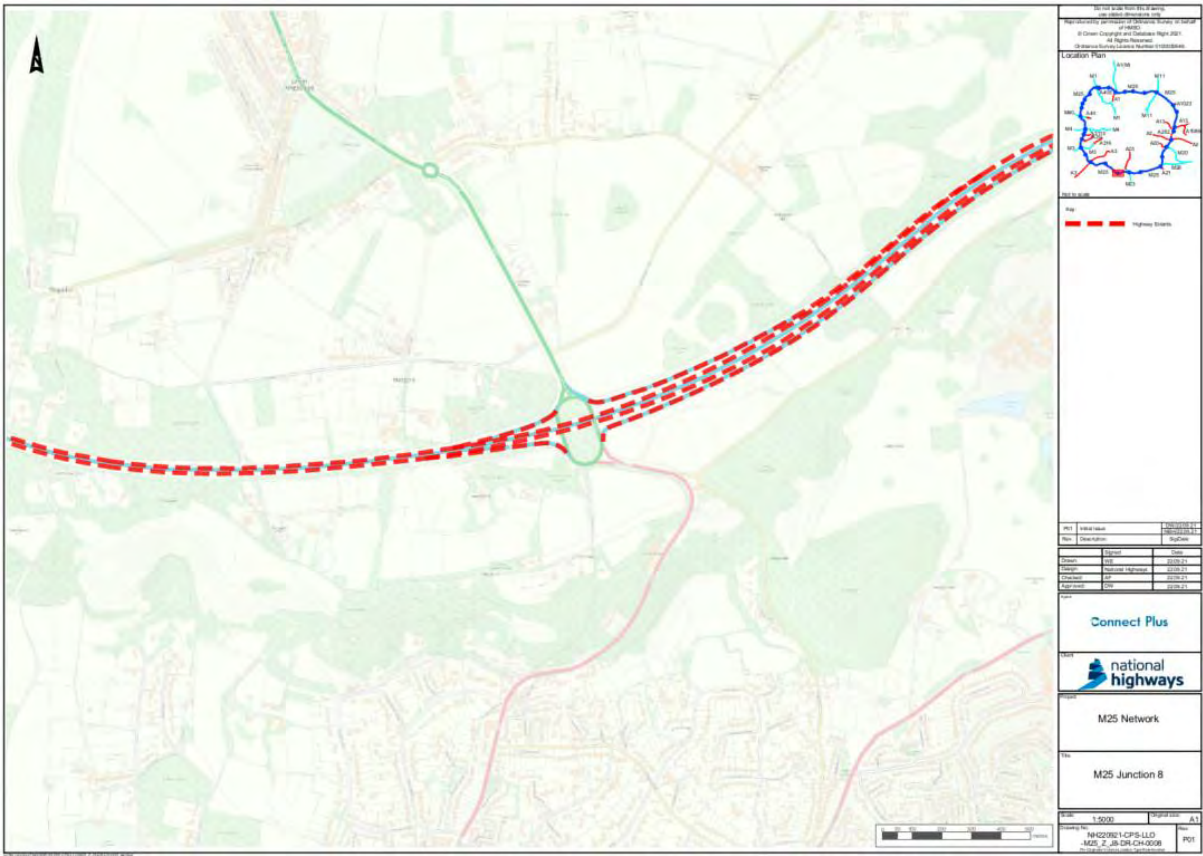
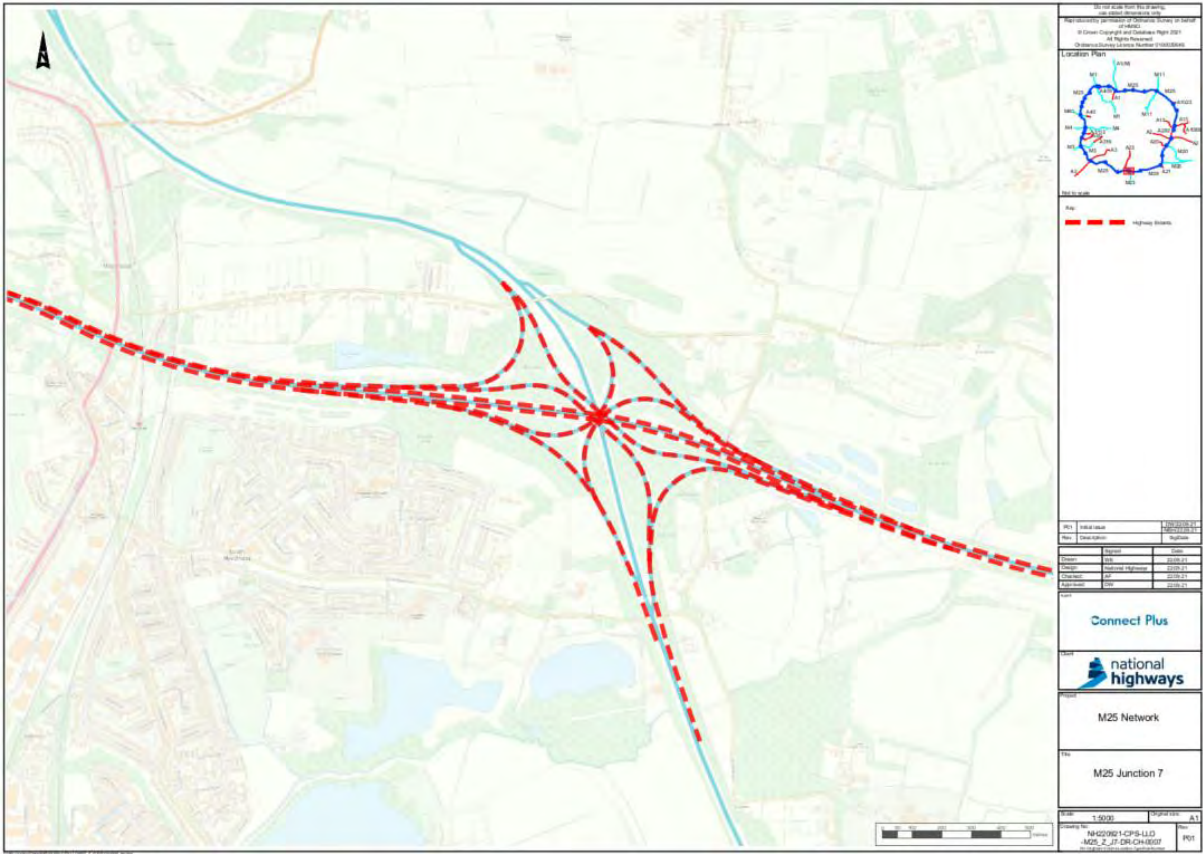
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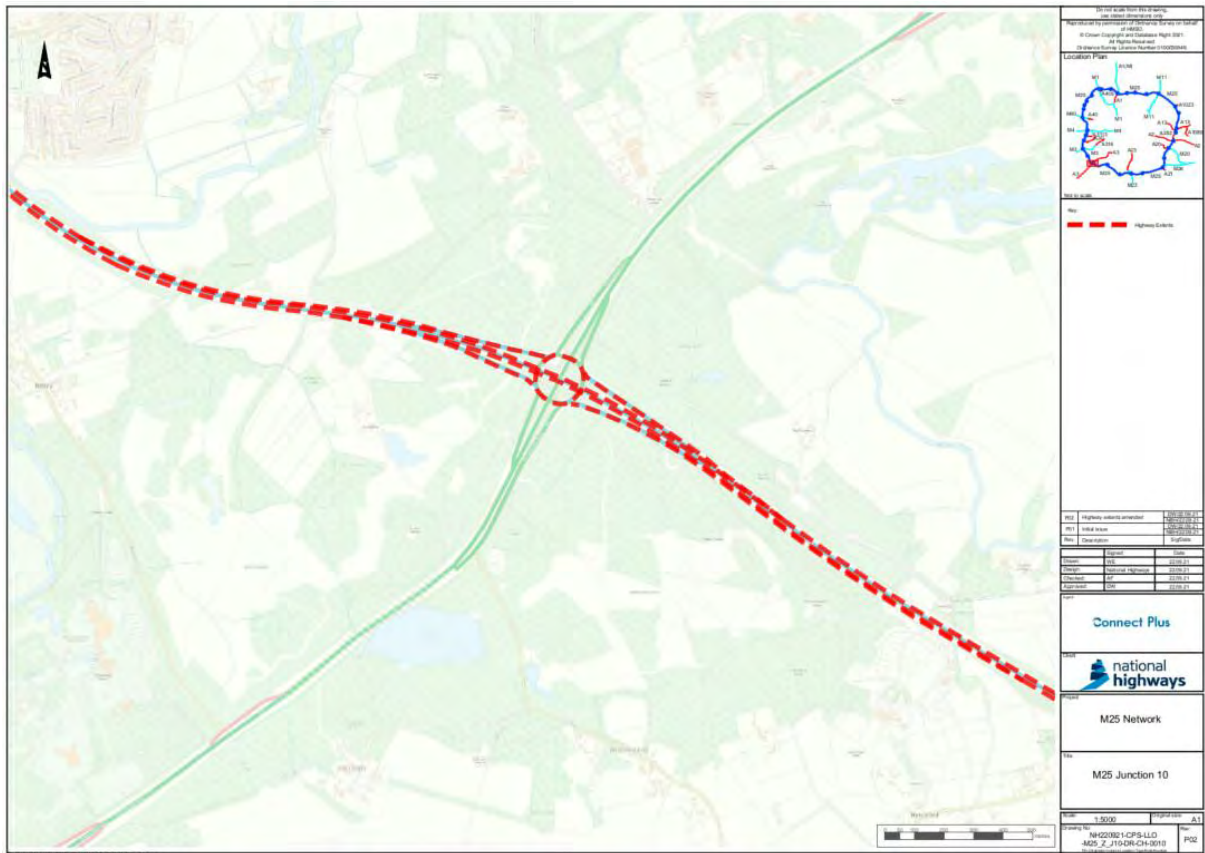
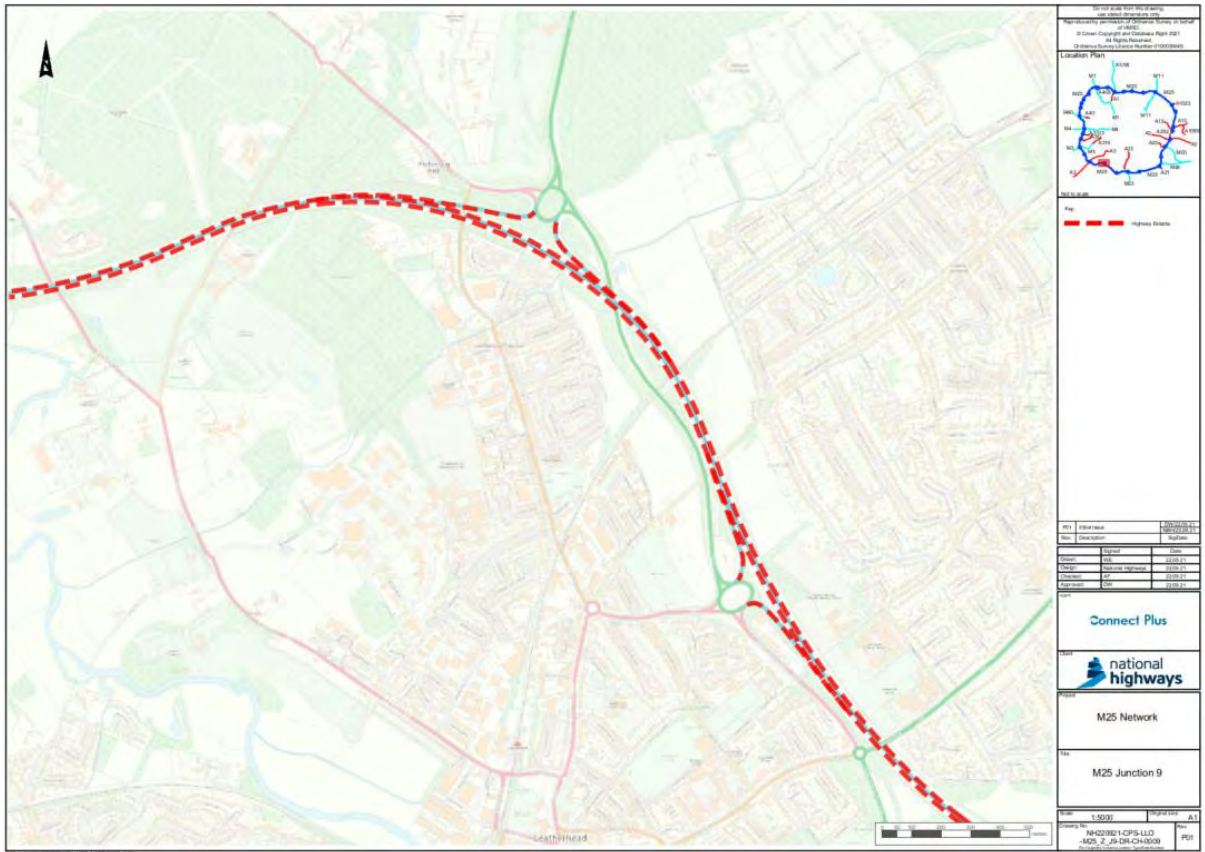
APPENDIX 1

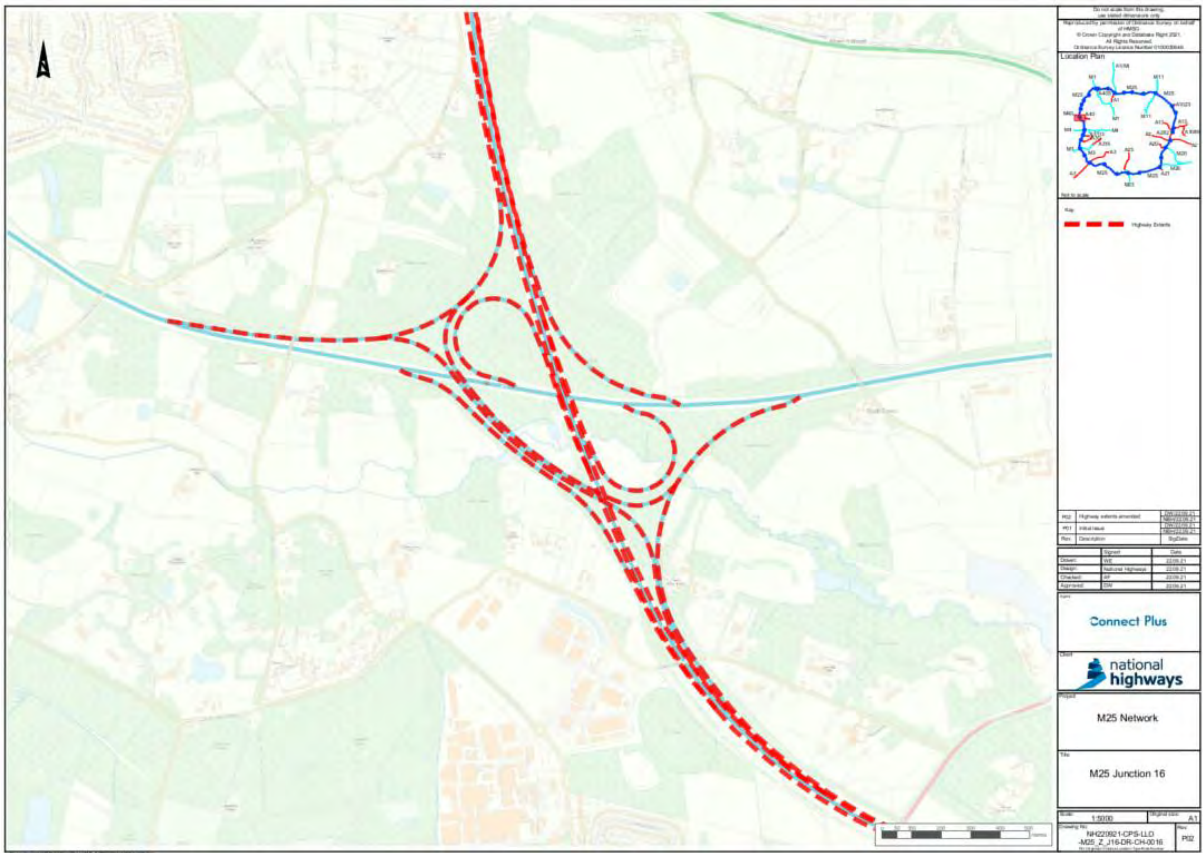
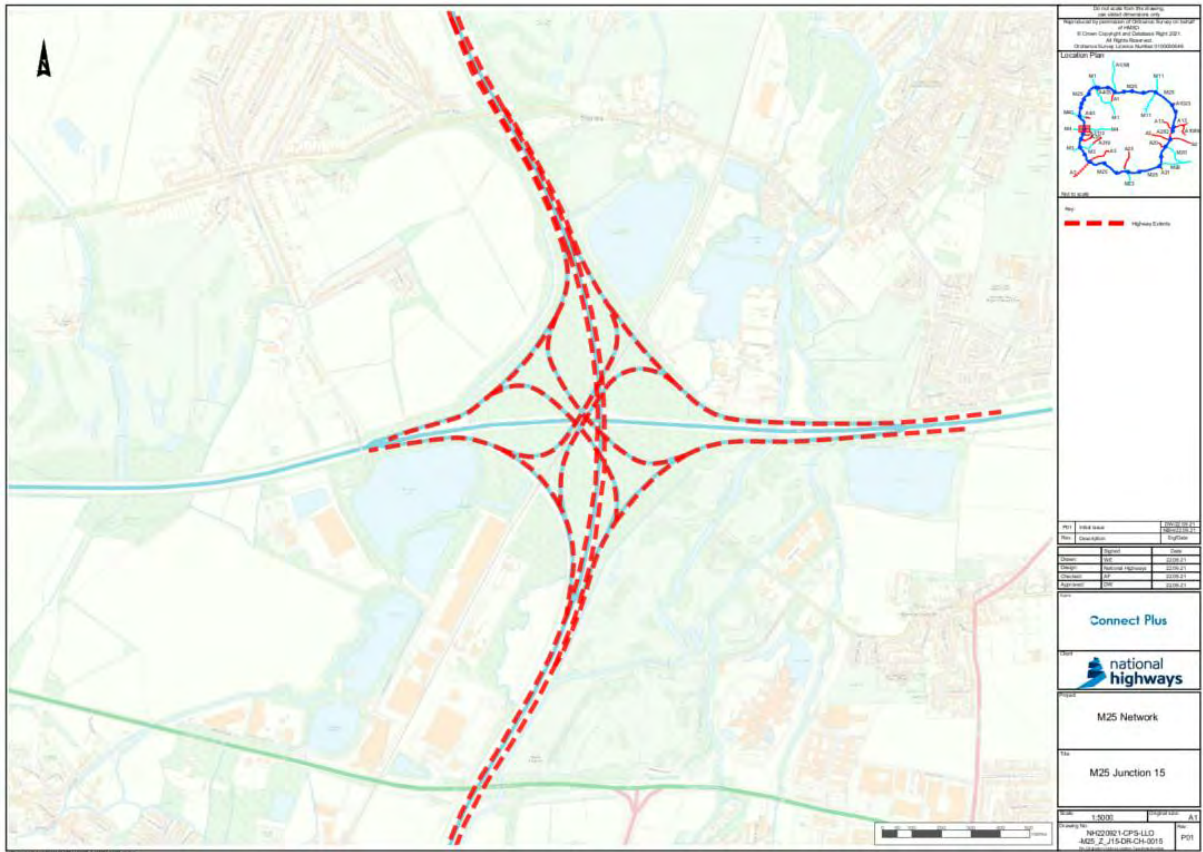


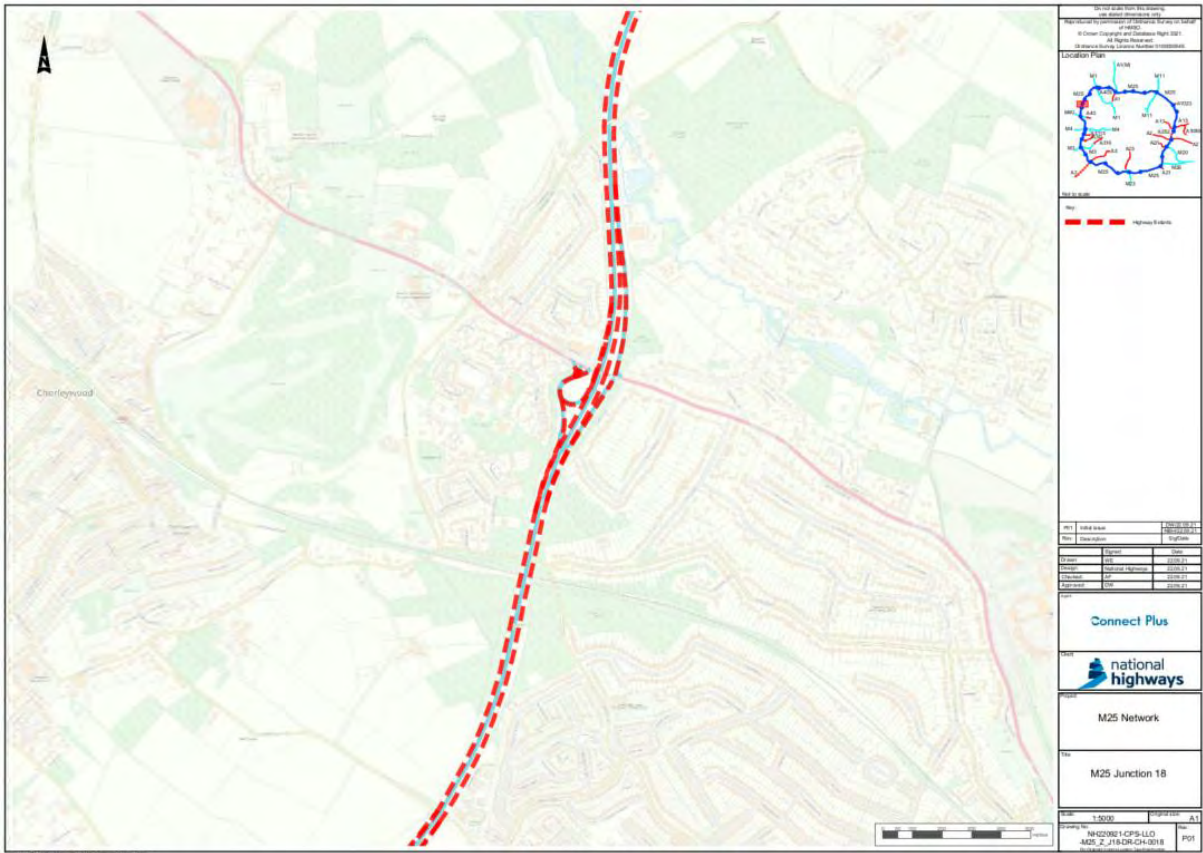
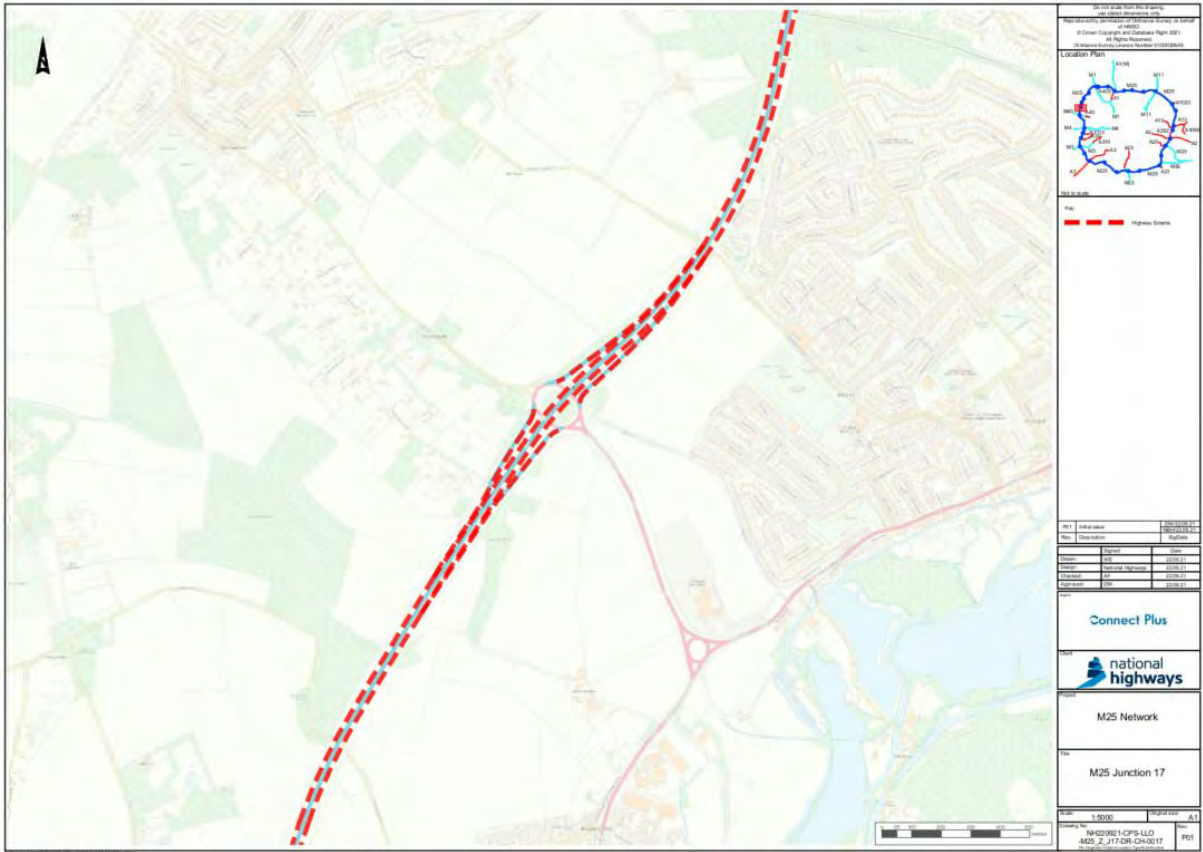


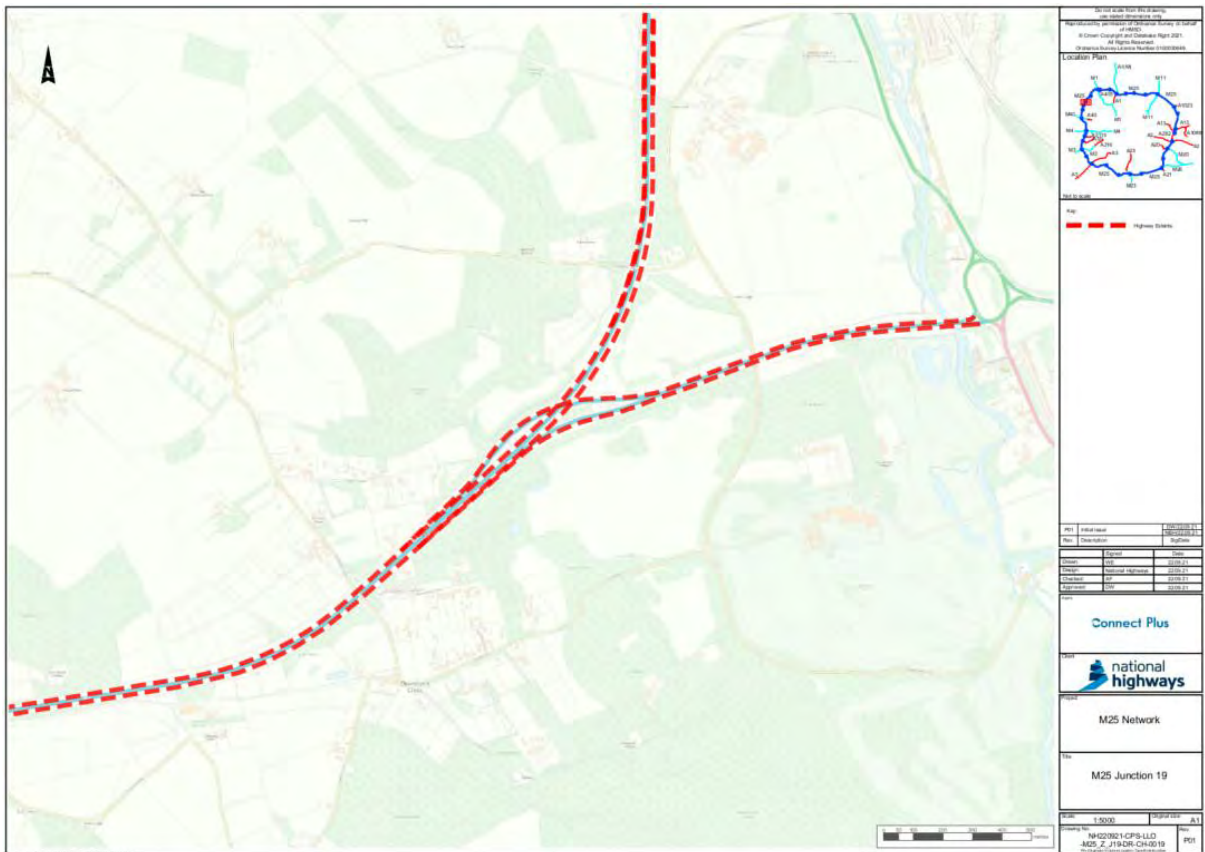




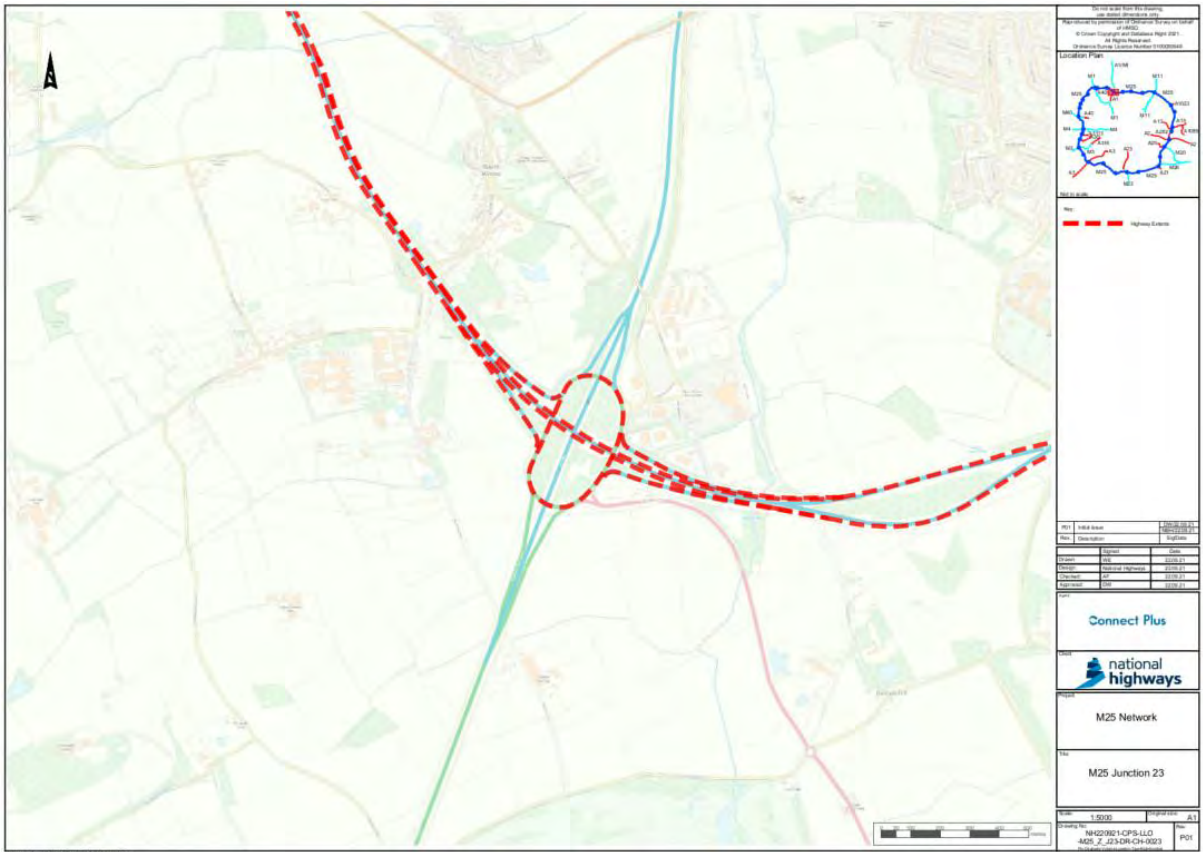


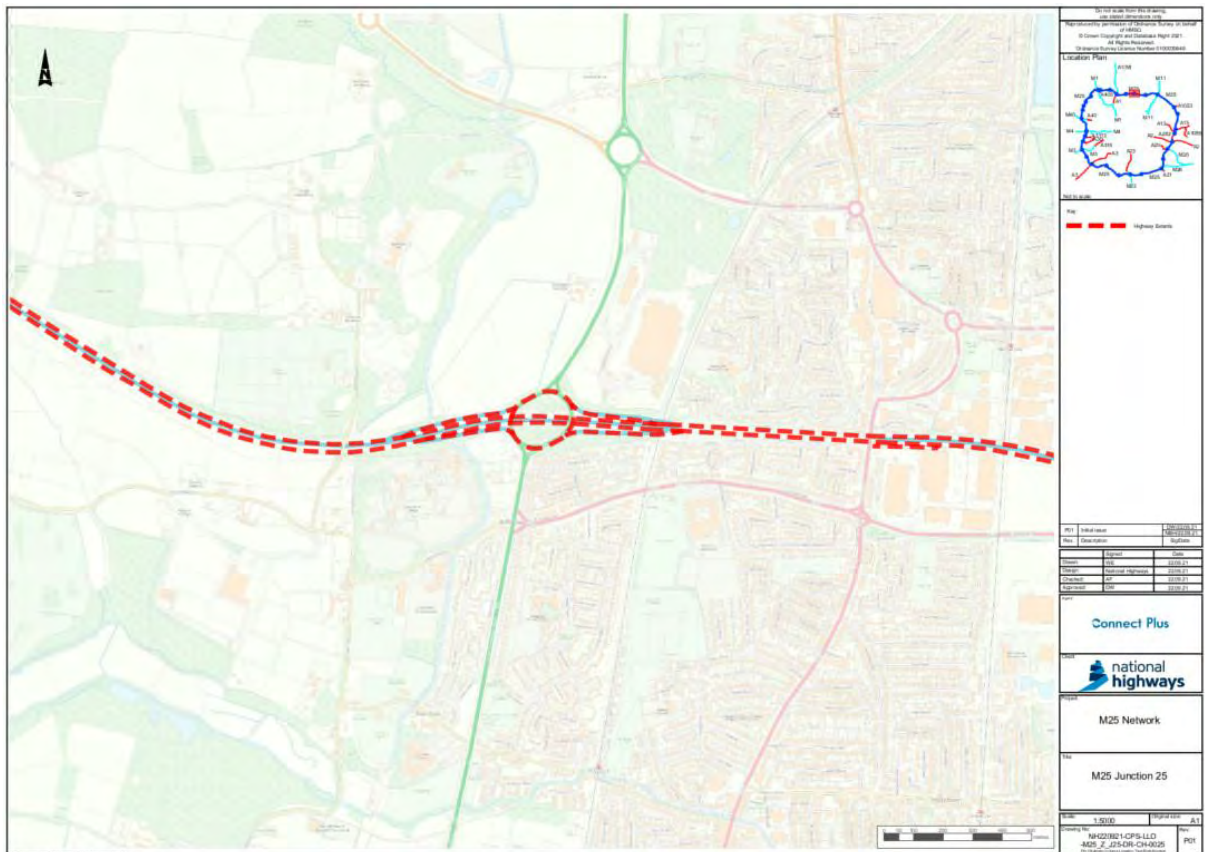


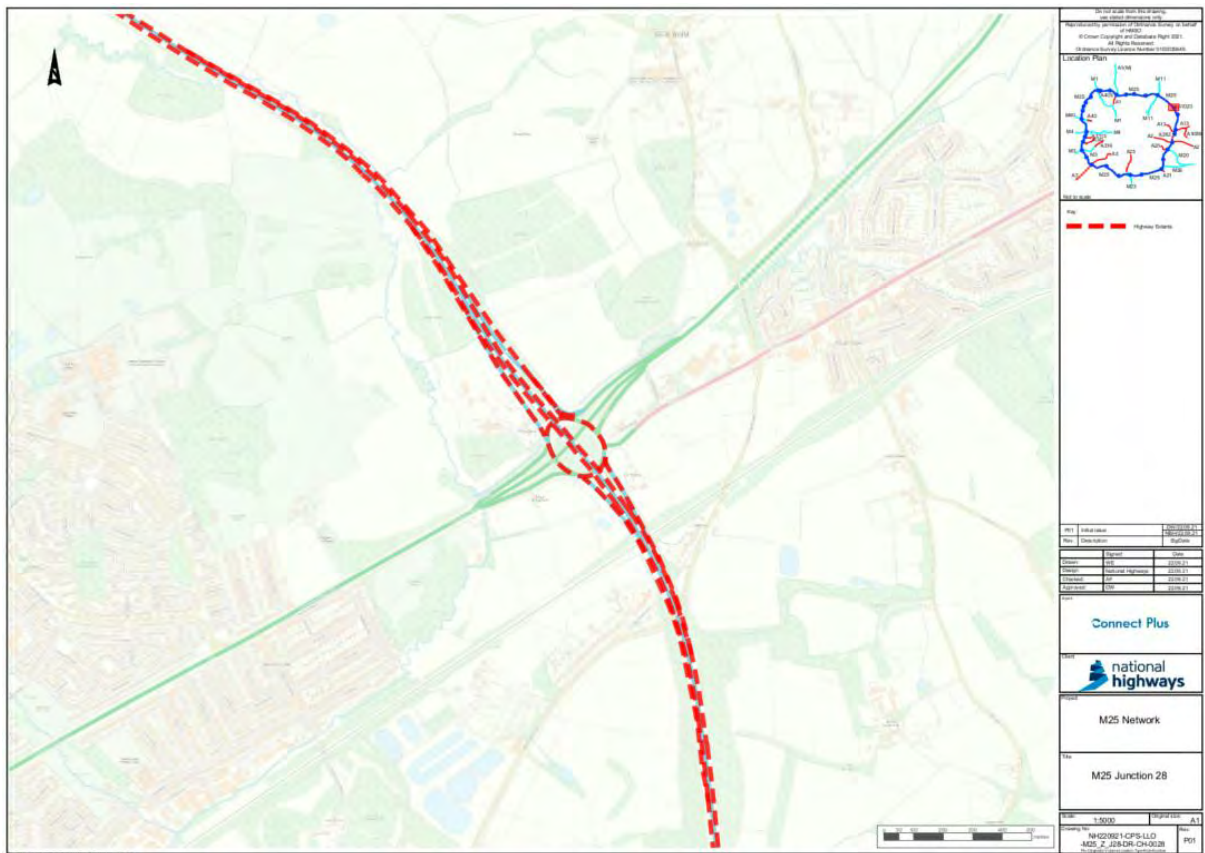
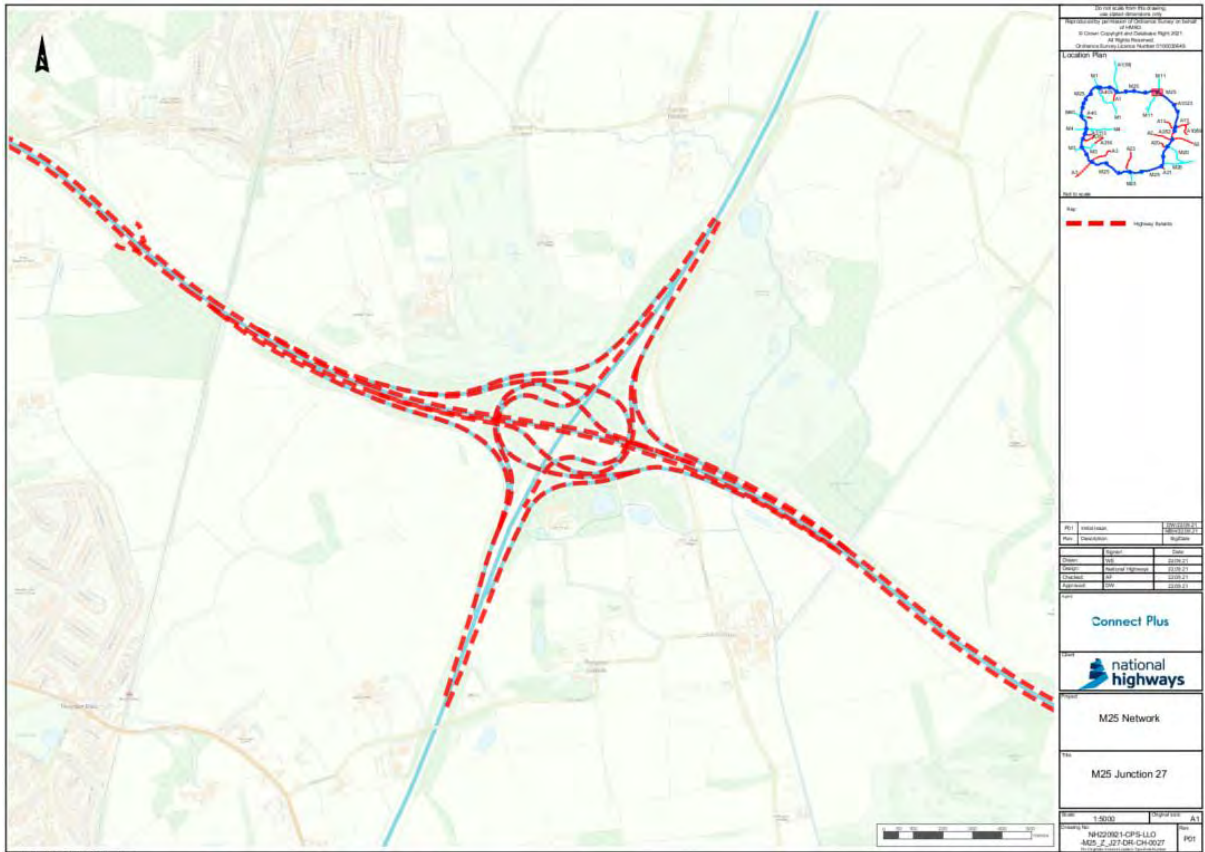


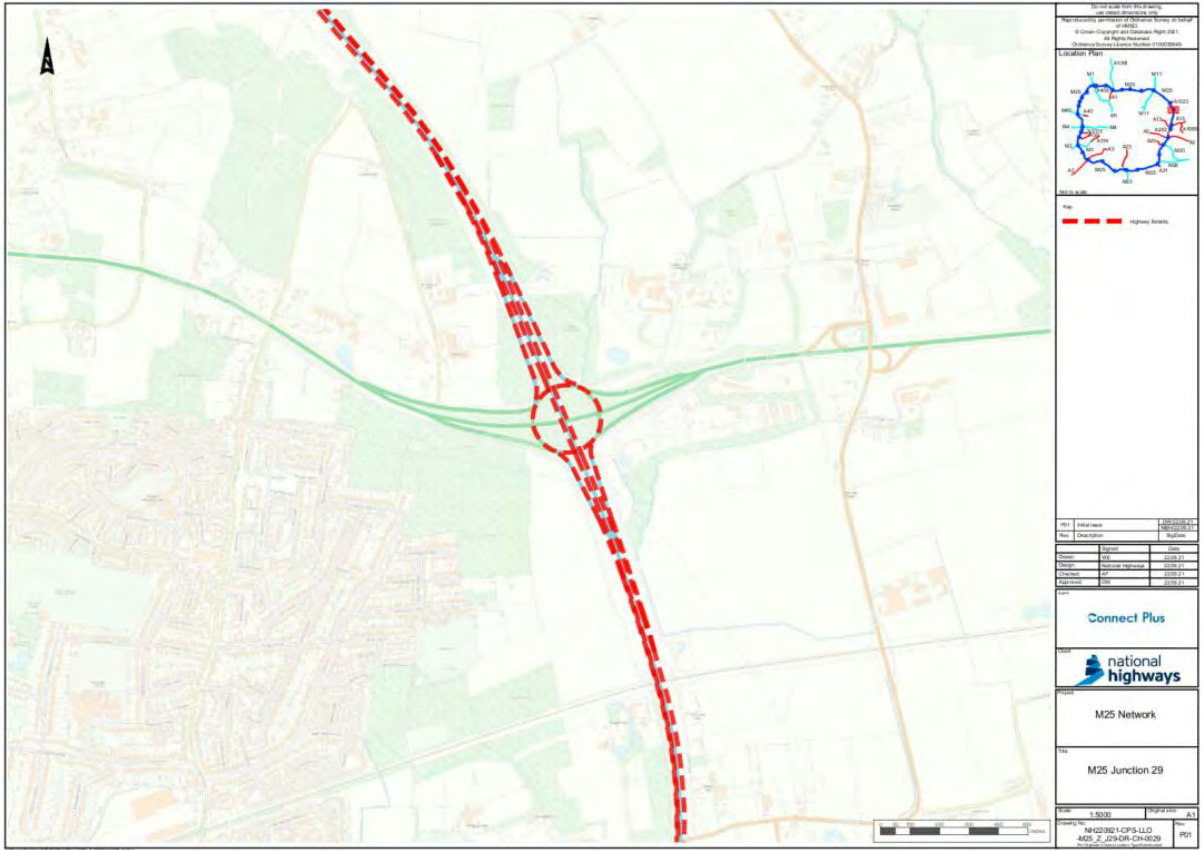






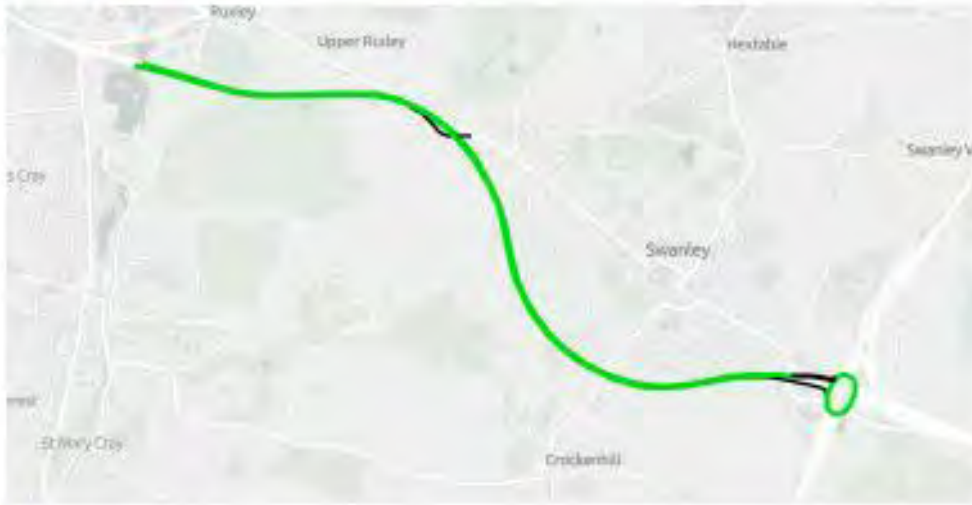






APPENDIX 2

A20 London - M25



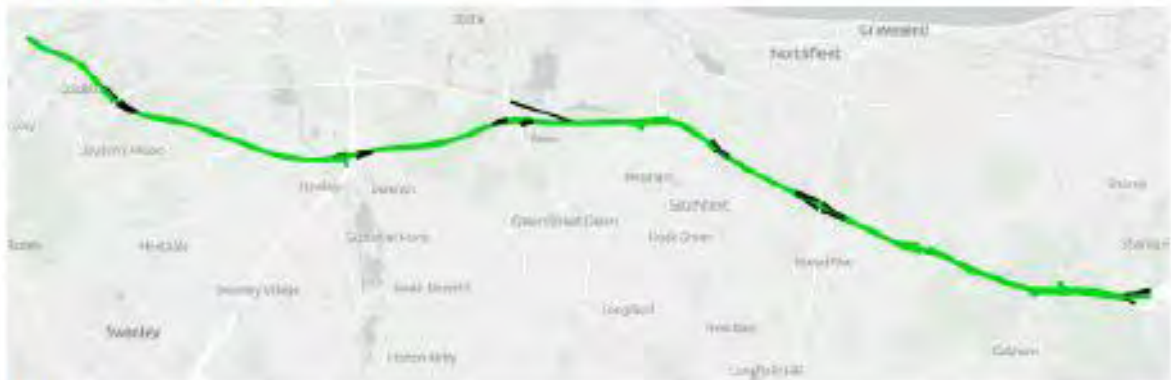
M20



A20 Coast Section



A2 London – M2 Section



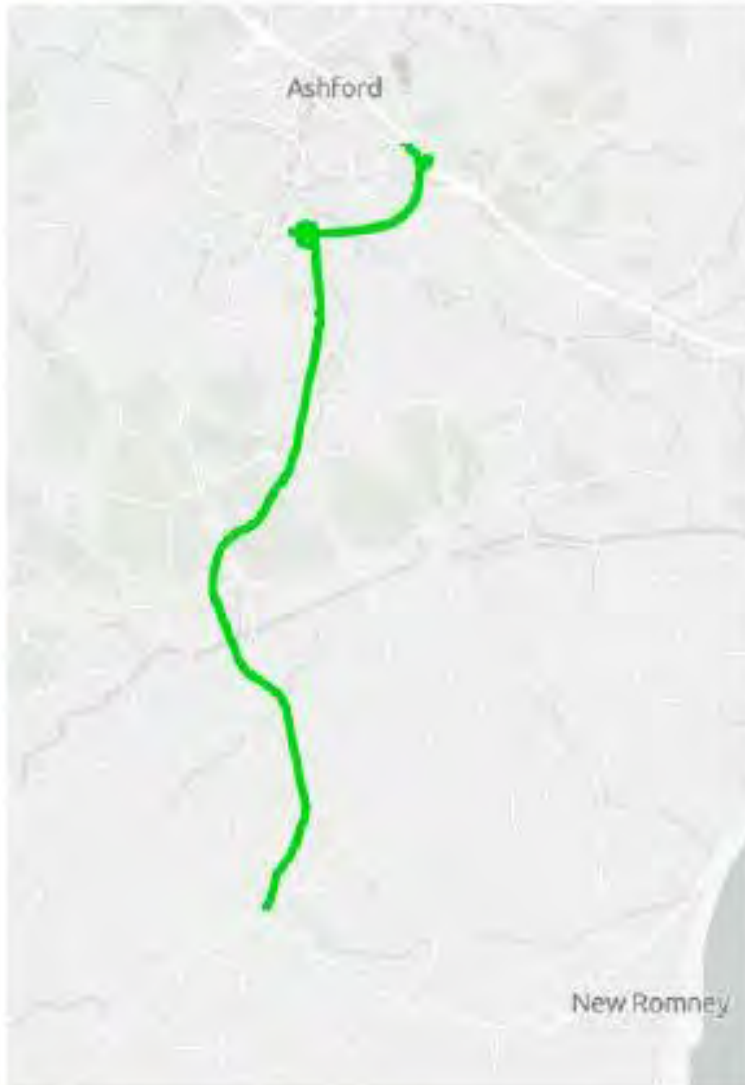
M2



A2 M2 - Dover Section



A2070

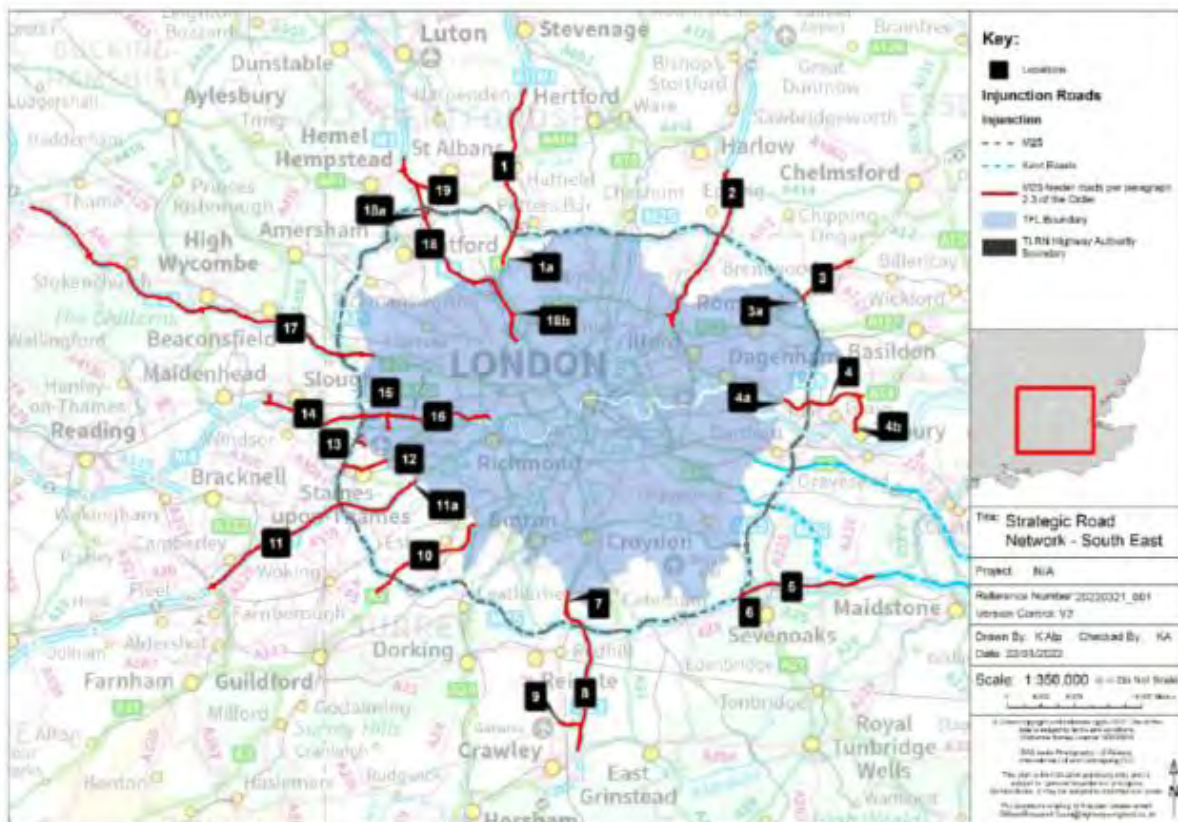


Kent & Surrounding areas SRN



APPENDIX 3

Strategic Road Network – South East



1. A1(M) from Junction 1 to Junction 6
- 1a. A1 from A1(M) to Rowley Lane
2. M11 from Junction 4 to Junction 7
3. A12 from M25 Junction 28 to A12 Junction 12
- 3a. A1023 (Brook Street) from M25 Junction 28 roundabout to Brook Street Shell Petrol Station access
4. A13 from M25 Junction 30 to junction with A1089
- 4a. A13 from junction with A1306 for Wennington to M25 Junction 30
- 4b. A1089 from junction with A13 to Port of Tilbury entrance

5. M26 (the whole motorway) from M25 to M20
6. A21 from the M25 to B2042
7. A23 from M23 to Star Shaw
8. M23 from Junction 7 to Junction 10 (including M23 Gatwick Spur)
9. A23 between North and South Terminal Roundabouts
10. A3 from A309 to B2039 Ripley Junction
11. M3 from Junction 1 to Junction 4
- 11a. A316 from M3 Junction 1 to Felthamhill Brook
12. A30 from M25 Junction 13 to Harrow Road, Stanwell, Feltham
13. A3113 from M25 Junction 14 to A3044
14. M4 from Junction 4B to Junction 7
15. M4 Spur (whole spur) from M4 Junction 4 to M4 Junction 4a
16. M4 from Junction 1 to Junction 4B
17. M40 from M40 Junction 7 to A40 (Fray's River Bridge)
18. M1 from Junction 1 to Junction 8
- 18a. A405 from M25 Junction 21A to M1 Junction 6
- 18b. A1 from Fiveways Corner roundabout to Hilltop Gardens
19. A414 from M1 Junction 8 to A405

APPENDIX 4

[On the package containing the Court order]

“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 - Antony Nwanodi, Government Legal Department, Tel: 020 7210 3424”

[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 - Antony Nwanodi, Government Legal Department, Tel: 020 7210 3424”

SCHEDULE 1 – NAMED DEFENDANTS

	Name	Address
1.	PERSONS UNKNOWN CAUSING THE BLOCKING OF, OR ENDANGERING, OR OTHERWISE PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25 MOTORWAY, A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY, 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	
2.	Alexander RODGER	
3.	Alyson LEE	
4.	Amy PRITCHARD	
5.	Ana HEYATAWIN	
6.	Andrew Taylor WORSLEY	
7.	Anne TAYLOR	
8.	Anthony WHITEHOUSE	
9.	Barry MITCHELL	
10.	Ben TAYLOR	
11.	Benjamin BUSE	
12.	Biff William Courtenay WHIPSTER	
13.	Cameron FORD	
14.	Catherine RENNIE- NASH	
15.	Catherine EASTBURN	
16.	Christian MURRAY- LESLIE	

17.	Christian ROWE
18.	Cordelia ROWLATT
19.	Daniel Lee Charles SARGISON
20.	Daniel SHAW
21.	David CRAWFORD
22.	David JONES
23.	David NIXON
24.	David SQUIRE
25.	Diana Elizabeth BLIGH
26.	Diana HEKT
27.	Diana Lewen WARNER
28.	Donald BELL
29.	Edward Leonard HERBERT
30.	Elizabeth ROSSER
31.	Emma Joanne SMART
32.	Gabriella DITTON
33.	Gregory FREY
34.	Gwen HARRISON

35.	Harry BARLOW
36.	Ian BATES
37.	Ian Duncan WEBB
38.	James BRADBURY
39.	James Malcolm Scott SARGISON
40.	James THOMAS
41.	Janet BROWN
42.	Janine EAGLING
43.	Jerrard Mark LATIMER
44.	Jessica CAUSBY
45.	Jonathan Mark COLEMAN
46.	Joseph SHEPHERD
47.	Joshua SMITH
48.	Judith BRUCE
49.	Julia MERCER
50.	Julia SCHOFIELD
51.	Karen MATTHEWS
52.	Karen WILDIN

53.	Liam NORTON	
54.	Louis MCKECHNIE	
55.	Louise Charlotte LANCASTER	
56.	Lucy CRAWFORD	
57.	Mair BAIN	
58.	Margaret MALOWSKA	
59.	Marguerite DOWBLEDAY	
60.	Maria LEE	
61.	Martin John NEWELL	
62.	Mary ADAMS	
63.	Matthew LUNNON	
64.	Matthew TULLEY	
65.	Meredith WILLIAMS	
66.	Michael BROWN	
67.	Michael Anthony WILEY	

68.	Michelle CHARLSWORTH
69.	Natalie Clare MORLEY
70.	Nathaniel SQUIRE
71.	Nicholas COOPER
72.	Nicholas ONLEY
73.	Nicholas TILL
74.	Oliver ROCK
75.	Paul COOPER
76.	Paul SHEEKY
77.	Peter BLENCOWE
78.	Peter MORGAN
79.	Phillipa CLARKE
80.	Priyadaka CONWAY
81.	Richard RAMSDEN
82.	Rob STUART
83.	Robin Andrew COLLETT
84.	Roman Andrzej PALUCH-MACHNIK
85.	Rosemary WEBSTER

86.	Rowan TILLY
87.	Ruth Ann COOK
88.	Ruth JARMAN
89.	Sarah HIRONS
90.	Simon REDING
91.	Stefania MOROSI
92.	Stephanie AYLETT
93.	Stephen Charles GOWER
94.	Stephen PRITCHARD
95.	Susan CHAMBERS
96.	Sue PARFITT
97.	Sue SPENCER- LONGHURST
98.	Susan HAGLEY
99.	Suzie WEBB
100.	Tessa-Marie BURNS
101.	Theresa NORTON
102.	Tim SPEERS
103.	Tim William HEWES

104.	Tracey MALLAGHAN
105.	Valerie SAUNDERS
106.	Venitia CARTER
107.	Victoria Anne LINDSELL
108.	Xavier GONZALEZ TRIMMER
109.	Bethany MOGIE
110.	Indigo RUMBELOW
111.	Adrian TEMPLE- BROWN
112.	Ben NEWMAN
113.	Christopher PARISH
114.	Elizabeth SMAIL
115.	Julian MAYNARD SMITH
116.	Rebecca LOCKYER
117.	Simon MILNER- EDWARDS
118.	Stephen BRETT
119.	Virginia MORRIS
120.	Andria EFTHIMIOUS- MORDAUNT

121.	Christopher FORD
122.	Darcy MITCHELL
123.	David MANN
124.	Ellie LITTEN
125.	Julie MACOLI
126.	Kai BARTLETT
127.	Sophie FRANKLIN
128.	Tony HILL
129.	Nicholas BENTLEY
130.	Nicola STICKELLS
131.	Mary LIGHT
132.	David McKENNY
133.	Giovanna LEWIS
134.	Margaret REID

SCHEDULE 2

Claim Nos. QB-2021-003576, 003626 and 003737

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

**Before the Honourable Mr Justice Chamberlain
On 17 March 2022**

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 142 OTHERS**

Defendants

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS OR 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.

FURTHER TO the Orders made in these proceedings by Lavender J on 22 September 2021 (the “**M25 Order**”), Cavanagh J on 24 September 2021 (the “**Kent Roads Order**”) and Holgate J on 4 October 2021 (the “**Feeder Roads Order**”)

AND UPON the Claimant’s application by Application Notice dated 4 March 2022, pursuant to the liberty to apply provisions at paragraph 7 of the M25 and Kent Roads Orders and paragraph 10 of the Feeder Roads Order to extend the duration of the injunctions contained at paragraph 2 of the M25 and Kent Roads Orders and paragraph 4 of the Feeder Roads Order (the “**Extension Application**”)

AND UPON READING the Witness Statement of Robert Shaw dated 4 March 2022, and the Claimant’s skeleton argument.

AND UPON hearing David Elvin QC, Counsel for the Claimant

AND UPON the Court accepting the Claimant’s undertaking 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 renewed 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 Court accepting the Claimant’s renewed 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 confirming that this Order is not intended to prohibit lawful protest which does not endanger, slow, obstruct, prevent or otherwise interfere with the flow of traffic onto off or along the M25, Kent Roads or Feeder Roads nor to prevent lawful use of the Roads by any person

AND UPON the Claimant confirming that it will file summary judgment applications in respect of Claim Nos. QB-2021-003576, 003626 and 003737 as soon as reasonably practicable

AND UPON the Chief Constables for those forces listed in Schedule 2 to this order having consented to an order being made in the terms set out below

IT IS ORDERED THAT:

Continuation of the M25 Order

1. For the purposes of this Order, the

1.1 M25 means the London Orbital Motorway including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges including the Dartford Crossing and Queen Elizabeth II Bridge, and any apparatus related to that motorway.

1.2 the Kent Roads mean the A2, A20, A2070, M2 and M20 as identified in the plans annexed at Annex A to this Order, including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges and any apparatus related to that motorway;

1.3 the Feeder Roads mean the A1(M) (Junction 1 to Junction 6), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A13 (M25 Junction 30 to A1089), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8) and A414 (M1 Junction 8 to A405) as identified by the descriptions and plan annexed at Annex B to this Order, including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges, including any roundabouts for access to and from the Feeder Roads, and any apparatus related to those roads.

(together the “**Roads**”).

Continuation of the M25 Order

2. The long-stop date of 21 March 2022 be deleted, and the injunction at paragraph 2 of the M25 Order as set out in full at paragraph 3 below shall continue until 9 May 2022 or further order.

Injunction in force – M25 Order

3. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:

3.1 Blocking, endangering, slowing down, preventing, or obstructing the free flow of traffic onto or along or off the M25 for the purposes of protesting.

3.2 Causing damage to the surface of or to any apparatus on or around the M25 including but not limited to painting, damaging by fire, or affixing any item or structure thereto.

3.3 Affixing themselves (“locking on”) to any other person or object on the M25.

3.4 Erecting any structure on the M25.

3.5 Tunnelling in the vicinity of the M25.

3.6 Entering onto the M25 unless in a motor vehicle.

3.7 Abandoning any vehicle or item on the M25 with the intention of causing an obstruction.

3.8 Refusing to leave the area of the M25 when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.

3.9 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 3.1 – 3.8 above.

3.10 Continuing any act prohibited by paragraphs 3.1 – 3.9 above.

Continuation of the Kent Roads Order

4. The long-stop date of 24 March 2022 be deleted, and the injunction at paragraph 2 of the Kent Roads Order as set out in full at paragraph 5 below shall continue until 9 May 2022 or further order.

Injunction in force - Kent Roads Order

5. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:
 - 5.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.
 - 5.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.
 - 5.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 5.4 Affixing themselves (“locking on”) to any other person or object on the Roads.
 - 5.5 Erecting any structure on the Roads.
 - 5.6 Tunnelling in the vicinity of the Roads.
 - 5.7 Entering onto the Roads unless in a motor vehicle.
 - 5.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.

5.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.

5.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 5.1 – 5.9 above.

5.11 Continuing any act prohibited by paragraphs 5.1 – 5.10 above.

Continuation of the Feeder Roads Order

6. The long-stop date of 24 March 2022 be deleted, and the injunction at paragraph 4 of the Feeder Roads Order as set out in full at paragraph 7 below shall continue 9 May 2022 or further order.

Injunction in force – Feeder Roads Order

7. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:

7.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.

7.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.

7.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.

7.4 Affixing themselves (“locking on”) to any other person or object on the Roads.

7.5 Erecting any structure on the Roads.

7.6 Tunnelling in the vicinity of the Roads.

7.7 Entering onto the Roads unless in a motor vehicle.

7.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.

7.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.

7.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 7.1 – 7.9 above.

7.11 Continuing any act prohibited by paragraphs 7.1 – 7.10 above.

Alternative Service

8. The Claimant is permitted in addition to personal service to serve this Order and other documents in these proceedings by the following three methods:

8.1 placing a copy of this Order on the National Highways website; and

8.2 sending a copy of this Order to Insulate Britain's email addresses: Insulate Britain ring2021@protonmail.com and insulatebritainlegal@protonmail.com; and

8.3 posting a copy of this Order together with covering letter 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 this 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 Notices shall be given in prominent lettering in the form set out in Schedule 1; or

8.4 instead of by post as set out in paragraph 8.3 above, by email in circumstances where a Defendant has requested email service of documents.

9. Compliance with paragraph 8 shall constitute service of this Order.

Third-Party Disclosure

10. The disclosure obligations contained in the order of Thornton J dated 24 November 2021, as set out in full at paragraph 11 below, shall be extended to continue until 31 July 2022 or further order.
11. The Chief Constables for those forces listed in the Schedule to this order shall disclose to the Claimant:
 - 11.1 all of the names and addresses of any person who has been arrested by one of their officers in the course of, or as a result of, protests on the highway referred to in these proceedings; and
 - 11.2 all arrest notes, body camera footage and/or all other photographic material relating to possible breaches of the Orders.
12. The Claimant is to serve this order on the Police Representative Assistant Chief Constable Owen Weatherill (owen.weatherill@npocc.police.uk), by email only.

Further directions

13. 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).
14. 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 (to the extent they are not already so named).
15. The Claimant has permission to apply to extend or vary this Order or for further directions.
16. The Claimant is to file its application for summary judgment ("**the Application**") by 4pm on 25 March 2022.
17. The Claimant is to serve the Application and evidence in support thereof on the Defendants by 4pm on 5 April 2022.

18. Any Defendant wishing to file evidence in response to the Application is to file and serve such evidence in response by 4pm on 22 April 2022.
19. The Claimant and any Defendant wishing to file a Skeleton Argument are to file and serve a Skeleton Argument by 4pm on 27 April 2022.
20. The Application is listed for 4-5 May 2022 with a time estimate of 2 days, with 3 May 2022 set aside as a judicial reading day.
21. Costs reserved.

Communications with the Claimant

22. 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 – RXS/366530/107

BY THE COURT

Dated: 18 March 2022

SCHEDULE 3

CHIEF CONSTABLES OF THE FORCES OF:

City of London Police

Metropolitan Police Service

Avon and Somerset Constabulary

Bedfordshire Police

Cambridgeshire Constabulary

Cheshire Constabulary

Cleveland Police

Cumbria Constabulary

Derbyshire Constabulary

Devon & Cornwall Police

Dorset Police

Durham Constabulary

Essex Police

Gloucestershire Constabulary

Greater Manchester Police

Hampshire Constabulary

Hertfordshire Constabulary

Humberside Police

Kent Police

Lancashire Constabulary

Leicestershire Police

Lincolnshire Police

Merseyside Police

Norfolk Constabulary
North Yorkshire Police
Northamptonshire Police
Northumbria Police
Nottinghamshire Police
South Yorkshire Police
Staffordshire Police
Suffolk Constabulary
Surrey Police
Sussex Police
Thames Valley Police
Warwickshire Police
West Mercia Police
West Midlands Police
West Yorkshire Police
Wiltshire Police

SCHEDULE 4

Email addresses of further linked protestor organisations

Extinction Rebellion UK

- (i) enquiries@extinctionrebellion.uk
- (ii) press@extinctionrebellion.uk
- (iii) xrvideo@protonmail.com
- (iv) xr-action@protonmail.com
- (v) xraffinitysupport@protonmail.com
- (vi) xr-arrestwelfare@protonmail.com
- (vii) artsxr@gmail.com
- (viii) xr-CitizensAssembly@protonmail.com
- (ix) xr.connectingcommunities@gmail.com
- (x) xrdemocracy@protonmail.com
- (xi) xrnotables@gmail.com
- (xii) integration@rebellion.earth
- (xiii) xr-international@protonmail.com
- (xiv) xr-legal@riseup.net
- (xv) press@extinctionrebellion.uk
- (xvi) xr-newsletter@protonmail.com
- (xvii) xr-peoplesassembly@protonmail.com
- (xviii) xrpoliceliason@protonmail.com
- (xix) rebelringers@rebellion.earth
- (xx) xr.regenerativeculture@gmail.com
- (xxi) xr-regionaldevelopment@protonmail.com
- (xxii) RelationshipsXRUK@protonmail.com

- (xxiii) xr.mandates@gmail.com
- (xxiv) socialmedia@extinctionrebellion.uk
- (xxv) xrsocialmediaevents@gmail.com
- (xxvi) eventsxr@gmail.com
- (xxvii) xrbristol.regional@protonmail.com
- (xxviii) xrcymru@protonmail.com
- (xxix) xr.eastengland@protonmail.com
- (xxx) xrlondoncoord@gmail.com
- (xxxi) XRMidlands@protonmail.com
- (xxxii) xrne@protonmail.com
- (xxxiii) support@xrnorth.org
- (xxxiv) xrni@rebellion.earth
- (xxxv) xrscotland@gmail.com
- (xxxvi) XR-SouthEastRegionalTeam@protonmail.com
- (xxxvii) xr.regional.sw@protonmail.com
- (xxxviii) talksandtraining.xrbristol@protonmail.com
- (xxxix) xrcymrutalksandtraining@gmail.com
- (xl) eoexrtnt@protonmail.com
- (xli) xrlondoncommunityevents@gmail.com
- (xlii) xrmidlandstraining@protonmail.com
- (xliii) XRNE.training@protonmail.com
- (xliv) xrnw.training@gmail.com
- (xlv) xryorkshire.training@gmail.com
- (xlvi) xrni.tt@rebellion.earth
- (xlvii) talksandtrainings.scotland@extinctionrebellion.uk
- (xlviii) xrttse@gmail.com

(xlix) xrsw.trainings@gmail.com

Just Stop Oil

(l) Ring2021@protonmail.com

(li) juststopoil@protonmail.com

Youth Climate Swarm

(lii) youthclimateswarm@protonmail.com

Insulate Britain

(liii) Ring2021@protonmail.com

(liv) iblegal@protonmail.com

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

BEFORE: MR JUSTICE BENNATHAN

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

-and-

- (1) PERSONS UNKNOWN CAUSING THE BLOCKING OF, ENDANGERING,
OR PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25
MOTORWAY, A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20
MOTORWAY, 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**
- (2) MR ALEXANDER RODGER AND 132 OTHERS**

Defendants



JUDGMENT ORDER

UPON the application of the Claimant for summary judgment (“the Application”)

AND UPON Mr Justice Chamberlain making an Order dated 17 March 2022 (“Extension Order”)

AND UPON hearing Myriam Stacey QC, Admas Habteslasie and Michael Fry for the Claimant, and Owen Greenhall for Jessica Branch being a person who is not a party to the proceedings but who was permitted to make representations pursuant to CPR r. 40.9.

AND UPON the Court making a separate Order dated 12 May 2022 (“Injunction Order”) in respect of interim and final injunctive relief.

IT IS ORDERED:

Definitions

1. In this Order, the following definitions shall have effect:
 - 1.1. “Dismissal Defendants” means Tam Millar; Hannah Shafer; Jesse Long; Thomas Franke; William Wright; Arne Springorum; Ben Horton; Emily Brocklebank; Marc Savitsky; and Serena Schellenberg
 - 1.2. “Contemnor Defendants” means Ana Heyatawin (D5); Ben Taylor (D10); Benjamin Buse (D11); Biff Whipster (D12); Christian Rowe (D17); David Nixon (D23); Diana Warner (D27); Ellie Litten (D124); Emma Smart (D31); Gabriella Ditton (D32); Indigo Rumbelow (D110); James Thomas (D40); Louis McKechnie (D54); Oliver Rock (D74); Paul Sheeky (D76); Richard Ramsden (D81); Roman Paluch-Machnik (D84); Ruth Jarman (D88); Stephanie Aylett (D92); Stephen Gower (D93); Stephen Pritchard (D94); Sue Parfitt (D96); Theresa Norton (D101); and Tim Speers (D102)
 - 1.3. “109 Defendants” means all the remaining named defendants excluding the Dismissal and Contemnor Defendants.

Management of Proceedings

2. The Extension Order at paragraph 14 is varied as it conflicts with CPR r 40.9. Pursuant to r 40.9 Ms Jessica Branch is directly affected by the proposed order and has permission to seek to vary the proposed order.

Disposal

3. The Application is dismissed as against the Dismissal Defendants and the 109 Defendants.

4. Summary judgment on the Application in favour of the Claimant is granted in respect of the Contemnor Defendants.
5. Injunctive relief in the form of interim and final injunctions is granted, as set out in the Injunction Order dated 12 May 2022.
6. The Claimant's application for alternative service of the Injunction Order is refused in respect of the First Defendant, and granted in respect of the Contemnor Defendants and 109 Defendants.
7. The Claimant's application for disclosure orders in respect of the police is granted as provided for in the Injunction Order.
8. The Claimant's application for declaratory relief is refused.

Costs

9. Costs reserved.
10. Any submissions on costs by any party are to be filed and served on the Claimant, Ms Branch, and the Court by 4pm on Monday 16 May 2022.

Permission to Appeal

11. The Claimant's application (made by email to Mr Justice Bennathan's clerk dated 11 May 2022 timed at 17:51) for permission to appeal is refused.
12. If so advised, time to file any further application for permission to appeal is to run from Wednesday 11 May 2022 which is the date judgment in the Application was handed down.

Alternative Service of this Order

13. The Claimant is permitted to serve this Judgment Order on the Defendants by:

13.1. Service of the sealed Order on Insulate Britain by email to their known email addresses insulatebritainlegal@protonmail.com and ring2021@protonmail.com; and

13.2. Placing copies of the Order on the National Highways website.

14. This Judgment Order and any document relating to the hearing on 4 – 5 May 2022 (but not the Injunction Order) may be served on Ms Branch by providing a copy to her solicitors by email.

12 May 2022

BY THE COURT

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION



BEFORE: MR JUSTICE BENNATHAN

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

(1) PERSONS UNKNOWN CAUSING THE BLOCKING OF, ENDANGERING, OR PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25 MOTORWAY, A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY, 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

(2) MR ALEXANDER RODGER AND 132 OTHERS

Defendants

ORDER ON CLAIMANT'S COSTS APPLICATION

Upon receiving a written application for costs from the Claimant subsequent to the judgment delivered on 11 May 2022

IT IS ORDERED

- 1. The 24 Defendants against whom summary judgment was granted shall pay the Claimant's costs on the standard basis but not exceeding £4 360 for each Defendant, to be assessed if not agreed.**
- 2. Each of the 24 Defendants shall pay the Claimant £3 000 costs on account under CPR 42.2.8 by 4pm on Friday 20 January 2023.**
- 3. The "24 Defendants" in paragraphs 1 and 2 above, are those listed as "Contemnor Defendants" at paragraph 2 in the sealed order of 12 May 2022 in this claim.**
- 4. Costs in the cases of each of the 109 Defendants in respect of whom summary judgment was refused shall be in the case.**

5. The “109 Defendants” in paragraph 4, above, are those listed in Schedule 1 of the sealed order of 12 May 2022 numbers 2 to 134, except for the 24 Contemnor Defendants.

Dated 16 January 2023

Reasons

1. In May this year I gave judgment in the Claimant’s application for summary judgment and for injunctions, reported at [2022] EWHC 1105 (QB). Later the same month the Claimant submitted their application for costs. I regret that this application has only been brought to my attention in the past two weeks due to my being on circuit and a change of clerks. The facts of the original application and my decisions upon it are set out in my May judgment and I will not repeat them here but refer back as necessary.
2. The application sets out the Claimant’s total costs as £727 573.84, but proposes a reduced total costs figure of £600 000 to allow for the fact that I dismissed the summary judgment applications in 109 cases [May judgment paragraphs 35-36] and to allow for the fact the injunctions I granted included “persons unknown”. While I appreciate the motives behind that reduction, I do not regard it as a proper solution to the issues of the dismissed applications for summary judgment for reasons I will develop.
3. The application is for the costs expended by the Claimant both in the proceedings before me and for 3 earlier interim injunctions, granted by Lavender, Cavanagh, Holgate and JJ on 21 September, 24 September, and 2 October [all in 2021]. The order made in respect of costs on all 3 occasions was “costs reserved”.
4. At the time of my previous judgment there had been 3 sets of committal proceedings for breach of one or other of the 3 interim injunctions [May judgment paragraph 17]. Those sanctioned for breaching injunctions faced adverse costs orders based, in each of the 3 cases, on a summary assessment. I have assumed that the costs applications in those committal applications had no element to reflect the cost of obtaining the

various injunctions, both from the terms of the orders the Court made and because the very reputable Solicitors acting for the Claimant would have made that clear in this costs application, were that the case.

5. I have not received any submissions from the 133 named Defendants but as they have consistently taken no part, and expressed no interest, in this litigation that is neither unexpected nor any basis for my to refuse an order: They are entitled to take no part but cannot then complain about their voices being unheard on this application.
6. In their costs application the Claimant makes careful submissions as to why the order they seek does not interfere with any Defendant's Convention rights. For the reasons I set out before [May judgment paragraph 47] I accept those submissions in the case of the 24 Defendants against whom I gave summary judgment.
7. The argument advanced in respect of the 109 Defendants against whom I refused summary judgment is set out in the Claimant's application in the following terms [within their paragraph 7]:

Although the Court refused to make final orders as against the 109 Defendants, the Court was nevertheless similarly satisfied that there was a real and imminent threat of trespass and nuisance in respect of those 109 Defendants and made the interim injunction order in the same terms and for the same duration as the final injunctions against the Contemnor Defendants. In practice, therefore, the Claimant was also successful in securing effective injunctive relief and the same prohibitions against the 109 Defendants. Each of the 109 Defendants against whom such injunctive relief was secured were effectively served, were aware that they were Named Defendants, had the opportunity to take part in the proceedings to oppose the claim for a continuation of injunctive relief against them and chose not to do so

8. There are two problems with that approach to the 109 group:

(1) There was no suggestion by the Claimant in their application for an injunction that my grant of such an injunction against the 109 had to be founded on a finding that each of the 109, individually, were likely to commit tortious acts against the Claimant were I not to do so. My approach was whether there was a real danger that “the Defendants”, meaning *some* of the Defendants, and others unknown would violate the Claimant’s legitimate interests. If it were the case that an injunction in a protest case could only be granted where a Claimant could identify the risk of specified individuals acting tortiously, then the process of obtaining an injunction would become hugely complex, take many days of court time, and be even more expensive than is currently the case. I have not called for the Claimant to supply the terms of all their applications for injunctions before and after the case I heard, but I doubt very much that such applications specified the details of each of the named defendants and the evidential basis for fearing they would each act unlawfully, or [with *Canada Goose*, as in May judgment paragraph 41(3), in mind] in a lawful manner so as to infringe the Claimant’s rights.

(2) In any event, whether or not my approach in assessing future risk of tortious conduct was correct, the normal rule is that the costs of interim relief follow the outcome of the underlying claim, and I see no good reason to depart from that course in this case.

9. For those reasons I do not order any adverse costs order in the cases of the 109, but reserve their position as costs in case.

10. I turn to the amount that I should award against the 24. The total amount that the Claimant has expended is set out above. The two aspects that I need to consider are whether some reduction should be made for the “persons unknown” aspect of the injunction applications, and whether I should accept that the costs were properly incurred without further scrutiny.

11. The “persons unknown” aspect has to be a matter of broad assessment. The Claimant suggested a deduction of about 17% to allow for both the refused dismissal applications and the persons unknown. I think that is insufficient and I will instead

reduce the overall costs figure to allow for the persons unknown by 20%. Rounding down in the manner suggested by the Claimant, that gives a figure for named Defendants of £580 000. That figure divided by the 133 named Defendants comes to a very-slightly rounded figure of £4 360 per defendant.

12. In my view the very large total costs figure needs assessment. I do not belittle the hard work and care taken in advancing these applications, nor the need for the Claimant to act to keep the public road network open, but I also note that in the Divisional Court order consequent to the judgment in *NHL v Buse and others* [2021] EWHC 3404 (QB), there is the observation that *“The Court is not satisfied that the costs claimed are proportionate and that each item of costs has been reasonably incurred”*. The total costs I have been asked to award are, of course, much greater than in any of the three committal applications that had occurred at the time of my original decision [May judgment, paragraph 4].

13. The need for assessment, however, need not deprive the Claimant of any order as such a process is bound to approve of a significant part of the costs claimed. I therefore make an order that each of the 24 defendants should pay costs on account in the sum of £3 000 within approximately 4 weeks of this order, with detailed assessment of the remaining £1 360 per head if [as is likely] there is no agreement and the Claimant seeks to pursue that remnant.



TUESDAY 14 MARCH 2023



IN THE COURT OF APPEAL

ON APPEAL FROM KING'S BENCH DIVISION
QB-2021-003576

CA-2022-001066

BEFORE DAME VICTORIA SHARP PRESIDENT OF THE KING'S BENCH DIVISION
SIR JULIAN FLAUX, THE CHANCELLOR OF THE HIGH COURT
LORD JUSTICE LEWISON

B E T W E E N

NATIONAL HIGHWAYS LIMITED

CLAIMANT /
APPELLANT

ON PAPER

Application No.

CA-2022-001066

- and -

1. PERSONS UNKNOWN CAUSING THE BLOCKING OF, ENDANGERING, OR PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25 MOTORWAY, A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY, 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
2. MR ALEXANDER RODGER AND 132 OTHERS

DEFENDANTS/
RESPONDENTS

UPON the Appellant's application for summary judgment and appeal against the Orders of the Mr Justice Bennathan dated respectively 9 May 2022 ("**the Injunction Order**") and 12 May 2022 ("**the Judgment Order**") which dismissed the Appellant's application for summary judgment against the First Respondents and 109 of the Second Respondents

AND UPON this Court having varied the Order of Bennathan J dated 9 May 2022 (the "**Injunction Order**") as set out in paragraph 2 of this Order and set aside the Order of Bennathan J dated 12 May 2022 (the "**Judgment Order**")

AND UPON the Appellant confirming that this Order is not intended to prohibit lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 5 of this Order

AND UPON hearing Leading and Junior Counsel for the Appellant and Mr Crawford and Mr Tulley, two of the named Respondents, in person

IT IS ORDERED THAT:-

1. The appeal is allowed.
2. Excepting paragraphs 5 to 8 and 17 thereof, the Injunction Order is set aside.
3. The “Named Defendants” are those Defendants with their numerical designations (e.g. D1, D2 etc.) whose names appear in the revised and re-numbered Schedule 1 annexed to this Order to reflect the Order made at paragraph 7.
4. The term “Defendants” refers to both “persons unknown” as defined as First Defendant in paragraph 6 of the Injunction Order and to the Named Defendants.
5. For the purposes of this Order, “the Roads” shall mean all of the following:
 - 5.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 annexed to this Order.
 - 5.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 annexed to this Order.
 - 5.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25 Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray’s

River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 annexed to this Order;

- 5.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.
6. From 10 June 2022 until 23.59 hrs on 9 May 2023 the Respondents and each of them are forbidden from:
 - 6.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.
 - 6.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.
 - 6.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

Alternative service

7. The Appellant is permitted in addition to personal service to serve this Order on the Second Respondents and any other named defendants by the following methods together:
 - 7.1. service of the sealed Order on Insulate Britain by email to their known email addresses insulatebritainlegal@protonmail.com and ring2021@protonmail.com; and
 - 7.2. posting a copy of this Order through the letterbox of each named defendant (or leaving it 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 this 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 Notices shall be given in prominent lettering in the form set out in Appendix 4.

8. The Appellant is directed to take the following steps to publicise the existence of this Order:
 - 8.1. Placing copies of the Order on the National Highways website;
 - 8.2. Advertising the existence of this Order in the London Gazette;
 - 8.3. Sending a copy of this Order to Insulate Britain's known email addresses: ring2021@protonmail.com and insulatebritainlegal@protonmail.com.

9. For the avoidance of doubt, persons who have not been served with this Order by an acceptable method are not bound by its terms. Compliance with paragraphs 7.1 and 8.1 – 8.3 above **does not constitute service** on any Defendant, nor does a failure to comply with paragraph 11 above constitute a failure of service.

Third-Party Disclosure

10. Pursuant to CPR 31.17, the Chief Constables for those forces listed in Schedule 3 to this Order shall procure that the officers within their forces disclose to the Appellant:

- 10.1. all of the names and addresses 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 referred to in these proceedings; and
- 10.2. all arrest notes, body camera footage and/or all other photographic material relating to possible breaches of this Order.
11. Without the permission of the Court, the Appellant shall not make use of any document disclosed by virtue of paragraph 10 of this Order, other than for one or more of the following uses:
 - 11.1. applying to name and join any person as a named defendant to these proceedings and to serve the said person with any document in these proceedings;
 - 11.2. investigating, formulating, pleading and prosecuting any claim within these proceedings arising out of any alleged breach of this Order;
 - 11.3. use for purposes of formulating, pleading and prosecuting any application for committal for contempt of court against any person for breach of any Order made within these proceedings.
12. Until further Order, the postal address and/or address for service of any person who is added as a defendant to these proceedings shall be redacted in any copy of any document which is served other than by means of it being sent directly to that person or their legal representative.
13. The Appellant is to serve this order on the Police Representative Assistant Chief Constable Owen Weatherill (owen.weatherill@npocc.police.uk), by email only.

Further directions

14. The Respondents 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 Appellant's solicitors by email to the addresses specified at paragraph 21 below 48 hours before making such application of the nature of such application and the basis for it.

15. Any person applying to vary or discharge this Order must provide their full name and address, and address for service to the Claimant and to the Court, and must also apply to be joined as a named defendant to these proceedings at the same time.
16. The Appellant has liberty to apply to extend, vary or discharge this Order, or for further directions.

COSTS

17. There will be no variation of the costs Order dated 16 January 2023 of Bennathan J and no order as to costs of the appeal.

REASONS

1. The appeal was pursued by the Appellant essentially as being in the public interest. The Second Respondents did not formally oppose the appeal and although two of the 109 named defendants addressed the Court at the hearing, very little time was taken up by that presentation and it cannot have increased the Appellant's costs to any appreciable extent. The Court considers it would be unreasonable and disproportionate to order the Second Respondents to pay any of the costs of the appeal.
2. The Court sees no reason to vary the costs Order made by the judge. It will be for the High Court at any review hearing to determine what if any costs Order to make in the case.

COMMUNICATIONS WITH THE CLAIMANT

18. The Appellant's solicitors and their contact details are:

DLA Piper UK LLP

Attention: Petra Billing and Rob Shaw

1 St. Paul's Place

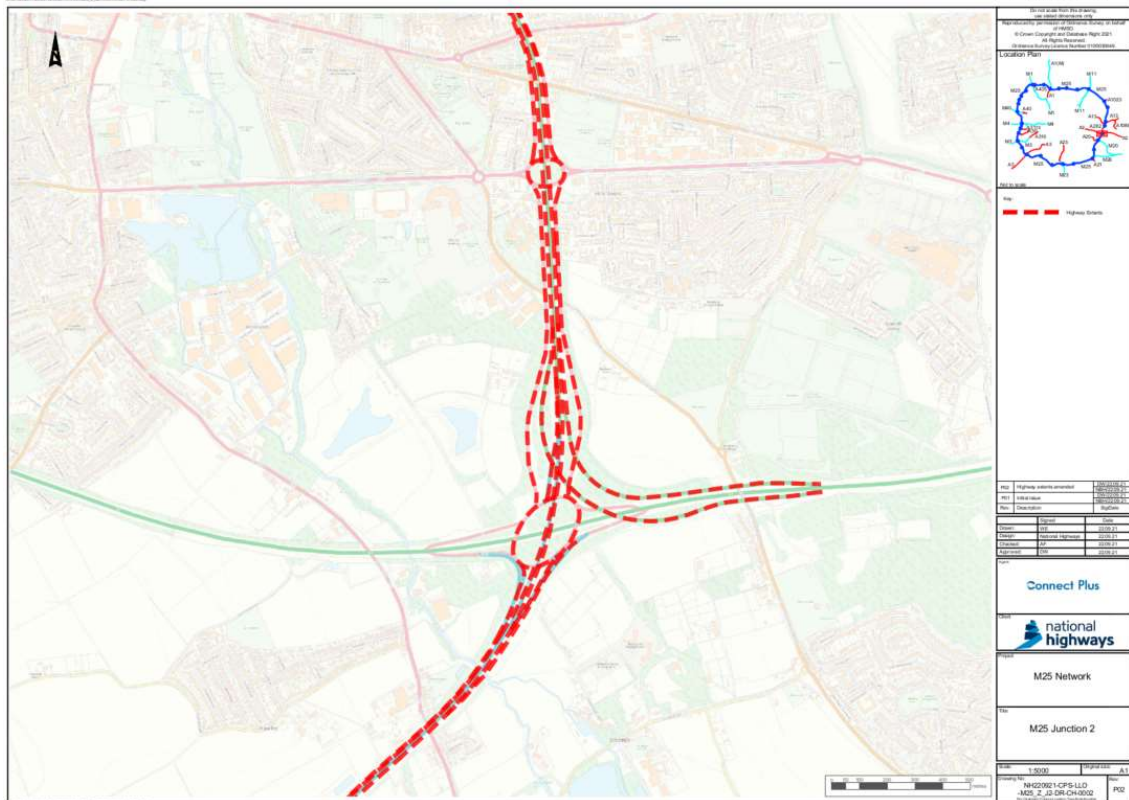
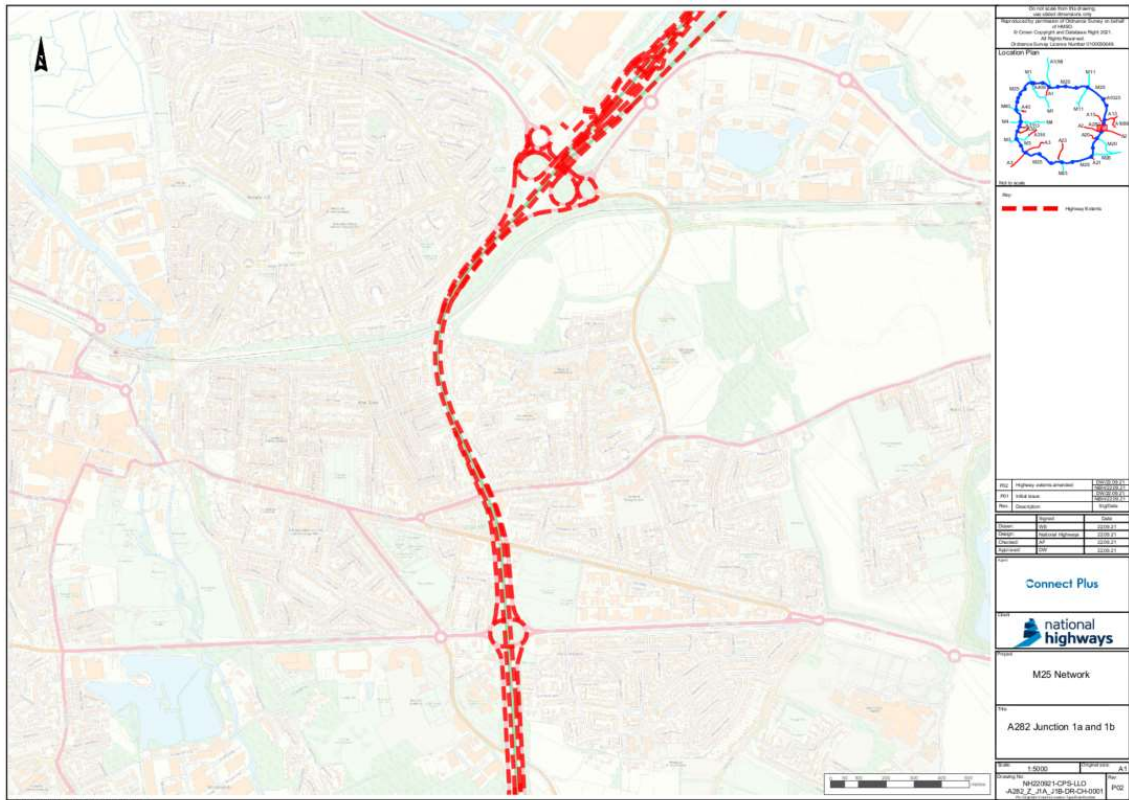
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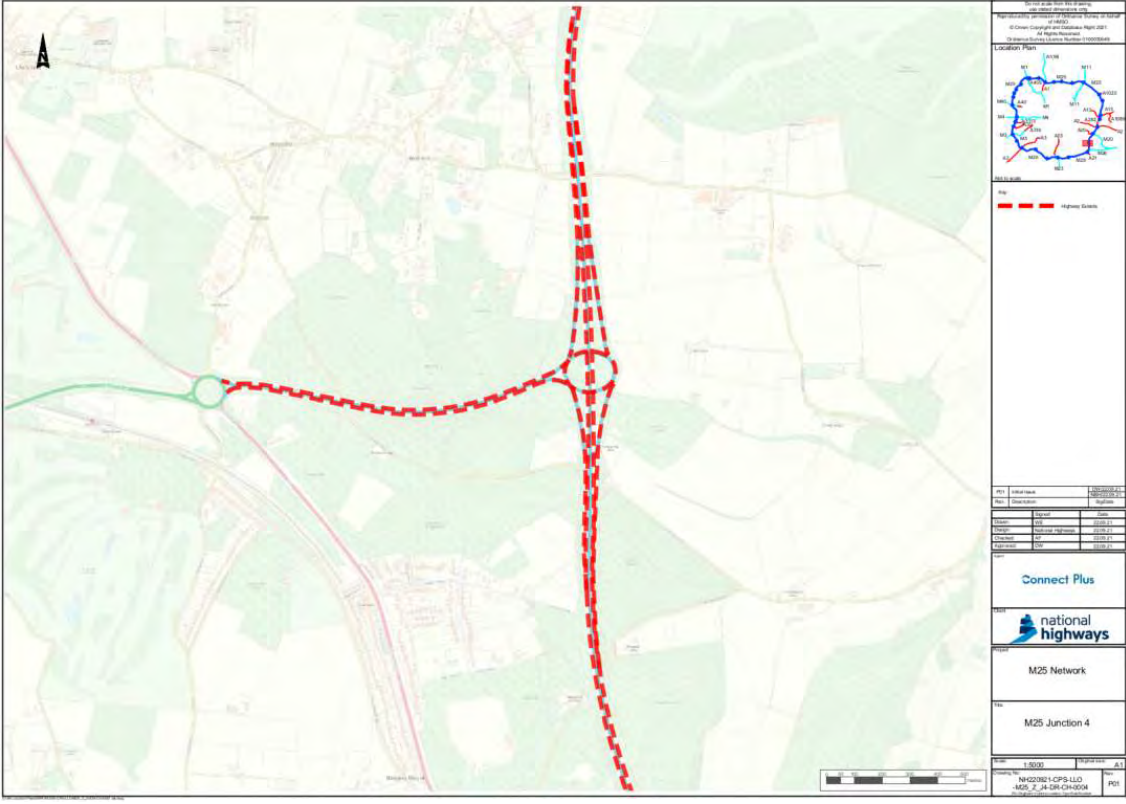
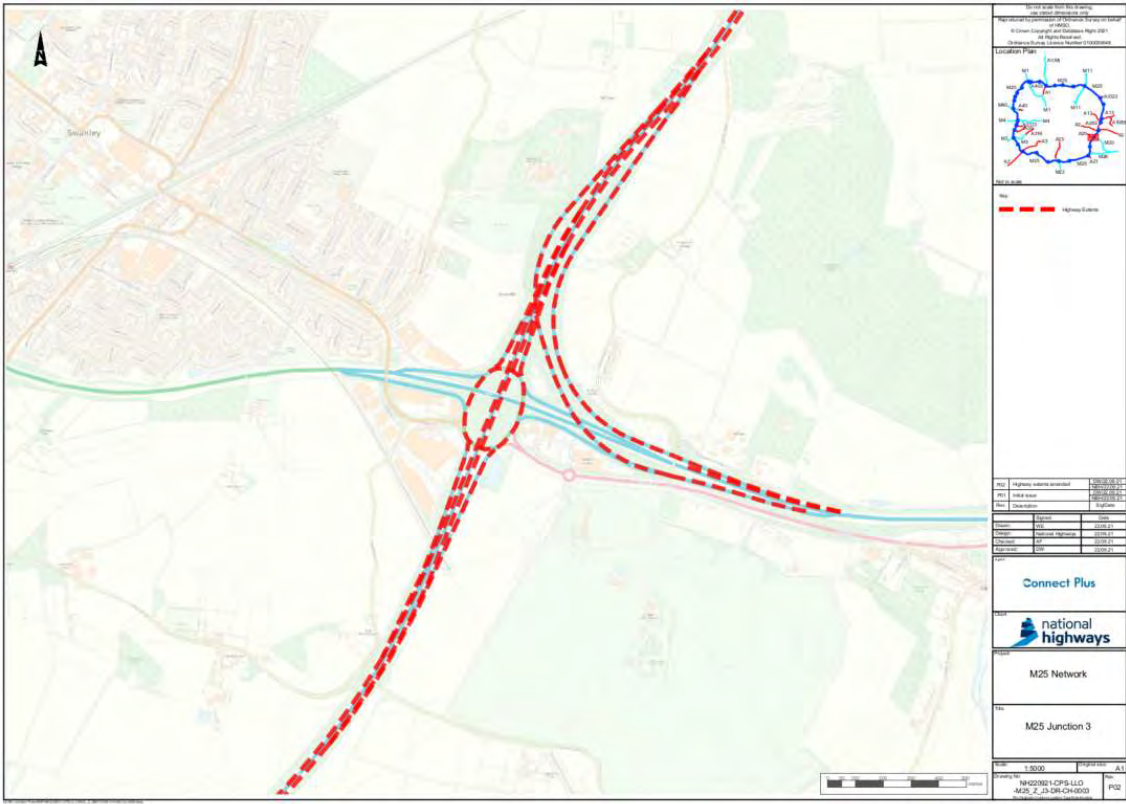
E: petra.billing@dlapiper.com and rob.shaw@dlapiper.com

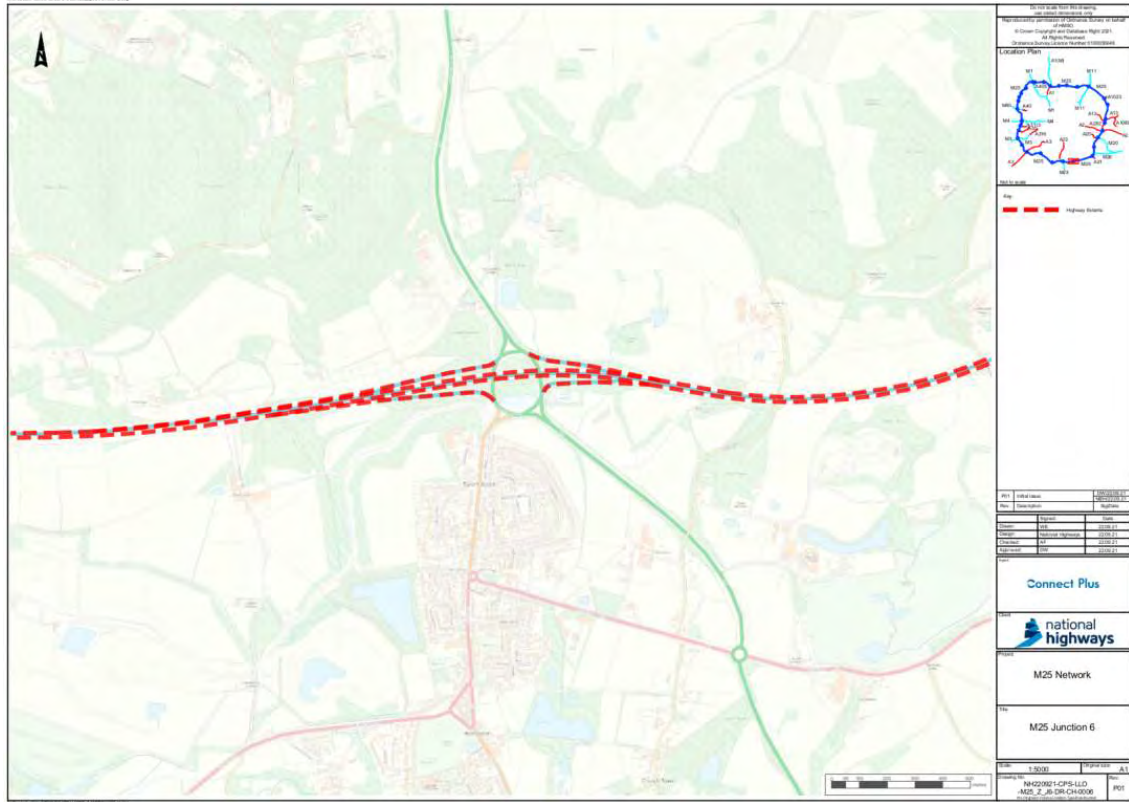
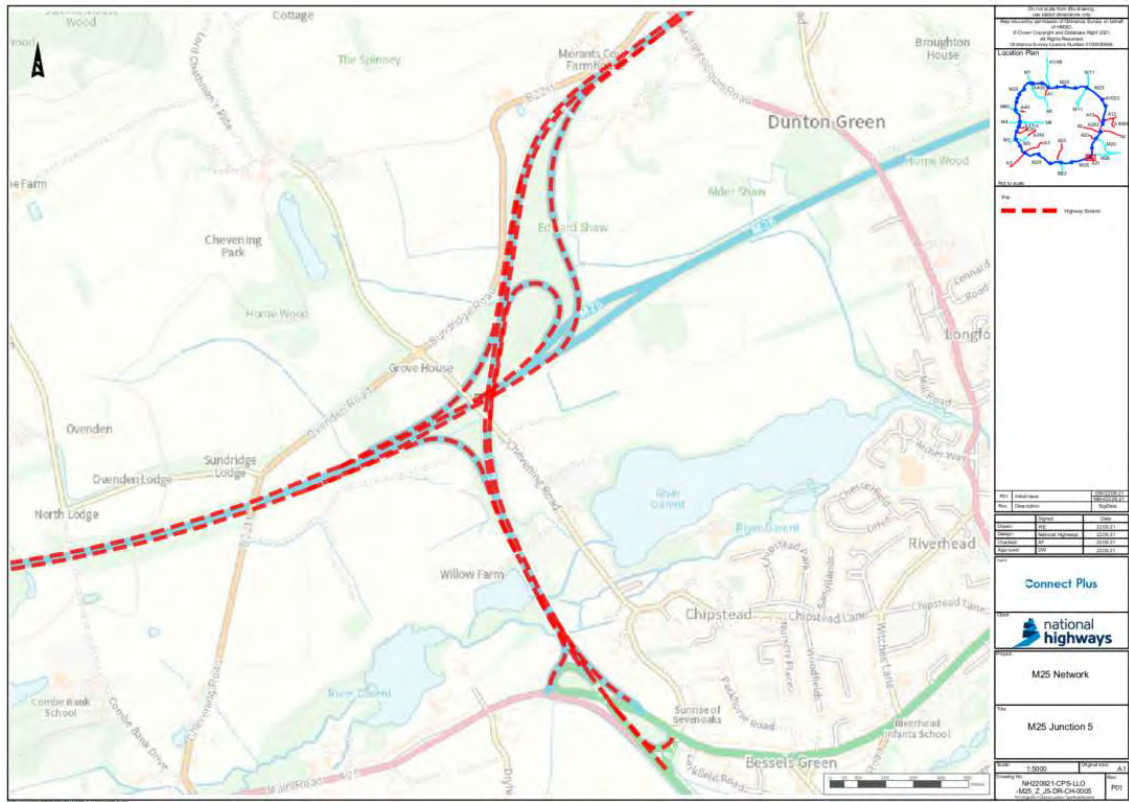
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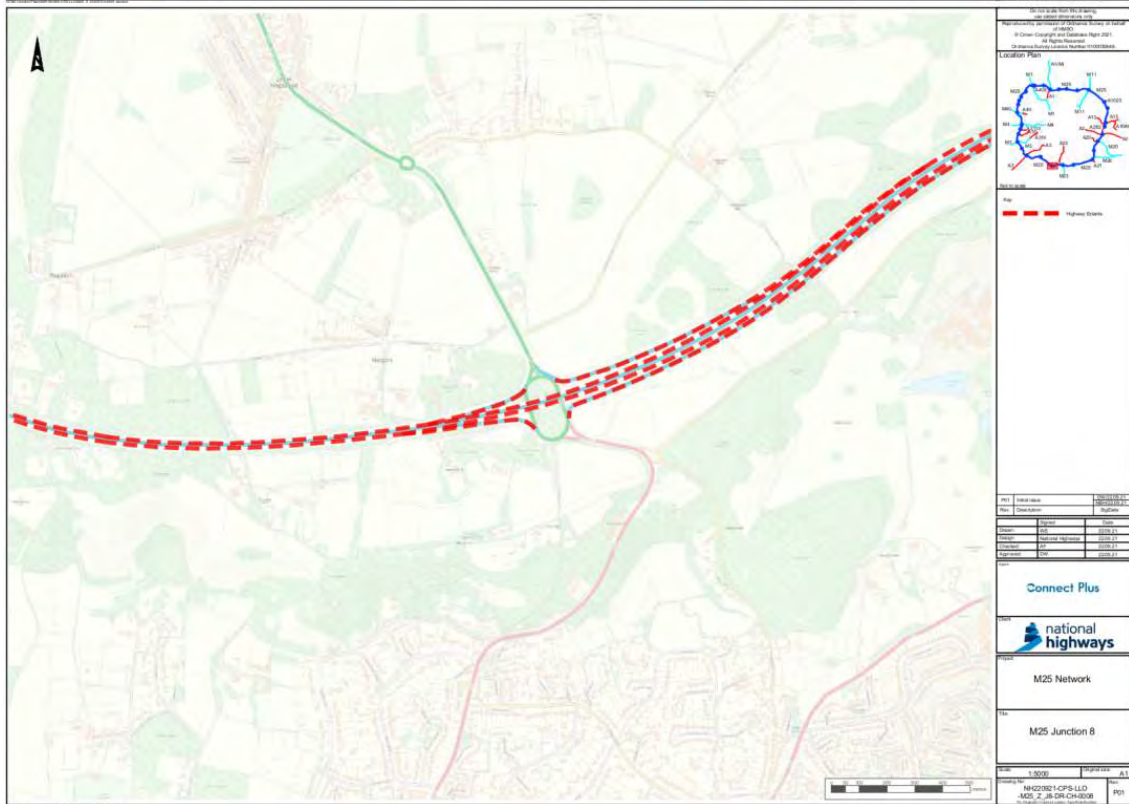
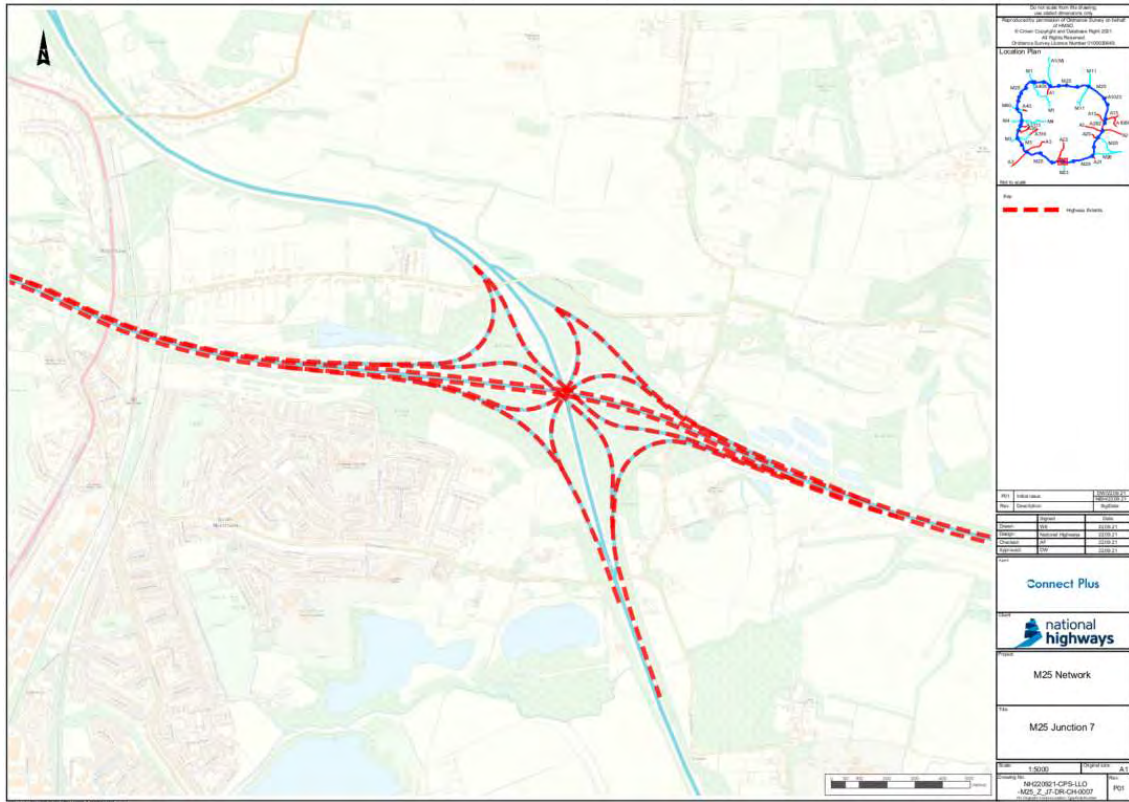
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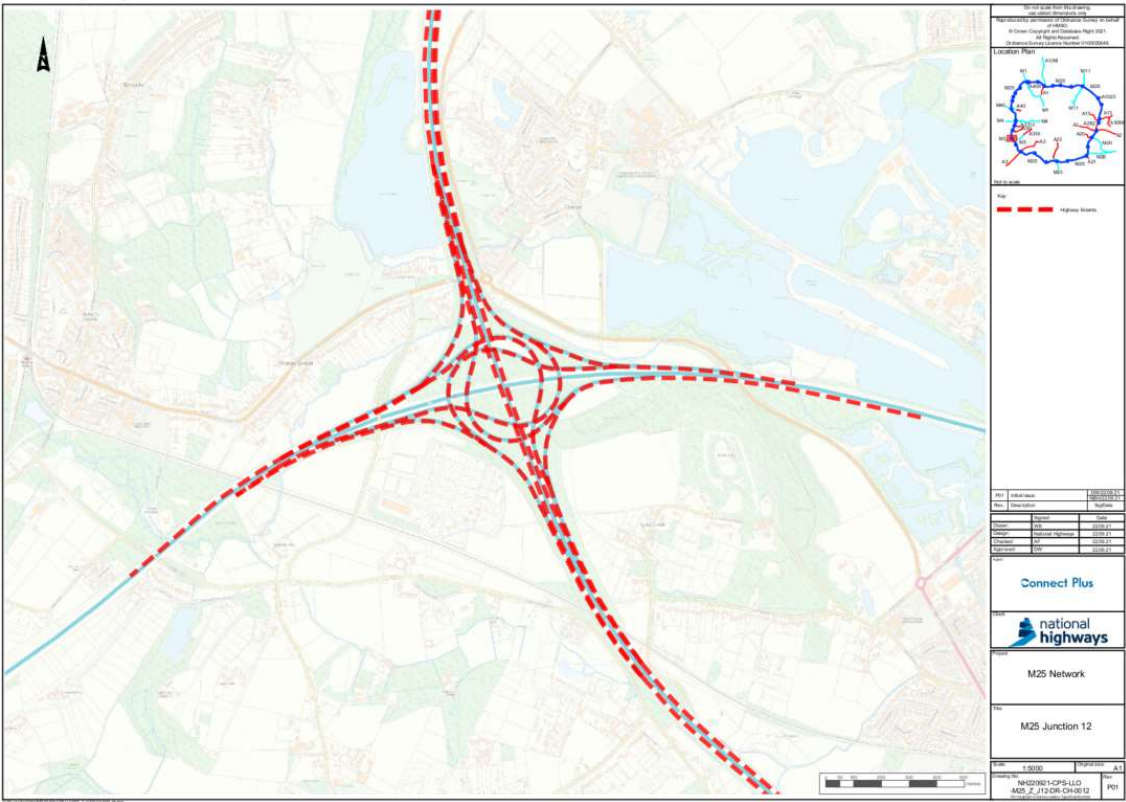
BY THE COURT

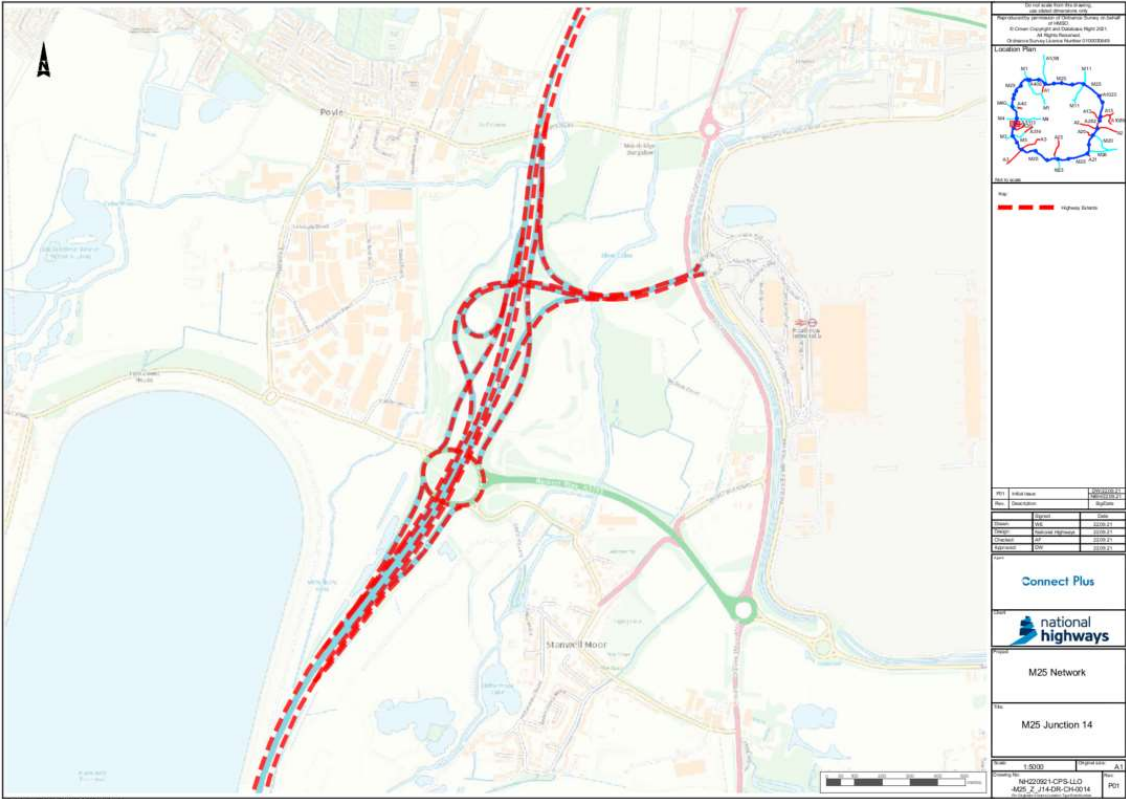
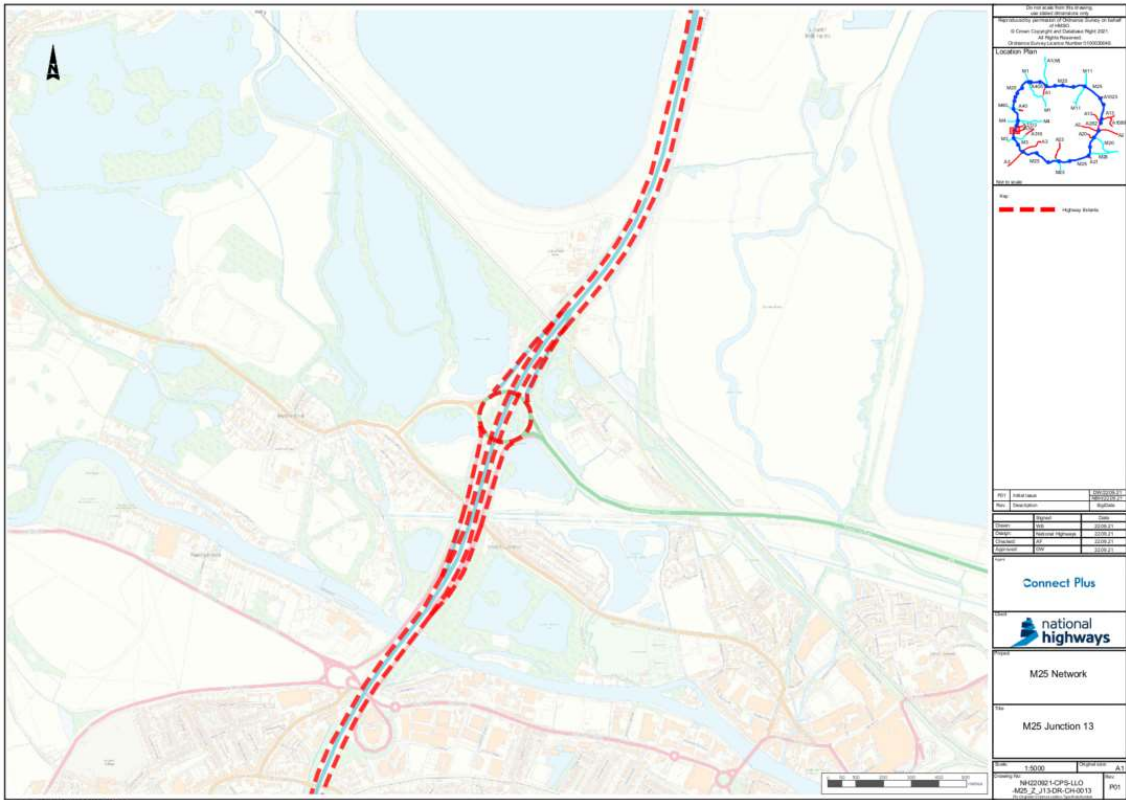


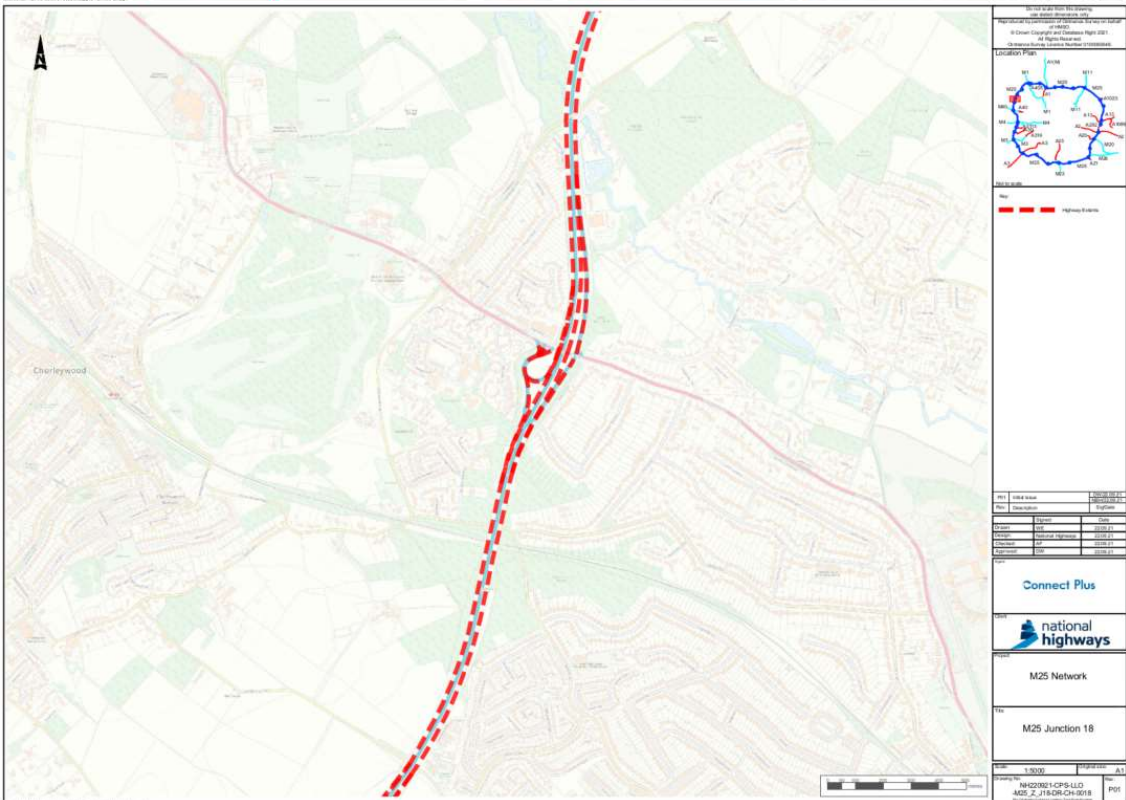


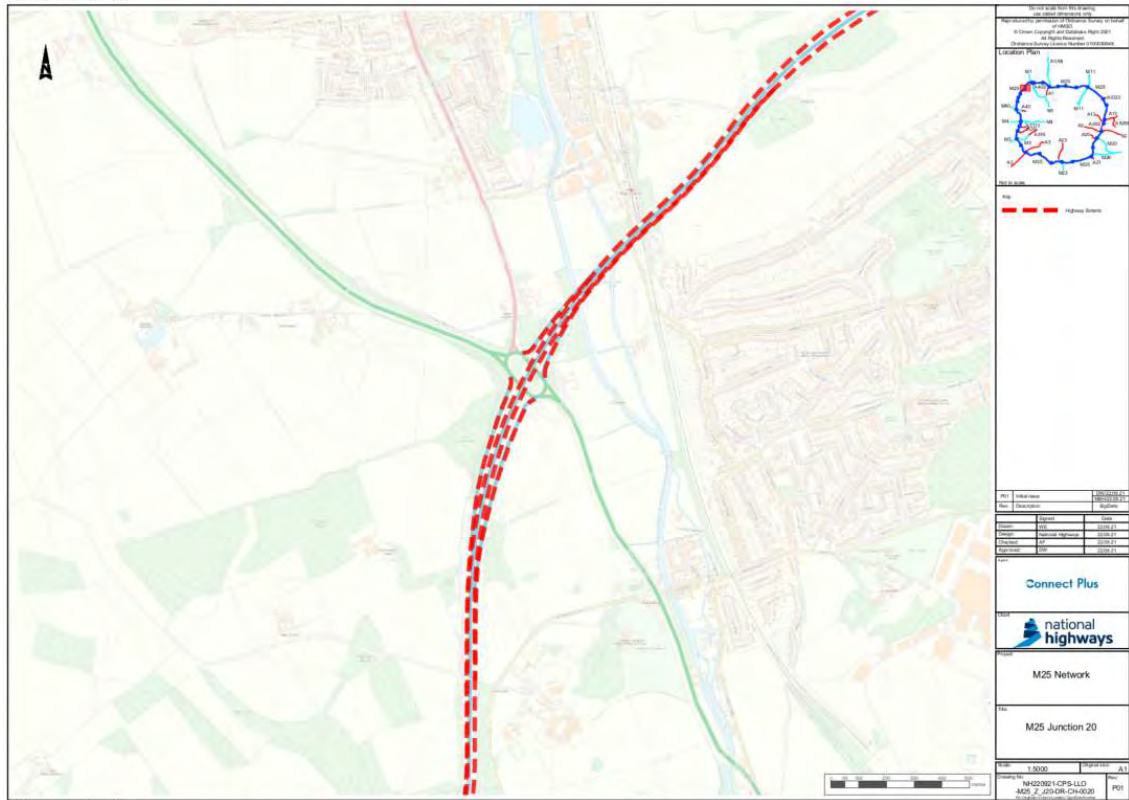
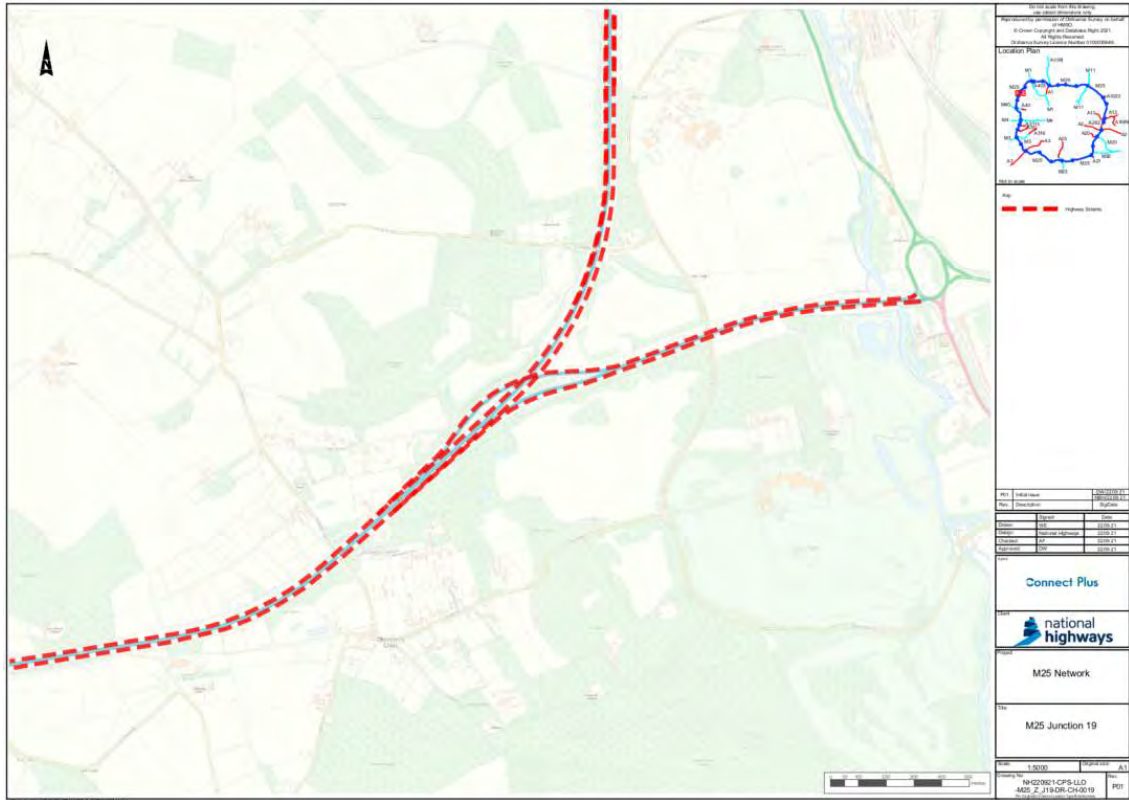


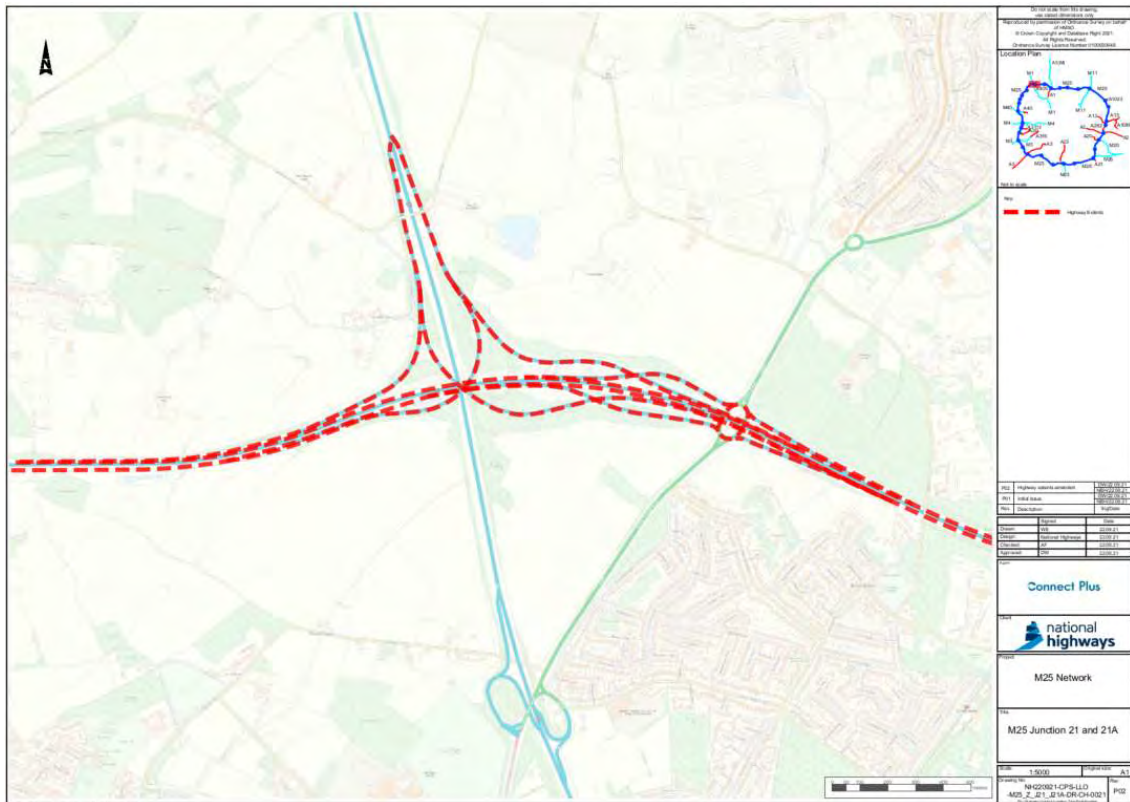


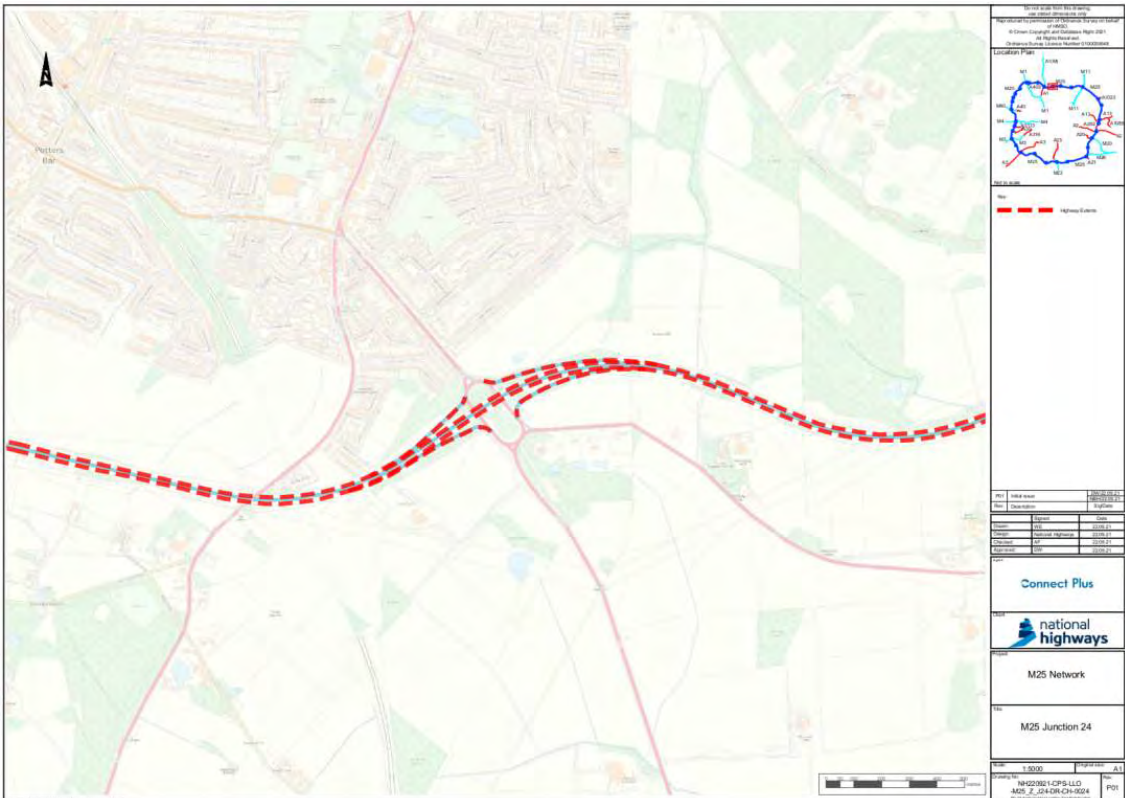
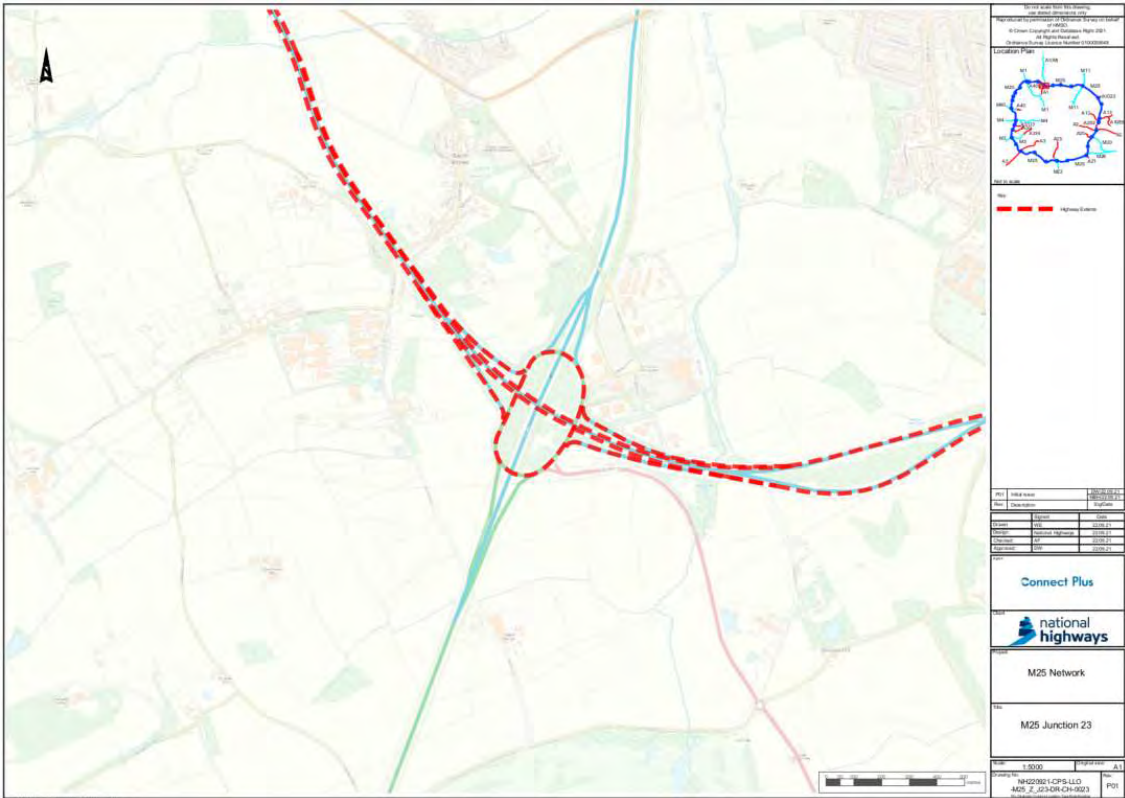


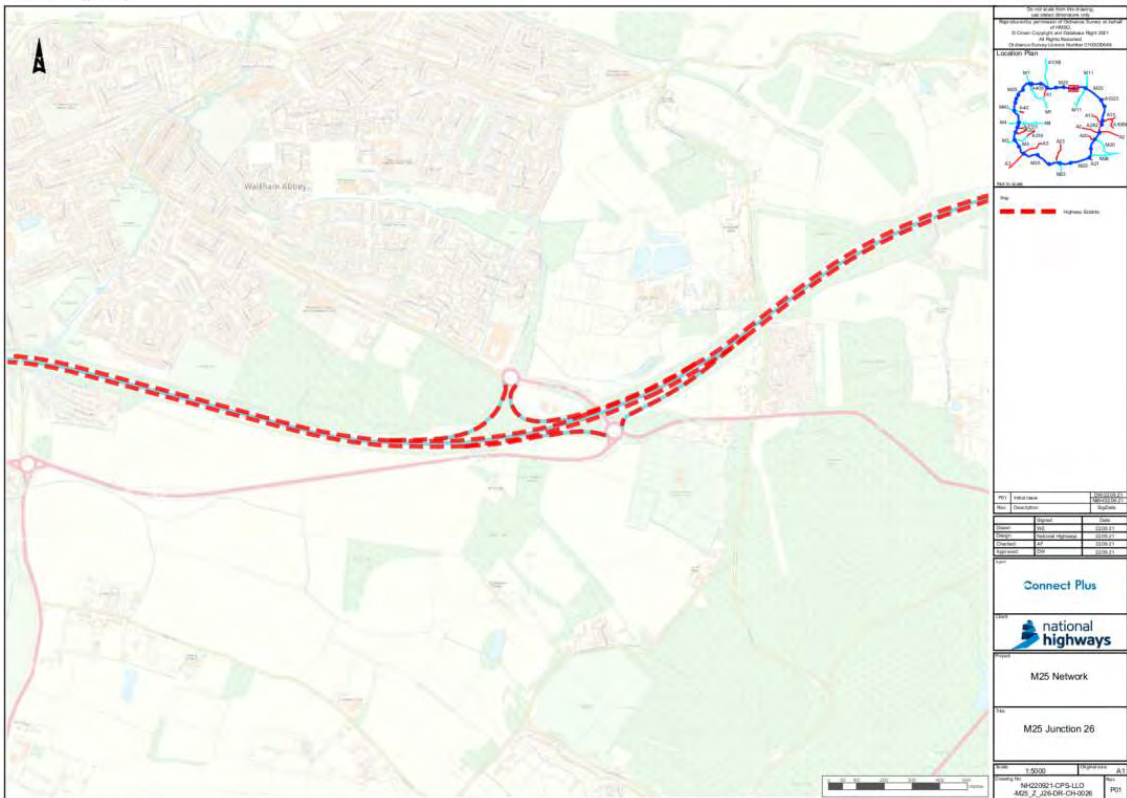
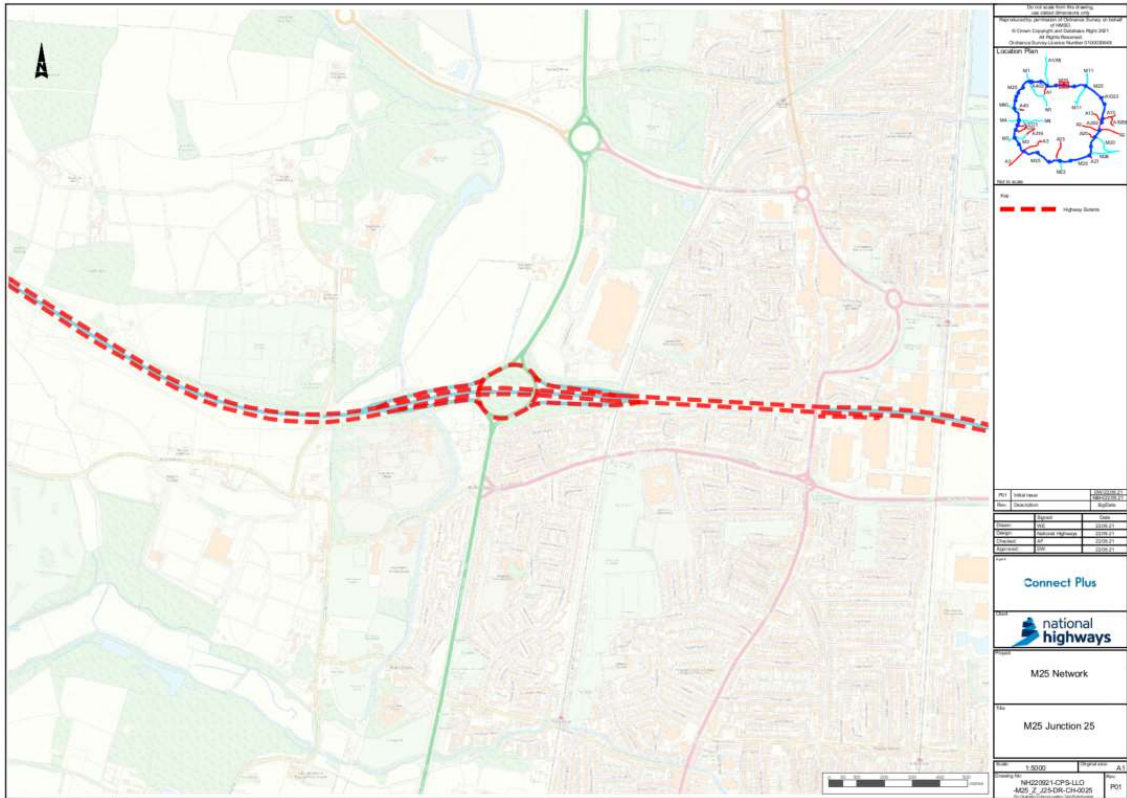


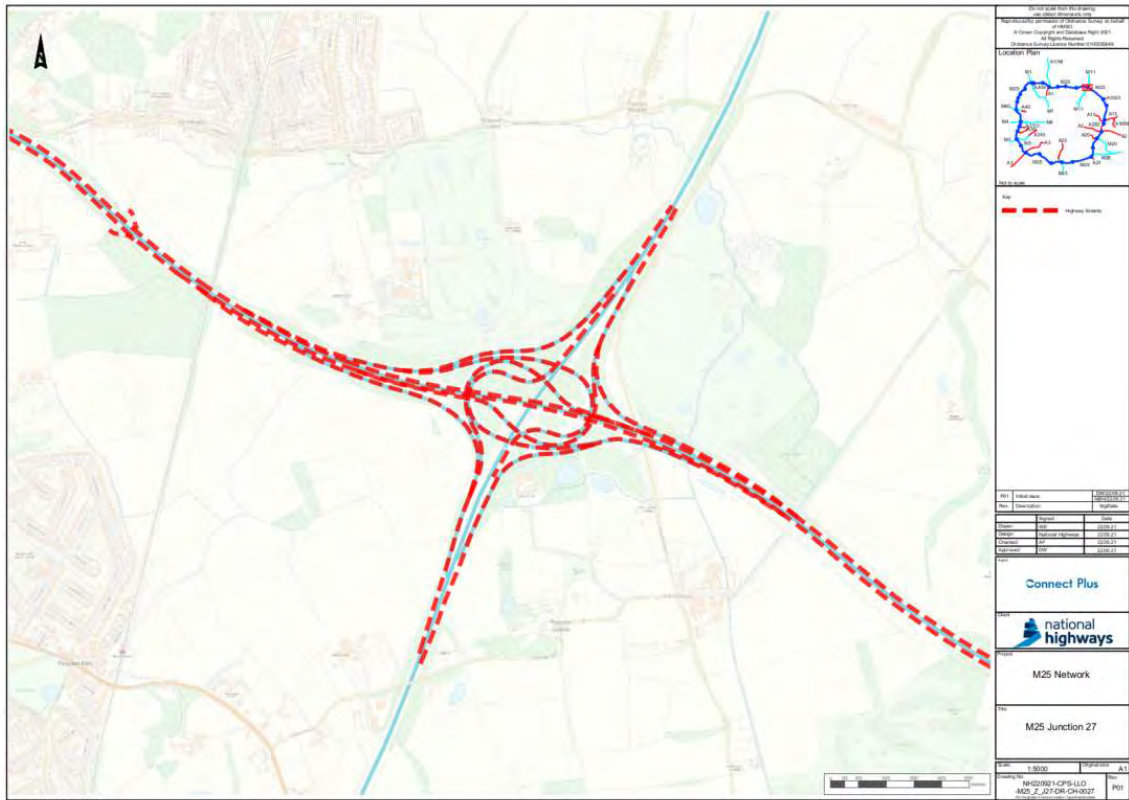


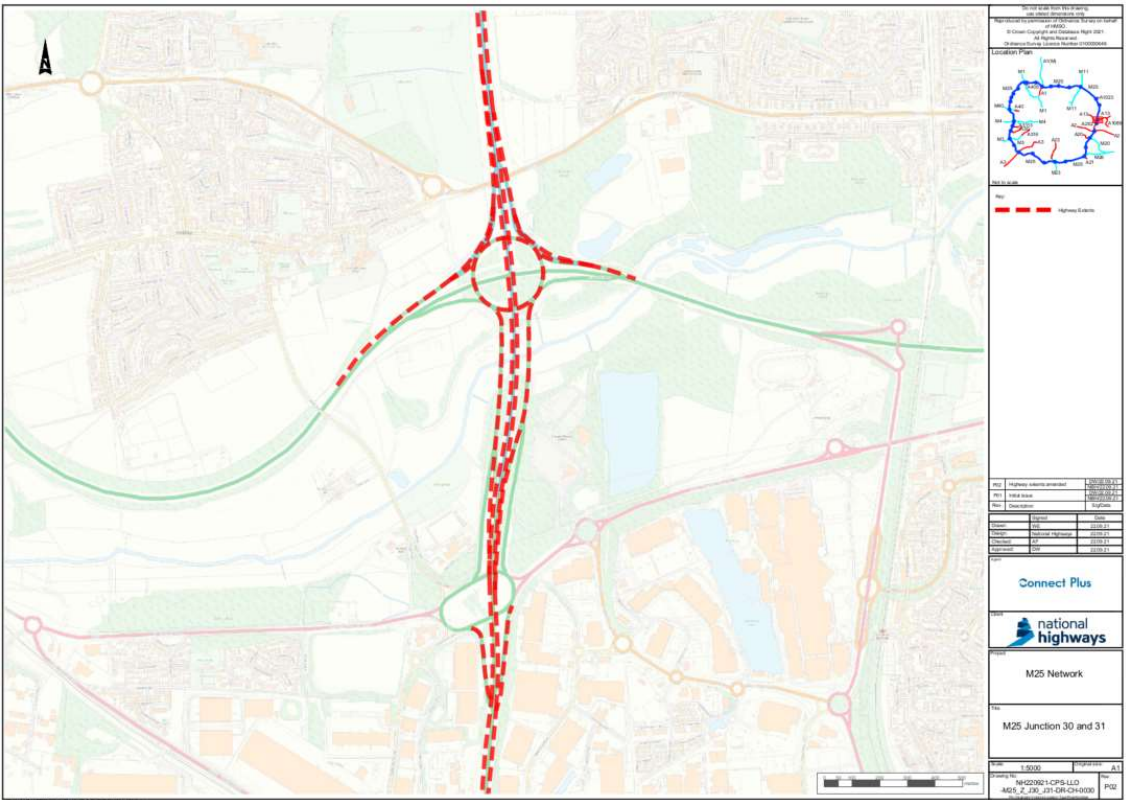
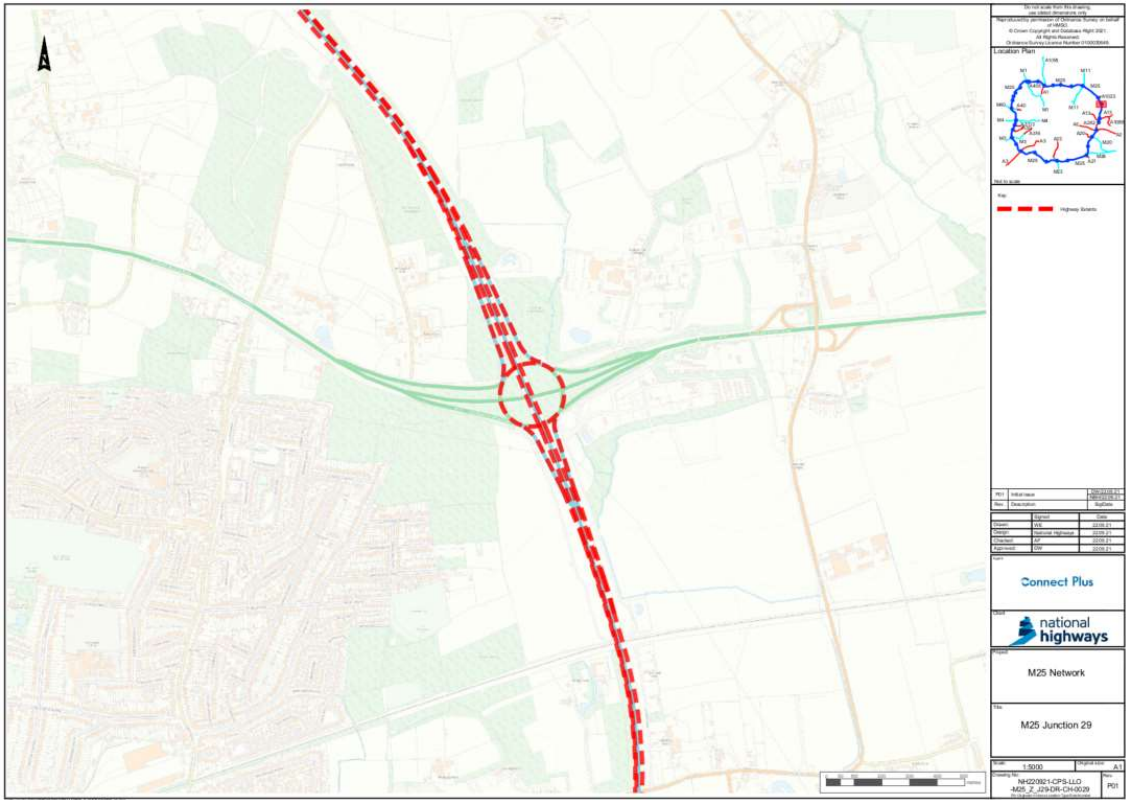






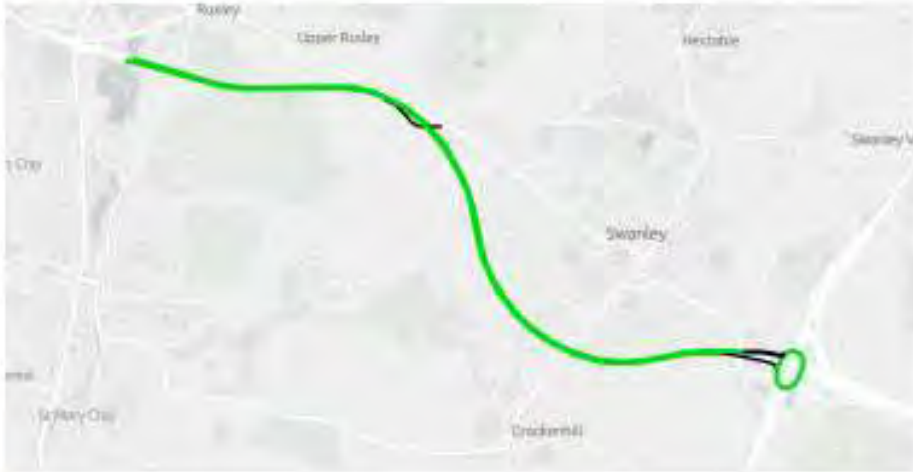






APPENDIX 2

A20 London - M25



M20



A20 Coast Section



A2 London – M2 Section



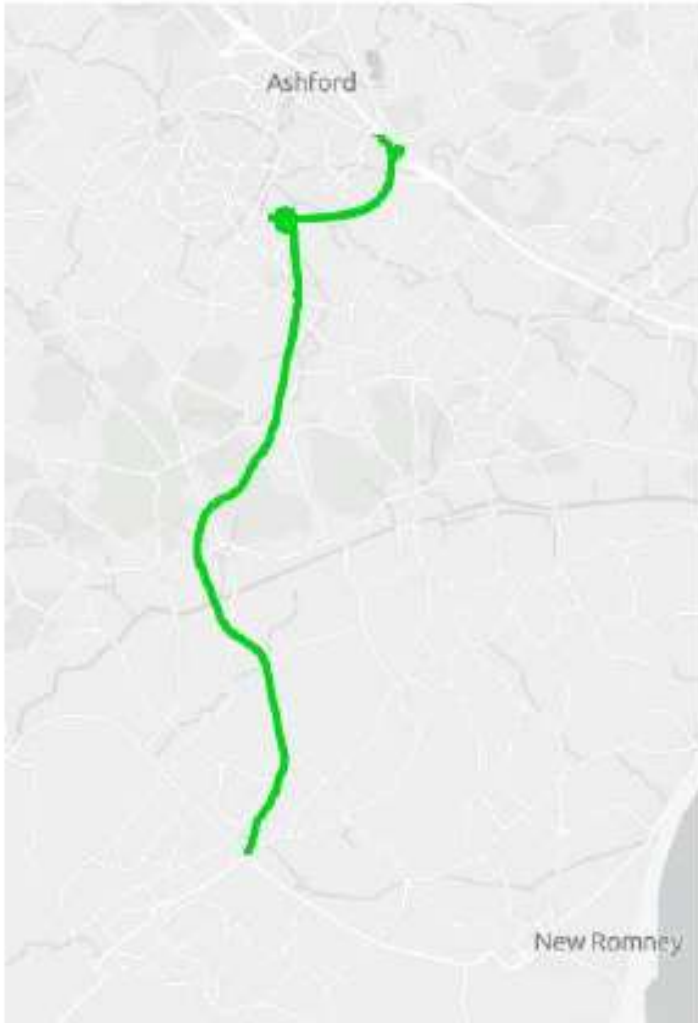
M2



A2 M2 - Dover Section



A2070

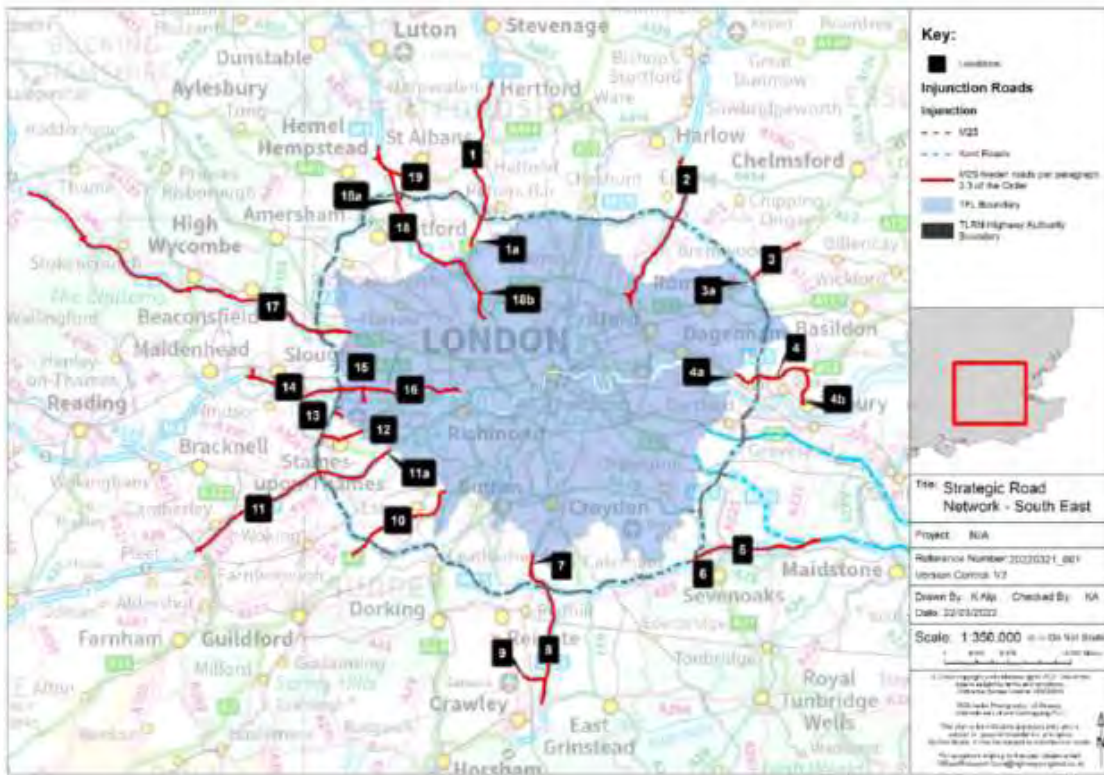


Kent & Surrounding areas SRN



APPENDIX 3

Strategic Road Network – South East



- 1. A1(M) from Junction 1 to Junction 6
- 1a. A1 from A1(M) to Rowley Lane
- 2. M11 from Junction 4 to Junction 7
- 3. A12 from M25 Junction 28 to A12 Junction 12
- 3a. A1023 (Brook Street) from M25 Junction 28 roundabout to Brook Street Shell Petrol Station access
- 4. A13 from M25 Junction 30 to junction with A1089
- 4a. A13 from junction with A1306 for Wennington to M25 Junction 30
- 4b. A1089 from junction with A13 to Port of Tilbury entrance

5. M26 (the whole motorway) from M25 to M20
6. A21 from the M25 to B2042
7. A23 from M23 to Star Shaw
8. M23 from Junction 7 to Junction 10 (including M23 Gatwick Spur)
9. A23 between North and South Terminal Roundabouts
10. A3 from A309 to B2039 Ripley Junction
11. M3 from Junction 1 to Junction 4
- 11a. A316 from M3 Junction 1 to Felthamhill Brook
12. A30 from M25 Junction 13 to Harrow Road, Stanwell, Feltham
13. A3113 from M25 Junction 14 to A3044
14. M4 from Junction 4B to Junction 7
15. M4 Spur (whole spur) from M4 Junction 4 to M4 Junction 4a
16. M4 from Junction 1 to Junction 4B
17. M40 from M40 Junction 7 to A40 (Fray's River Bridge)
18. M1 from Junction 1 to Junction 8
- 18a. A405 from M25 Junction 21A to M1 Junction 6
- 18b. A1 from Fiveways Corner roundabout to Hilltop Gardens
19. A414 from M1 Junction 8 to A405

APPENDIX 4

[On the package containing the Court order]

“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 - Antony Nwanodi, Government Legal Department, Tel: 020 7210 3424”

[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 - Antony Nwanodi, Government Legal Department, Tel: 020 7210 3424”

SCHEDULE 1 – NAMED DEFENDANTS

	Name	Address
1.	PERSONS UNKNOWN CAUSING THE BLOCKING OF, OR ENDANGERING, OR OTHERWISE PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25 MOTORWAY, A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY, 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	
2.	Alexander RODGER	
3.	Alyson LEE	
4.	Amy PRITCHARD	
5.	Ana HEYATAWIN	
6.	Andrew Taylor WORSLEY	
7.	Anne TAYLOR	
8.	Anthony WHITEHOUSE	
9.	Barry MITCHELL	
10.	Ben TAYLOR	
11.	Benjamin BUSE	
12.	Biff William Courtenay WHIPSTER	
13.	Cameron FORD	
14.	Catherine RENNIE- NASH	
15.	Catherine EASTBURN	
16.	Christian MURRAY- LESLIE	
17.	Christian ROWE	

18.	Cordelia ROWLATT
19.	Daniel Lee Charles SARGISON
20.	Daniel SHAW
21.	David CRAWFORD
22.	David JONES
23.	David NIXON
24.	David SQUIRE
25.	Diana Elizabeth BLIGH
26.	Diana HEKT
27.	Diana Lewen WARNER
28.	Donald BELL
29.	Edward Leonard HERBERT
30.	Elizabeth ROSSER
31.	Emma Joanne SMART
32.	Gabriella DITTON
33.	Gregory FREY
34.	Gwen HARRISON
35.	Harry BARLOW
36.	Ian BATES

37.	Ian Duncan WEBB
38.	James BRADBURY
39.	James Malcolm Scott SARGISON
40.	James THOMAS
41.	Janet BROWN
42.	Janine EAGLING
43.	Jerrard Mark LATIMER
44.	Jessica CAUSBY
45.	Jonathan Mark COLEMAN
46.	Joseph SHEPHERD
47.	Joshua SMITH
48.	Judith BRUCE
49.	Julia MERCER
50.	Julia SCHOFIELD
51.	Karen MATTHEWS
52.	Karen WILDIN
53.	Liam NORTON
54.	Louis MCKECHNIE

55.	Louise Charlotte LANCASTER
56.	Lucy CRAWFORD
57.	Mair BAIN
58.	Margaret MALOWSKA
59.	Marguerite DOWBLEDAY
60.	Maria LEE
61.	Martin John NEWELL
62.	Mary ADAMS
63.	Matthew LUNNON
64.	Matthew TULLEY
65.	Meredith WILLIAMS
66.	Michael BROWN
67.	Michael Anthony WILEY
68.	Michelle CHARLSWORTH
69.	Natalie Clare MORLEY
70.	Nathaniel SQUIRE
71.	Nicholas COOPER
72.	Nicholas ONLEY
73.	Nicholas TILL

74.	Oliver ROCK
75.	Paul COOPER
76.	Paul SHEEKY
77.	Peter BLENCOWE
78.	Peter MORGAN
79.	Phillipa CLARKE
80.	Priyadaka CONWAY
81.	Richard RAMSDEN
82.	Rob STUART
83.	Robin Andrew COLLETT
84.	Roman Andrzej PALUCH-MACHNIK
85.	Rosemary WEBSTER
86.	Rowan TILLY
87.	Ruth Ann COOK
88.	Ruth JARMAN
89.	Sarah HIRONS
90.	Simon REDING
91.	Stefania MOROSI
92.	Stephanie AYLETT

93.	Stephen Charles GOWER
94.	Stephen PRITCHARD
95.	Susan CHAMBERS
96.	Sue PARFITT
97.	Sue SPENCER- LONGHURST
98.	Susan HAGLEY
99.	Suzie WEBB
100.	Tessa-Marie BURNS
101.	Theresa NORTON
102.	Tim SPEERS
103.	Tim William HEWES
104.	Tracey MALLAGHAN
105.	Valerie SAUNDERS
106.	Venitia CARTER
107.	Victoria Anne LINDSELL
108.	Xavier GONZALEZ TRIMMER
109.	Bethany MOGIE
110.	Indigo RUMBELOW
111.	Adrian TEMPLE- BROWN

112.	Ben NEWMAN
113.	Christopher PARISH
114.	Elizabeth SMAIL
115.	Julian MAYNARD SMITH
116.	Rebecca LOCKYER
117.	Simon MILNER- EDWARDS
118.	Stephen BRETT
119.	Virginia MORRIS
120.	Andria EFTHIMIOUS- MORDAUNT
121.	Christopher FORD
122.	Darcy MITCHELL
123.	David MANN
124.	Ellie LITTEN
125.	Julie MACOLI
126.	Kai BARTLETT
127.	Sophie FRANKLIN
128.	Tony HILL
129.	Nicholas BENTLEY
130.	Nicola STICKELLS

131.	Mary LIGHT
132.	David McKENNY
133.	Giovanna LEWIS
134.	Margaret REID

SCHEDULE 2

Claim Nos. QB-2021-003576, 003626 and 003737

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Before the Honourable Mr Justice Chamberlain
On 17 March 2022

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 142 OTHERS

Defendants

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS OR 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.

FURTHER TO the Orders made in these proceedings by Lavender J on 22 September 2021 (the “**M25 Order**”), Cavanagh J on 24 September 2021 (the “**Kent Roads Order**”) and Holgate J on 4 October 2021 (the “**Feeder Roads Order**”)

AND UPON the Claimant’s application by Application Notice dated 4 March 2022, pursuant to the liberty to apply provisions at paragraph 7 of the M25 and Kent Roads Orders and paragraph 10 of the Feeder Roads Order to extend the duration of the injunctions contained at paragraph 2 of the M25 and Kent Roads Orders and paragraph 4 of the Feeder Roads Order (the “**Extension Application**”)

AND UPON READING the Witness Statement of Robert Shaw dated 4 March 2022, and the Claimant’s skeleton argument.

AND UPON hearing David Elvin QC, Counsel for the Claimant

AND UPON the Court accepting the Claimant’s undertaking 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 renewed 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 Court accepting the Claimant’s renewed 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 confirming that this Order is not intended to prohibit lawful protest which does not endanger, slow, obstruct, prevent or otherwise interfere with the flow of traffic onto off or along the M25, Kent Roads or Feeder Roads nor to prevent lawful use of the Roads by any person

AND UPON the Claimant confirming that it will file summary judgment applications in respect of Claim Nos. QB-2021-003576, 003626 and 003737 as soon as reasonably practicable

AND UPON the Chief Constables for those forces listed in Schedule 2 to this order having consented to an order being made in the terms set out below

IT IS ORDERED THAT:

Continuation of the M25 Order

1. For the purposes of this Order, the

1.1 M25 means the London Orbital Motorway including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges including the Dartford Crossing and Queen Elizabeth II Bridge, and any apparatus related to that motorway.

1.2 the Kent Roads mean the A2, A20, A2070, M2 and M20 as identified in the plans annexed at Annex A to this Order, including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges and any apparatus related to that motorway;

1.3 the Feeder Roads mean the A1(M) (Junction 1 to Junction 6), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A13 (M25 Junction 30 to A1089), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8) and A414 (M1 Junction 8 to A405) as identified by the descriptions and plan annexed at Annex B to this Order, including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges, including any roundabouts for access to and from the Feeder Roads, and any apparatus related to those roads.

(together the “**Roads**”).

Continuation of the M25 Order

2. The long-stop date of 21 March 2022 be deleted, and the injunction at paragraph 2 of the M25 Order as set out in full at paragraph 3 below shall continue until 9 May 2022 or further order.

Injunction in force – M25 Order

3. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:

3.1 Blocking, endangering, slowing down, preventing, or obstructing the free flow of traffic onto or along or off the M25 for the purposes of protesting.

3.2 Causing damage to the surface of or to any apparatus on or around the M25 including but not limited to painting, damaging by fire, or affixing any item or structure thereto.

3.3 Affixing themselves (“locking on”) to any other person or object on the M25.

3.4 Erecting any structure on the M25.

3.5 Tunnelling in the vicinity of the M25.

3.6 Entering onto the M25 unless in a motor vehicle.

3.7 Abandoning any vehicle or item on the M25 with the intention of causing an obstruction.

3.8 Refusing to leave the area of the M25 when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.

3.9 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 3.1 – 3.8 above.

3.10 Continuing any act prohibited by paragraphs 3.1 – 3.9 above.

Continuation of the Kent Roads Order

4. The long-stop date of 24 March 2022 be deleted, and the injunction at paragraph 2 of the Kent Roads Order as set out in full at paragraph 5 below shall continue until 9 May 2022 or further order.

Injunction in force - Kent Roads Order

5. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:
 - 5.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.
 - 5.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.
 - 5.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 5.4 Affixing themselves (“locking on”) to any other person or object on the Roads.
 - 5.5 Erecting any structure on the Roads.
 - 5.6 Tunnelling in the vicinity of the Roads.
 - 5.7 Entering onto the Roads unless in a motor vehicle.
 - 5.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.

5.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.

5.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 5.1 – 5.9 above.

5.11 Continuing any act prohibited by paragraphs 5.1 – 5.10 above.

Continuation of the Feeder Roads Order

6. The long-stop date of 24 March 2022 be deleted, and the injunction at paragraph 4 of the Feeder Roads Order as set out in full at paragraph 7 below shall continue 9 May 2022 or further order.

Injunction in force – Feeder Roads Order

7. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 9 May 2022, the Defendants and each of them are forbidden from:

7.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.

7.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.

7.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.

7.4 Affixing themselves (“locking on”) to any other person or object on the Roads.

7.5 Erecting any structure on the Roads.

7.6 Tunnelling in the vicinity of the Roads.

7.7 Entering onto the Roads unless in a motor vehicle.

- 7.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.
- 7.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
- 7.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 7.1 – 7.9 above.
- 7.11 Continuing any act prohibited by paragraphs 7.1 – 7.10 above.

Alternative Service

- 8. The Claimant is permitted in addition to personal service to serve this Order and other documents in these proceedings by the following three methods:
 - 8.1 placing a copy of this Order on the National Highways website; and
 - 8.2 sending a copy of this Order to Insulate Britain's email addresses: Insulate Britain ring2021@protonmail.com and insulatebritainlegal@protonmail.com; and
 - 8.3 posting a copy of this Order together with covering letter 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 this 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 Notices shall be given in prominent lettering in the form set out in Schedule 1; or
 - 8.4 instead of by post as set out in paragraph 8.3 above, by email in circumstances where a Defendant has requested email service of documents.
- 9. Compliance with paragraph 8 shall constitute service of this Order.

Third-Party Disclosure

10. The disclosure obligations contained in the order of Thornton J dated 24 November 2021, as set out in full at paragraph 11 below, shall be extended to continue until 31 July 2022 or further order.
11. The Chief Constables for those forces listed in the Schedule to this order shall disclose to the Claimant:
 - 11.1 all of the names and addresses of any person who has been arrested by one of their officers in the course of, or as a result of, protests on the highway referred to in these proceedings; and
 - 11.2 all arrest notes, body camera footage and/or all other photographic material relating to possible breaches of the Orders.
12. The Claimant is to serve this order on the Police Representative Assistant Chief Constable Owen Weatherill (owen.weatherill@npocc.police.uk), by email only.

Further directions

13. 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).
14. 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 (to the extent they are not already so named).
15. The Claimant has permission to apply to extend or vary this Order or for further directions.
16. The Claimant is to file its application for summary judgment ("**the Application**") by 4pm on 25 March 2022.
17. The Claimant is to serve the Application and evidence in support thereof on the Defendants by 4pm on 5 April 2022.

18. Any Defendant wishing to file evidence in response to the Application is to file and serve such evidence in response by 4pm on 22 April 2022.
19. The Claimant and any Defendant wishing to file a Skeleton Argument are to file and serve a Skeleton Argument by 4pm on 27 April 2022.
20. The Application is listed for 4-5 May 2022 with a time estimate of 2 days, with 3 May 2022 set aside as a judicial reading day.
21. Costs reserved.

Communications with the Claimant

22. 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 – RXS/366530/107

BY THE COURT

Dated: 18 March 2022

SCHEDULE 3
CHIEF CONSTABLES OF THE FORCES OF:

City of London Police

Metropolitan Police Service

Avon and Somerset Constabulary

Bedfordshire Police

Cambridgeshire Constabulary

Cheshire Constabulary

Cleveland Police

Cumbria Constabulary

Derbyshire Constabulary

Devon & Cornwall Police

Dorset Police

Durham Constabulary

Essex Police

Gloucestershire Constabulary

Greater Manchester Police

Hampshire Constabulary

Hertfordshire Constabulary

Humberside Police

Kent Police

Lancashire Constabulary

Leicestershire Police

Lincolnshire Police

Merseyside Police

Norfolk Constabulary

North Yorkshire Police

Northamptonshire Police

Northumbria Police

Nottinghamshire Police

South Yorkshire Police

Staffordshire Police

Suffolk Constabulary

Surrey Police

Sussex Police

Thames Valley Police

Warwickshire Police

West Mercia Police

West Midlands Police

West Yorkshire Police

Wiltshire Police

BY THE COURT

* This order was drawn by Ann Marie Smith (Associate) to whom all enquiries regarding this order should be made. When communicating with the Court please address correspondence to The Associate, Civil Appeals Office, Room E307, Royal Courts of Justice, Strand, London WC2A 2LL (DX 44456 Strand) and quote the Court of Appeal reference number. The Associate's telephone number is 0207 947 7183 and 0207 947 7856.

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim No: QB-2021-003576

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-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 PURPOSE
OF PROTESTING**

(2) MR ALEXANDER RODGER AND 123 OTHERS

Defendants

Claim No: QB-2021-003626

AND B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**(1) 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**

(2) MR ALEXANDER RODGER AND 123 OTHERS

Defendants

Claim No: QB-2021-003737

AND B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**(1) 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**

(2) MR ALEXANDER RODGER AND 123 OTHERS

Defendants

CONSOLIDATED PARTICULARS OF CLAIM

1. The Claimant (formerly Highways England Company Limited):
 - (1) is a strategic highways company incorporated pursuant to ss. 1 and 15 of Infrastructure Act 2015;
 - (2) became the licence holder, highways authority and owner of the land for the Strategic Road Network (“**the SRN**”) under the Appointment of a Strategic Highways Company Order 2015, SI 2015 No. 376;
 - (3) is consequently the highway authority for the SRN pursuant to s.1A of the Highways Act 1980 (as amended);
 - (4) as highways authority in any event has the physical extent of the highway vested in it pursuant to s. 263 of the Highways Act 1980.
2. The Claimant is entitled as highways authority, alternatively as owner of the SRN, to take steps to prevent trespass and nuisance (both public and private) to the use of, and access to, the highways comprising the SRN.
3. Those Defendants who have been identified and joined individually as Defendants to these proceedings are set out in Annex 1 to these Particulars. Where necessary the Defendants whose names appear in Annex 1 are referred to as “the Named Defendants”, whilst reference to “the Defendants” includes both the Named Defendants and those persons unknown who have not yet been individually identified.
4. The Defendants have taken part in a series of protests since 13 September 2021 on the SRN in London and across the south east of England under the banner of “Insulate Britain” (“**IB**”). The protest action to date has involved the obstruction of highways, and access to the highways, comprising parts of the SRN in and around London (including the M25) and in Kent and also has interfered with the free flow of traffic and the use of the SRN by members of the public.
5. The roads to which these Particulars relate and to which the Orders referred to below apply, are set out in Annex 2 to these particulars (“**the Roads**”).
6. The Claimant has obtained three interim injunctions preventing the unlawful use of the SRN by the Defendants in claims QB-2021-003576, 003626 and 003737. These are the Claimant’s Consolidated Particulars of Claim in relation to the

three claims.

The IB Protests

7. The IB Protests involve protestors obstructing the Roads comprising part of the SRN with their physical presence, normally either by sitting down on or gluing themselves to the road surface and similar activities. They also involve the interference with access to those highways.
8. The IB Protests have been ongoing across the south east of England since 13 September 2021:
 - (1) On 13 September 2021, protestors blocked slip roads and the carriageway around five junctions on the M25.
 - (2) On 15 and 17 September 2021 further protests took place.
 - (3) On 21 September 2021, protests on the M25 intensified, including the blocking of the main carriageway of the M25 in both directions.
 - (4) On 21 September 2021 Lavender J granted, an interim injunction in respect of 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*” (QB-2021-003576) (“**the M25 Order**”).
 - (5) Subsequently, the protests moved south east along the strategic highway network, and on 24 September 2021 blocked the A20 in Kent and subsequently the port of Dover.
 - (6) On 24 September 2021, Cavanagh J granted an interim injunction in similar terms to the M25 Order in respect of the IB Protests on or around the A2, A20, A2070, M2 and M20 (QB-2021-003626) (“the Kent Order”).
 - (7) On 29 September 2021, protestors blocked, for the second time, junction 3 of the M25.
 - (8) On 30 September 2021, protestors glued their hands to the ground at Junction 30 of the M25.
 - (9) On 1 October 2021, protestors from IB blocked junction 3 of the M4 and junction 1 of the M1.

- (10) May J on 1 October 2021 made two orders joining the Named Defendants to these proceedings, ordering disclosure from the police and permitting alternative service of the M25 and Kent Orders.
- (11) On 2 October 2021, Holgate J granted a third interim injunction covering the SRN providing access to London both inside and outside the M25 (QB-2021-003737 (“the London Order”), the M25 “feeder roads”, on similar terms to the previous injunctions, joining the same named Defendants and replicating May J’s orders for alternative service.
- (12) On 8 October 2021, protestors from IB blocked the M25 at Junction 25. Other protests, outside the SRN and these proceedings have been carried out causing obstruction to roads within London which are part of the GLA strategic road network.
9. The M25, Kent and London Orders are collectively referred to as “**the Orders**”. A plan and details attached to these Particulars as Annex 3 identifies the areas and the Roads included in the prohibitions imposed by the Orders.
10. Throughout the period referred to above, IB has issued press releases admitting the obstruction caused by the protests by its supporters to the Roads and stating an intention to continue the protest campaign, which intention it has given effect to by continued disruption to the SRN and other road networks.
11. The Defendants have all participated in the protest action described in these Particulars, or at least in some of it, and threaten to continue to participate in similar unlawful protest action to the SRN and not necessarily confined to the Roads.

The Defendants

12. To the extent that it has been possible to identify named defendants participating in the IB protests on the Roads, the names of those Defendants have been added to these proceedings.
13. The Claimant also claims against persons unknown by reference to conduct that is unlawful. That conduct has been defined using non-technical language and is clear in its scope and application. In respect of those Defendants who have not yet been identified, the Claimant will continue during these proceedings to identify and name them as soon as reasonably practicable and to continue to seek relief against that category.

Trespass and nuisance

14. As stated in paragraph 1, the Claimant is the freehold owner and highways authority for the SRN, including the Roads, in which the highway is vested pursuant s. 263 of the 1980 Act.
15. The IB Protests involve trespass to the Roads through the obstruction of the free flow of traffic onto and along those parts of the SRN and through extensive disruption of the use of the Roads to other road users on the following occasions:
 - (1) the M25 on 13, 15, 17, 21, 29 and 30 September 2021 and 8 October 2021;
 - (2) the A20 access to the Port of Dover on 24 September 2021;
 - (3) junction 3 of the M4 on 1 October 2021; and
 - (4) junction 1 of the M1 on 1 October 2021.
16. In particular:
 - (1) The Defendants' actions create an immediate threat to life, putting at risk the lives of those protesting and normal motorway users, as well as those reliant on the movement of emergency services vehicles.
 - (2) The protests have caused widespread and serious disruption to other users of the SRN who are unable to exercise their ordinary rights to use the highway. They have caused considerable public expense and economic damage as well as anxiety, inconvenience and distress to other road users.
 - (3) The obstruction and nuisance caused to road users by the IB protests are, as well as being disruptive and costly, intentional. The IB Protests form part of a co-ordinated campaign directed at intentionally creating disruption throughout the road network, including but not limited to the Roads, for the purposes of effecting a specific political outcome.
17. Further, the Defendants' conduct:
 - (1) has exceeded the rights of the public to use the public highway and by causing obstruction and disruption to the highway are trespassing on the SRN;
 - (2) has endangered the life, health, property or comfort of the public and/or

obstructs the public in the exercise of rights common to all Her Majesty's subjects such that a public nuisance has been created, and the Claimant has suffered particular damage over and above the general inconvenience and injury suffered by the public in expending (i) costs incurred in additional internal managerial and staffing time in order to deal with the protest action and (ii) other costs incurred in remedying the wrong;

- (3) threatens, unless restrained, to continue the actions under (1) and (2) and to cause an interference with the reasonable use of the SRN amounting to a private nuisance by obstructing the access to and use of the SRN.
18. By reason of the matters set out herein, there is a real and imminent risk of trespass and nuisance continuing to be committed across the SRN including to the Roads.
19. The Defendants have openly stated an intention to continue to cause obstruction to the SRN, and various parts of it including the Roads, through further protest action similar to that described herein unless restrained by this Honourable Court.
20. Further, by reason of the unlawful behaviour set out herein, the Claimant has suffered loss and damage.

AND THE CLAIMANT CLAIMS:

- (1) An Order that the Defendants, and each of them, are forbidden from:
 - (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, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.
 - (c) Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - (d) Affixing themselves ("locking on") to any other person or object on the Roads.

- (e) Erecting any structure on the Roads.
 - (f) Tunnelling in the vicinity of the Roads.
 - (g) Entering onto the Roads unless in a motor vehicle.
 - (h) Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.
 - (i) Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
 - (j) Causing, assisting or encouraging any other person to do any act prohibited by paragraphs (l)(a) to (i) above.
 - (k) Continuing any act prohibited by paragraphs (l)(a) to (j) above.
- (2) Declaratory relief that the use of the SRN by the Defendants for the purposes of protest which causes an obstruction of the public highway is unlawful and a trespass in that it exceeds the lawful right of the public to use the highway and interferes unreasonably with the use of the highway by other members of the public entitled to use it.
- (3) Damages.
- (4) Costs
- (5) Further **or other relief**

DAVID ELVIN QC

MICHAEL FRY

ADMAS HABTESLASIE

HORATIO WALLER

JOEL SEMAKULA

JONATHAN WELCH

Dated, 22 October 2021

The Claimant believes that the facts stated in these Particulars of Claim are true. The Claimant understands that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am duly authorised by the Claimant to sign this statement.

Signed..... Position or office held : Solicitor

Full name : Petra Billing For the Claimant

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

petra.billing@dlapiper.com

Ref: PXB: 355530/107

Date : 22 October 2021

ANNEX I – the Named Defendants

SCHEDULE 1 – NAMED DEFENDANTS

	Name
1	Alexander RODGER
2	Alyson LEE
3	Amy PRITCHARD
4	Ana HEYATAWIN
5	Andrew WORSLEY
6	Anne TAYLOR
7	Anthony WHITEHOUSE
8	Arne SPRINGORUM
9	Barry MITCHELL
10	Barry MITCHELL
11	Ben TAYLOR
12	Benjamin BUSE
13	Biff William Courtenay WHIPSTER
14	Cameron FORD
15	Catherine RENNIE-NASH
16	Catherine EASTBURN
17	Christian MURRAY-LESLIE

18	Christian ROWE
19	Cordelia ROWLATT
20	Daniel SARGISON
21	Daniel SHAW
22	David CRAWFORD
23	David JONES
24	David NIXON
25	David SQUIRE
26	Diana BLIGH
27	Diana HEKT
28	Diana Lewen WARNER
29	Donald BELL
30	Edward HERBERT
31	Elizabeth ROSSER
32	Emily BROCKLEBANK
33	Emma Joanne SMART
34	Gabriella DITTON
35	Gregory FREY
36	Gwen HARRISON
37	Harry BARLOW

38	Ian BATES
39	Ian Duncan WEBB
40	James BRADBURY
41	James SARGISON
42	James THOMAS
43	Janet BROWN
44	Janine EAGLING
45	Jerrard Mark LATIMER
46	Jessica CAUSBY
47	Jonathan COLEMAN
48	Joseph SHEPHERD
49	Joshua SMITH
50	Judith BRUCE
51	Julia MERCER
52	Julia SCHOFIELD
53	Karen MATTHEWS
54	Karen WILDIN
55	Liam NORTON
56	Louis MCKECHNIE

57	Louise Charlotte LANCASTER
58	Lucy CRAWFORD
59	Mair BAIN
60	Margaret MALOWSKA
61	Marguerite DOWBLEDAY
62	Maria LEE
63	Martin NEWELL
64	Mary ADAMS
65	Matthew LUNNON
66	Matthew TULLEY
67	Meredith WILLIAMS
68	Michael BROWN
69	Michael WILEY
70	Michelle CHARLSWORTH
71	Natalie MORLEY
72	Nathaniel SQUIRE
73	Nicholas COOPER
74	Nicholas ONLEY
75	Nicholas TILL
76	Oliver ROCK

77	Paul COOPER
78	Paul SHEEKY
79	Peter BLENCOWE
80	Peter MORGAN
81	Phillipa CLARKE
82	Priyadaka CONWAY
83	Richard RAMSDEN
84	Rob STUART
85	Robin COLLETT
86	Roman Andrzej PALUCH-MACHNIK
87	Rosemary WEBSTER
88	Rowan TILLY
89	Ruth Ann COOK
90	Ruth JARMAN
91	Sarah HIRONS
92	Serena SCHELLENBERG
93	Simon REDING
94	Stefania MOROSI

95	Stephanie AYLETT
96	Stephen GOWER
97	Stephen PRITCHARD
98	Sue CHAMBERS
99	Sue PARFITT
100	Sue SPENCER-LONGHURST
101	Susan HAGLEY
102	Suzie WEBB
103	Tam MILLAR
104	Tessa-Marie BURNS
105	Theresa NORTON
106	Tim SPEERS
107	Tim William HEWES
108	Tracey MALLAGHAN
109	Tyrone HODGE
110	Valerie SAUNDERS
111	Venitia CARTER
112	Victoria Anne LINDSELL
113	Xavier GONZALEZ TRIMMER

114	Bethany MOGIE
115	Indigo RUMBELOW
116	Adrian TEMPLE-BROWN
117	Ben NEWMAN
118	Christopher PARISH
119	Elizabeth SMAIL
120	Julian MAYNARD SMITH
121	Rebecca LOCKYER
122	Simon MILNER-EDWARDS
123	Stephen BRETT
124	Virginia MORRIS

ANNEX 2 – the Roads

I. For the purposes of these proceedings, the “Roads” comprises:

(1) In the case of the **M25 Order** -

The London Orbital Motorway including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges including the Dartford Crossing and Queen Elizabeth II Bridge, and any apparatus related to that motorway.

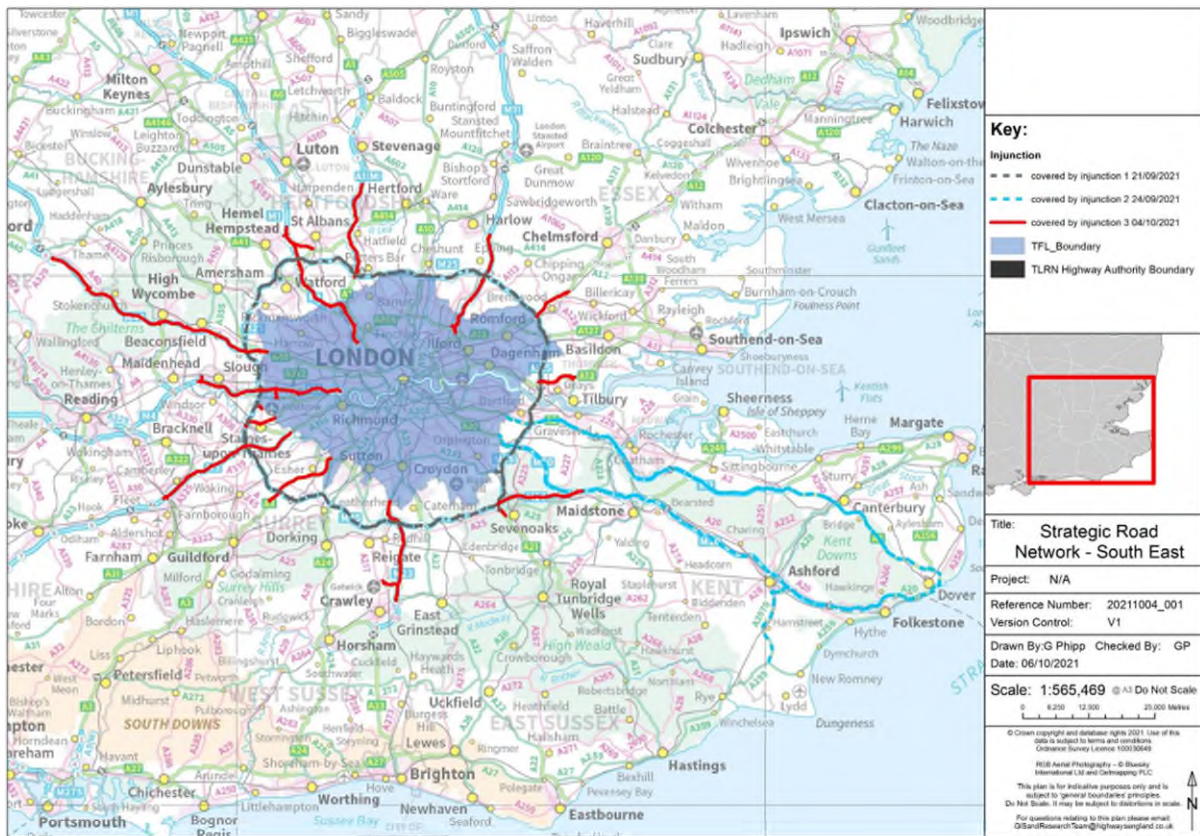
(2) In the case of the **Kent Order** -

The A2, A20, A2070, M2 and M20 including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges including the Dartford Crossing and Queen Elizabeth II Bridge, and any apparatus related to that motorway.

(3) In the case of the **London Order** -

The A1(M) (Junction 1 to Junction 6), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to Junction 12), A13 (M25 Junction 30 to A128 Orsett Junction), M26 (M25 to Junction 3), A21 to B2042, A23 Star Shaw to M25, M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur), A23 (between North and South Terminal Roundabouts), A3 (A240 to M25 Junction 10 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A30 (M25 Junction 13 to A3115), A3113 (M25 Junction 14 to A3044), M4 (Junction 4B to Junction 7), M4 Spur (M4 Junction 4 to M4 Junction 4a), M40 (Junction 1A to Junction 4), M4 (M4 Junction 7 to A4), M1 (Junction 1 to Junction 8) and A414 (M1 Junction 8 to A405) (together the “Roads”) means the roads identified in the plans annexed to this Order (Annex 2) including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges and any apparatus related to that motorway.

ANNEX 3 – Plan



1. A1(M) from junction 1 to junction 6
2. M11 from junction 4 to junction 7
3. A12 from M25 Junction 28 to A12 Junction 12
4. A13 from M25 Junction 30 to junction with A1089
5. M26 (the whole motorway) from M25 to M20
6. A21 from the M25 to B2042
7. A23 from M23 to Star Shaw
8. M23 from Junction 7 to Junction 10 (including M23 Gatwick Spur)
9. A23 between North and South Terminal Roundabouts
10. A3 from A309 to B2039 Ripley Junction
11. M3 from Junction 1 to Junction 4
12. A30 from M25 Junction 13 to Harrow Road, Stanwell, Feltham
13. A3113 from M25 Junction 14 to A3044
14. M4 from Junction 4B to Junction 7
15. M4 Spur (whole spur) from M4 Junction 4 to M4 Junction 4a
16. M4 from Junction 1 to Junction 4B
17. M40 from M40 Junction 7 to A40 (Fray's River Bridge)
18. M1 from Junction 1 to Junction 8
19. A414 from M1 Junction 8 to A405
20. A2 from TfL boundary to M2
21. M2 (the whole motorway) from Junction 1 to Junction 7

22. A2 from M2 Junction 7 to A20 Eastern Docks Roundabout, Dover
23. A20 from TfL boundary to M25 Junction 3
24. M20 (the whole motorway) from M25 Junction 3 to M20 Junction 13. 25.A20 from M20 Junction 13 up to and including Eastern Docks Roundabout
26. A2070 from A259 to M20 Junction 10 and 10a

Witness statement on behalf of the Claimant
Antony Nwanodi
1st
AN/1 - AN/4
30th September 2021
Claim No. QB-2021-003576

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**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 PURPOSE OF
PROTESTING**

Defendant

**WITNESS STATEMENT OF
ANTONY NWANODI**

I, Antony Nwanodi, of [REDACTED]
[REDACTED] will say as follows:

1. I am the lawyer with conduct of this matter on behalf of the Claimant. I make this statement in support of the Claimant's applications for orders that:
 - a. A number of Chief Constables disclose the names and addresses of protestors removed from the M25 to the Claimant, and additionally all material relevant to enforcement of the injunction of the Honourable Mr Justice Lavender of 21 September 2021. Since this application is made at the request of the police, it is hoped that it is not opposed by the Chief Constables concerned.
 - b. The requirement for personal service of the injunction be dispensed with, and alternative service be permitted.
 - c. Named defendants be added to the proceedings as set out in the annexe to the draft Order.

2. Identical issues have arisen in this case and the other claim in which the Claimant has obtained an interim injunction in respect of the Kent roads (Order of the Honourable Mr Justice Cavanaugh of 24th September 2021). For that reason, the same application has been issued in each case (supported by a very similar statement). It is respectfully suggested that the two applications should be considered together for convenience and saving of time.

Background

3. Starting on 13th September 2021 the group 'Insulate Britain' began a number of protests. Those protests involved individuals running onto the motorway and remaining there. A number of protestors used glue and other methods to secure themselves to the surface of the highway and serious disruption was caused to the flow of the traffic and to the ability of other road users to pass along the motorway.
4. The Claimant is responsible for the operation, maintenance and improvement of the United Kingdom's motorways and major A roads ('the Strategic Road Network'). It is responsible for the M25 and for other highways which have been the subject of protests by Insulate Britain.
5. The Claimant considers that the protests organised by Insulate Britain are extremely dangerous. When entering the motorway there is a substantial risk to the life of the protestors and lawful road users. The vehicles on these roads usually travel at 70 MPH (or faster) and drivers may not react swiftly enough to an unexpected pedestrian incursion. The Claimant is also aware that the disruption and gridlock caused by the protests has imperilled life in other ways: ambulance and other emergency service vehicles are reported to have struggled to make good time when responding to emergencies. Further, serious disruption is caused to other road users and they are prevented from exercising their ordinary rights to pass and repass along the highway.
6. In the light of the danger and disruption caused by the protests the Claimant initiated these proceedings (and other similar applications) seeking an injunction against the protestors. An interim injunction was granted by the Honourable Mr Justice Lavender in respect of the M25 on 21st September 2021 ("the M25 injunction"). An interim injunction was granted by the Honourable Mr Justice Cavanaugh in respect of the A2, A20, A2070, M2 and M20 on 24th September 2021 ("the Kent injunction"). I produce and exhibit those orders as exhibit AN/1.

7. Each of the injunctions includes a recital recording an undertaking given by the Claimant “to identify and name Defendants and apply to add them as named Defendants to this Order as soon as reasonably practicable”. The injunctions also prohibit protestors from refusing to leave when ordered to by *inter alia* ‘a police constable’.
8. Having obtained injunctions discussions occurred with the police forces whose officers were likely to be deployed to the protests. Much of this discussion occurred under the aegis of the National Police Coordination Centre (‘NPoCC’). Those discussions are continuing.
9. Stephen Bramley CBE is the Director of Legal Services of the Metropolitan Police. In this case he has worked through NPoCC to coordinate the approach being taken to the Court’s interim injunctions by the police. In particular, he has been liaising with the Claimant as to the correct approach to be taken to providing information to the Claimant so as to allowing the Claimant’s representatives to serve the injunctions on protestors, and to evidence breaches of the injunctions.
10. In relation to the first of those issues, the Claimant asked the various police forces involved to share the name and address of protestors arrested on the highways. Until the Claimant is provided with the name and address of all of the protestors it cannot add them as named Defendants to the proceedings. In such circumstances the orders’ impact and enforceability is undermined and the Claimant cannot comply with the undertaking it gave when each injunction was granted. Whilst some of these names have now been provided by some of the forces, Mr Bramley remains concerned as to the scope of information that can be shared with NH and it has not been possible therefore to obtain all of the information as to identities held by the police.
11. By an email sent to me and several others at 16:57 on 23rd September he explained (emphasis in the original):

...lawyers for all forces responsible for policing the M25 (MPS, Essex, Kent, Surrey, Thames valley, Herts) have agreed:

- It is safest for all concerned for officers to continue their task of removing protestors from the motorway and establishing their names and addresses. We know at least 104 have been identified this way so far

- **We don't recommend that high court enforcement officers are involved at this stage in serving them with the unamended injunction**

- Instead we would consent to NH applying to the high court for an order under CPR 31.17/18 requiring disclosure by those forces of identifying information of such protesters. We believe this should be a speedy and straightforward process

- Upon forces furnishing NH with such identifying information, **NH then apply to the court to amend the injunction to:**

(i) Add named defendants

...

- This would enable **enforcement officers to serve the amended injunction personally on named defendants** at their home addresses- safer for all concerned

- The need for a protocol to enable enforcement officers to serve the amended injunction personally in a motorway setting would be secondary, and contingent on the named defendants not being contactable at the address given. Police lawyers can consider further the terms of an amended protocol to provide for this, and also for a further pack of evidence to be gathered by police to enable a committal application to be made in due course

...

12. Following discussions, over the weekend of 25th/26th September, a protocol and memorandum of understanding was put together between NH and Mr Bramley, to allow for some information sharing. Despite this, the Police view was that they required a Court order, to be able to share both the name and address of protestors and evidence of breaches of the injunctions with the Claimant. Whilst there has been some information sharing, and there is a willingness to co-operate at some level at least, the position is far from certain given the earlier statements by the Police and the Claimant does not consider that it is acceptable to

allow the uncertainty to continue given the continuing protests and multiple and deliberate breaches of the Court's orders.

13. For that reason, it is necessary to make this application pursuant to CPR 31.17 to make the position with regard to disclosure clear to the Police and to enable the Court orders to be served and to take steps to enable those orders to be enforced. On the basis of Mr Bramley's email it is expected that the various police forces will not oppose the making of an order that they disclose the name and address of each arrested person to the Claimant, and, for the purposes of the proceedings and in particular to take steps to enforce the Court orders, to the forces sharing evidence of breaches of the injunction, such as body worn video footage showing protestors in the road and other evidential material. However, very recent communications with Mr Bramley suggest that there may be some resistance to an order which, absent a clear and unequivocal commitment to disclose the materials sought (which may only be used in the context of proceeding as provided for in CPR Part 31.22) – which strengthens the need to obtain it since it underlines the uncertainty in the position of the Police with regard to sharing information necessary to the civil proceedings.

The necessity of disclosure

14. The names and addresses, and evidence of breaches of the Court's orders constitute material likely to support the Claimant's case and/or to adversely affect the case of the Defendants. Without the provision of information to the identify and addresses of the Defendants, and demonstrating breaches of order, it will be impossible to proceed with the case and to enforce the orders obtained, and thus to restore the proper use of the motorways and the rights of the public over them.. Moreover, the information would allow the Claimant to comply with the undertaking given to Mr Justice Lavender.
15. Furthermore, the disclosure is necessary because without it the interests of both the Claimant and the Defendants are prejudiced. In respect of the Claimant this is because the injunction proceedings are undermined. In respect of the Defendants prejudice arises because unless the protestors are named in the proceedings their ability to contest the injunction is impaired

although it is clear that their own website has links on it to the Court orders, as does the Claimant's website. I exhibit these as AN/2¹.

Conclusion on disclosure

16. In the circumstances the court is requested to make this order pursuant to CPR 31.17 and that in the circumstances it is appropriate and proportionate to do so.

Service of the proceedings and the Orders

17. The Honourable Mr Justice Lavender ordered personal service of the injunction made on 21 September. The Claimants obtained some definitive information concerning the identities of the Defendants for the first time from the police on Monday 27th September. The Claimant has sought to effect personal service on the individuals identified thus far.
18. In a number of cases, personal service has not been possible. I have spoken to the High Court Enforcement Group (who are seeking to effect service for the Claimant), and have been told that in some cases this was due to the individuals refusing service (presumably being tipped off that it was incoming), and in other cases because the individuals are not at their home address, but residing elsewhere. I was told on a call at 2.30pm on 29 September that to date there had been 76 visits by process servers, 11 successful, 65 unsuccessful visits. There were 29 remaining at that time.
19. I exhibit as AN/3 a report sheet which I received at 16:26 from HCEG on 29 September showing various failed attempts at personal service, in various cases there being no response or the process server being told the individual in question was away.

Alternative service

20. The Court is respectfully requested to allow alternative service of the claim form and injunction pursuant to CPR r.6.15 and r.6.27.

¹ <https://www.insulatebritain.com/injunction-what-injunction;>
[https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf;](https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf) <https://highwaysengland.co.uk/media/s5vocubs/interim-injunction-a20-et-al-sealed-202210924.pdf>]

21. Notwithstanding the existence of the injunctions, which have been publicised in the press and on Insulate Britain's own website the "Insulate Britain" protesters have continued to obstruct the enjoined highways, in open defiance of the Court's Orders, and showing clear knowledge of the Court's Orders [see: <https://www.insulatebritain.com/injunction-what-injunction>]: see AN/2. Indeed, the Insulate Britain website provides links (which work, as of 29th September) to copies of the injunctions in force [<https://www.insulatebritain.com/insulate-britain-returns-to-block-m25-junction-for-the-second-time-today>]. The group is clearly aware of the existence of the injunctions. I exhibit these pages as AN/4. I can confirm that the links provided lead to the Court Orders and allow them to be read and downloaded.
22. I should draw to the Court's attention that some of the Police forces involved may be willing to allow service of those arrested after they have completed the charging process at the police station, but this is unlikely to enable service to be effected on all of those whose names and addresses have already been given (though there are persons whose names have appeared on a number of occasions who may be arrested again, but this is not certain).
23. Service, which has to date not been possible despite attempts by process servers, is a prerequisite to enforcing the Order of the Court by bringing committal proceedings. The inability to serve the Defendants' personally means the Claimant is hampered in its ability to enforce the Orders of the Court, and since the protesters are clearly willing to act in open defiance of the Court Orders, it seems that committal proceedings will likely be the only means of enforcing the Orders of the Court and preventing the deleterious effects of the protests on the road network.

Conclusion on service

24. The Court is respectfully requested to grant an order permitting alternative service by one or more of the following means:
- a. Publication of the injunction on the "Insulate Britain" website [<https://www.insulatebritain.com/>] which contains links to the Court Orders
 - b. The Claimant to post the injunction on the "Insulate Britain" Facebook page [<https://www.facebook.com/insulatebritain>].

Witness statement on behalf of the Claimant

Antony Nwanodi

1st

AN/1 - AN/4

30th September 2021

- c. The Claimant to post sealed copies on its own web page [<https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf>].
- d. The Claimant to serve by posting a copy of the order through the letterbox of each Defendant with a notice affixed to the front door if necessary, drawing the recipients attention to the fact the package contains a court order. In the event that the premises do not have a letter box, a package containing the Court orders and the proceedings may be affixed to the front door marked with a notice drawing attention to the fact that the package contains a court order and should be read urgently (see details in draft Order).

Statement of truth – I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth

Name:.....Antony Nwanodi.....



Signature:...

Date:.....30 September 2021.....

Witness statement on behalf of the Claimant

Antony Nwanodi

1st

AN/1 - AN/4

30th September 2021

Claim No. QB-2021-003576

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**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 PURPOSE OF
PROTESTING**

Defendant

EXHIBIT AN/1

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

**Before: Mr Justice Lavender
On: 21 September 2021**

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-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
PURPOSE OF PROTESTING**

Defendants

ORDER

PENAL NOTICE

**IF YOU THE WITHIN NAMED DEFENDANTS 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 the Claimant’s claim in trespass, nuisance and under the Highways Act 1980 by Claim Form dated 21 September 2021 (“the Claim”)

AND UPON READING the Claim Form and the supporting evidence

AND UPON hearing Michael Fry and Jonathan Welch, Counsel for the Claimant

AND UPON the Claimant undertaking to pay the relevant court fees and to provide any witness statement(s) supporting the Claim within 48 hours of the sealing of this Order

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 confirming that this Order is not intended to prohibit lawful protest which does not endanger, slow, obstruct, or prevent the free flow of traffic onto or along the M25 motorway nor to prevent lawful use of the M25 by any person

IT IS ORDERED THAT:

1. For the purposes of this Order, the “M25” means the London Orbital Motorway including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges including the Dartford Crossing and Queen Elizabeth II Bridge, and any apparatus related to that motorway.

Injunction in force

2. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 21 March 2022, the Defendants and each of them are forbidden from:

- 2.1 Blocking, endangering, slowing down, preventing, or obstructing the free flow of traffic onto or along or off the M25 for the purposes of protesting.
 - 2.2 Causing damage to the surface of or to any apparatus on or around the M25 including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 2.3 Affixing themselves (“locking on”) to any other person or object on the M25.
 - 2.4 Erecting any structure on the M25.
 - 2.5 Tunnelling in the vicinity of the M25.
 - 2.6 Entering onto the M25 unless in a motor vehicle.
 - 2.7 Abandoning any vehicle or item on the M25 with the intention of causing an obstruction.
 - 2.8 Refusing to leave the area of the M25 when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
 - 2.9 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 2.1 – 2.8 above.
 - 2.10 Continuing any act prohibited by paragraphs 2.1 – 2.9 above.
3. The Claimant shall:
 - 3.1 Place copies of this Order and the Claim Form on the National Highways and Gov.uk website; and
 - 3.2 Send a copy of this Order and the Claim Form to Insulate Britain’s email address: Insulate Britain ring2021@protonmail.com.
 4. For the avoidance of doubt, compliance with paragraph 3 shall not constitute service.

Further directions

5. 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).

6. 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.
7. The Claimant has liberty to apply to extend or vary this Order or for further directions.
8. The return date hearing to be listed for 10.30 am on 5 October 2021 in person.
9. Costs reserved.

Communications with the Claimant

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

FAO Antony Nwanodi

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

BY THE COURT

Dated: 21 September 2021

Witness statement on behalf of the Claimant
Antony Nwanodi
1st
AN/1 - AN/4
30th September 2021
Claim No. QB-2021-003576

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

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PROTESTING**

Defendant

EXHIBIT AN/2



INJUNCTION? WHAT INJUNCTION?

28 September, 2021

A total of 115 people have been involved in Insulate Britain's campaign of disruptive actions over the last two weeks, with most being arrested multiple times. The total arrest tally has now reached 438.

Fifteen Insulate Britain supporters have been arrested as many as six times and twenty-one have been arrested five times for their participation in the campaign, which began on September 13th and has involved blocking roads on and around the M25 network and at the Port of Dover.

Let's Chat!

The total arrest figure includes five people arrested for conspiracy to cause a public nuisance and subsequently released under investigation.

The police are choosing not to detain people involved in the Insulate Britain campaign, although many have been involved in multiple actions, have broken their bail conditions and have expressed a clear intention to continue with the campaign. Only two people from Insulate Britain have so far been remanded in custody.

Yesterday, 52 people blocked the M25, in breach of the terms of an injunction granted to the Highways Agency on 22nd September. [1]

A second injunction was granted on 24th September covering the A2, A20 and A2070 trunk roads and M2 and M20 motorway, after an Insulate Britain action outside the Port of Dover last Thursday. [2]

Insulate Britain says actions will continue until the government makes a meaningful commitment to insulate all of Britain's 29 million leaky homes by 2030, which are among the oldest and most energy inefficient in Europe. [3]

ENDS

Press contact: 07737 457105

Email: insulatebritainpress@protonmail.com

High quality photos and video footage available here:

<https://drive.google.com/drive/folders/1Kucq-NfhNZLGJWwLx1HX03cWR7M9Y2-m>

Website: <https://www.insulatebritain.com/>

Facebook: <https://www.facebook.com/insulatebritain>

Twitter: <https://twitter.com/insulatelove?lang=en>

Youtube: <https://www.youtube.com/channel/UC8N5mAeeCLbD-AFUqtPaF0g>

Notes to Editors

[1] <https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf>

[3] About Insulate Britain

Insulate Britain is a new campaign group that is calling on the UK government to put in place policy and funding for a national home insulation programme starting with all social housing.

We demand the Prime Minister and the government to #getonwiththejob, face up to their responsibility and lead our country through the climate crisis.

We are ordinary British citizens with simple and achievable demands to #INSULATEBRITAIN

The UK government must immediately promise to fully fund and take responsibility for the insulation of all social housing in Britain

We demand a national home insulation strategy that gives British people the justice they deserve: a future for our loved ones, lower energy bills and safer living conditions

We are scared: our livelihoods are at risk and the futures of our children are uncertain

The Climate Crisis is a threat to all: we demand the government to act now

Our Demands

1. That the UK government immediately promises to fully fund and take responsibility for the insulation of all social housing in Britain by 2025;
2. That the UK government immediately promises to produce within four months a legally binding national plan to fully fund and take responsibility for the full low-energy and low-carbon whole-house retrofit , with no externalised costs, of all homes in Britain by 2030 as part of a just transition to full decarbonisation of all parts of society and the economy.

Further information about Insulate Britain and our demands here:

<https://www.insulatebritain.com/>

Technical Report on home energy efficiency here:

<https://drive.google.com/file/d/1HtOQmArzkDxhIYJrv9lBcl9lOUwfKoe7/view>

Let's Chat!

Witness statement on behalf of the Claimant

Antony Nwanodi

1st

AN/1 - AN/4

30th September 2021

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Defendant

EXHIBIT AN/3

Our Ref	Defendant Name	PostCode	Notes
SWN18373PS	Liam Norton		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 06:00.</p> <p>The residential flat property is in fair condition. Process Server's comments: Gained access into the communal area and located a letterbox for "Norton". There was no response via the intercom on the first try, on the 2nd a female responded, asking me to identify myself, I did so and she stated I would have to call back later. I asked to speak to Liam Norton, she advised he is "definitely" not here. This may potentially be the mother's address, a Theresa Norton, as we also have documents for this person. At this time I have been unable to serve documents.</p>
SWN18375PS	Christian Leslie Murray		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 06:17 hours.</p> <p>The residential detached property is in fair condition.</p> <p>Process Server's comments: No contact at the address, there was a large dog behind the front door.</p>
SWN18381PS	Gabriella Ditton		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 08:47 hours. The residential terrace property is in fair condition.</p> <p>Process Server's comments: No contact made at the property.</p>
SWN18389PS	Amy Pritchard		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 08:08 hours. The residential semi detached property is in fair condition.</p> <p>Process Server's comments: I was unable to get a response from the property and able to confirm residency.</p>
SWN18431PS	Anne Taylor		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 08:05 hours. The residential terrace property is in fair condition.</p> <p>Process Server's comments: There was no answer from the property. The neighbour at No. 101 stated it is her mother. The female stated that the defendant was currently not at home and does not know when she will return.</p>

SWN18517PS Ian Bates

Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 09:46 hours. The residential terrace property is in fair condition.

Process Server's comments: A male answered the door and stated that he rents the property from the Defendant but that the Defendant does not live there. The male stated that he just pays the Defendant rent, he has no bills or anything. A driving licence was shown as proof of identification but this did have a different address. The male provided me with a contact number for the Defendant. I proceeded to call the mobile number which went to a voicemail message of himself stating that he is away for 3 weeks from the 13th September.

SWN18559PS Serena Schellenberg

Our Process Server attended [REDACTED] on Wednesday 29 September 2021. The residential terrace property is in fair condition.

Process Server's comments: Upon attendance, contact was made with an adult male who stated the Defendant is out and he doesn't know what time she will be back. The adult male confirmed it is her property and that he is just a friend visiting.

SWN18573PS Tracey Mallaghan

Our Process Server attended [REDACTED] on Wednesday 29 September 2021. The residential detached property is in fair condition.

Process Server's comments: As I drove past the property a vehicle drove onto the driveway. I knocked on the front door, which was answered by an adult female. I asked for Tracey Mallaghan and I was informed that she does reside at the address, however she has not been home for three weeks and has been in London dealing with the M25 staff. The person I spoke with, confirmed she is the Defendant's mother.

SWN18575PS Tyrone Hodge

Our Process Server attended [REDACTED] on Wednesday 29 September 2021. The residential semi-detached property is in fair condition.

Process Server's comments: I attended the address and spoke with builders outside the property. They confirmed they did not know of a Tyrone Hodge at the address and that "Sophie" and "George" live at the address. Upon knocking the front door, I made contact with Sophie. She stated that the Defendant used to reside at the address with his nan, but when she passed away, he vacated. Sophie went on to say that they still receive post for Tyrone, one was a letter from Specsavers regarding some stolen sunglasses and some Court letters.

SWN18549PS Matthew Lunnon

Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 09:01 hours. The residential detached property is in fair condition.

Process Server's comments: I met with Mr Lunnon's wife at the address who stated that he was not here this week, he was away. Mrs Lunnon advised that she had an address at which he was staying along with a telephone number, both of which were provided to me.

Address: [REDACTED]

Telephone Number: [REDACTED]

Mrs Lunnon stated that this is where he is this week.

SWN18361PS Mary Adams

Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 13:51 hours. The residential flat property is in fair condition.

Process Server's comments: There was no answer at the intercom to the building and I was unable to gain access via any other means.

SWN18352PS Stephanie Aylett

Our Process Server attended 51 High Oaks, St. Albans, Hertfordshire, AL3 6EL on Wednesday 29 September 2021 at 12:57 hours. The residential detached property is in fair condition.

Process Server's comments: I met with a male at the address who confirmed that the Defendant resides there but isn't there at the moment. The male stated that he does not know where she is or have a contact number for her.

Witness statement on behalf of the Claimant

Antony Nwanodi

1st

AN/1 - AN/4

30th September 2021

Claim No. QB-2021-003576

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**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 PURPOSE OF
PROTESTING**

Defendant

EXHIBIT AN/4



INSULATE BRITAIN RETURNS TO BLOCK M25 JUNCTION FOR

THE SECOND TIME TODAY

29 September, 2021

Insulate Britain has returned for the second time today to block the M25 at Swanley (Junction 3).

This follows an earlier action at the same junction which took place at 7.30am, where Insulate Britain supporters sat down on the carriageway, gluing their hands to each other and the road, while others poured oil onto the carriageway.

Revd Sue Parfitt from Bristol, who was involved in the first of today's actions said earlier:

“Many people will ask why a 79 year old Anglican Priest is sitting in the road, causing disruption and how can I justify participating in such actions? I simply feel called to do everything in my power to protect God's planet, his creatures and the people. If we are successful in persuading the government to do what is necessary, the actions I'm taking today will help to prevent a much greater harm - no less than the destruction of everything we hold dear.”

Today's actions are in breach of a High Court injunction imposed on 22nd September, which prohibits “causing the blocking, endangering, slowing down, obstructing or otherwise preventing the free flow of traffic onto or along the M25 motorway for the purpose of protesting.” [1]

ENDS

Press contact: 07737 457105

Email: insulatebritainpress@protonmail.com

High quality photos and video footage available here:

<https://drive.google.com/drive/folders/1Kucg->

Let's Chat!

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Website: <https://www.insulatebritain.com/>

Facebook: <https://www.facebook.com/insulatebritain>

Twitter: <https://twitter.com/insulatelove?lang=en>

Youtube: <https://www.youtube.com/channel/UC8N5mAeeCLbD-AFUqtPaF0g>

Notes to Editors

[1] <https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf>

About Insulate Britain

Insulate Britain is a new campaign group that is calling on the UK government to put in place policy and funding for a national home insulation programme starting with all social housing.

We demand the Prime Minister and the government to #getonwiththejob, face up to their responsibility and lead our country through the climate crisis.

We are ordinary British citizens with simple and achievable demands to #INSULATEBRITAIN

The UK government must immediately promise to fully fund and take responsibility for the insulation of all social housing in Britain

We demand a national home insulation strategy that gives British people the justice they deserve: a future for our loved ones, lower energy bills and safer living conditions

We are scared: our livelihoods are at risk and the futures of our children uncertain

Let's Chat!

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The Climate Crisis is a threat to all: we demand the government to act now

Our Demands

1. That the UK government immediately promises to fully fund and take responsibility for the insulation of all social housing in Britain by 2025;
2. That the UK government immediately promises to produce within four months a legally binding national plan to fully fund and take responsibility for the full low-energy and low-carbon whole-house retrofit , with no externalised costs, of all homes in Britain by 2030 as part of a just transition to full decarbonisation of all parts of society and the economy.

Further information about Insulate Britain and our demands here:

<https://www.insulatebritain.com/>

Technical Report on home energy efficiency here:

<https://drive.google.com/file/d/1HtOQmArzkDxhIYJrv9IBcl9IOUwfKoe7/view>

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Let's Chat!

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BREAKING: INSULATE BRITAIN RETURNS TO BLOCK M25 FOR

THIRD DAY THIS WEEK

30th September AM

**BREAKING: INSULATE BRITAIN RETURNS TO BLOCK M25 FOR THIRD DAY
THIS WEEK**

Insulate Britain has blocked the M25 for the third day this week with an action at Junction 30.

This follows an action on Tuesday at Heathrow and two actions yesterday at Swanley (Junction 3).

A spokesperson for Insulate Britain said:

“ We are raising the tempo this week as, despite the urgency of the situation, there has been no meaningful response from the government to our demands. We are deeply concerned that with rising fuel bills and not enough action on insulation, there will be further unnecessary suffering and deaths among the most vulnerable this winter.

“It's not just cold and hungry Britain, it's billions of pounds wasted on fuel costs for everyone. Failing to help hardworking families, failing to stop poverty fuel deaths, failing to protect the country we love from the biggest threat it has ever faced. We need our government to keep us safe. Boris, get on with the job.”

Today's actions are in breach of a High Court injunction imposed on 22nd September, which prohibits “causing the blocking, endangering, slowing down, obstructing or otherwise preventing the free flow of traffic onto or along the M25 motorway for the purpose of protesting.”

ENDS

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The UK government must immediately promise to fully fund an
responsibility for the insulation of all social housing in Britain

Let's Chat!

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We demand a national home insulation strategy that gives British people the justice they deserve: a future for our loved ones, lower energy bills and safer living conditions

We are scared: our livelihoods are at risk and the futures of our children are uncertain

The Climate Crisis is a threat to all: we demand the government to act now

Our Demands

1. That the UK government immediately promises to fully fund and take responsibility for the insulation of all social housing in Britain by 2025;
2. That the UK government immediately promises to produce within four months a legally binding national plan to fully fund and take responsibility for the full low-energy and low-carbon whole-house retrofit , with no externalised costs, of all homes in Britain by 2030 as part of a just transition to full decarbonisation of all parts of society and the economy.

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Let's Chat!

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Witness statement on behalf of the Claimant
Antony Nwanodi
1st
AN/1 - AN/4
30th September 2021
Claim No. QB-2021-003626

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**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 A2070 TRUNK ROADS
AND M2 AND M20 MOTORWAY FOR THE PURPOSE OF PROTESTING**

Defendant

**WITNESS STATEMENT OF
ANTONY NWANODI**

I, Antony Nwanodi, of [REDACTED]
[REDACTED] will say as follows:

1. I am the lawyer with conduct of this matter on behalf of the Claimant. I make this statement in support of the Claimant's applications for orders that:
 - a. A number of Chief Constables disclose the names and addresses of protestors removed from the A2, A20 and A2070 Trunk roads and M2 and M20 motorway ("the Roads") to the Claimant, and additionally all material relevant to enforcement of the injunction of the Honourable Mr Justice Cavanaugh of 24 September 2021. Since this application is made at the request of the police, it is hoped that it is not opposed by the Chief Constables concerned.
 - b. The requirement for personal service of the injunction be dispensed with, and alternative service be permitted.

c. Named defendants be added to the proceedings as set out in the annexe to the draft Order.

2. Identical issues have arisen in this case and the other claim in which the Claimant has obtained an interim injunction in respect of the M25 roads (Order of the Honourable Mr Justice Lavender of 21st September 2021). For that reason, the same application has been issued in each case (supported by a very similar statement). It is respectfully suggested that the two applications should be considered together for convenience and saving of time.

Background

3. Starting on 13th September 2021 the group 'Insulate Britain' began a number of protests. Those protests involved individuals running onto the motorway and remaining there. A number of protestors used glue and other methods to secure themselves to the surface of the highway and serious disruption was caused to the flow of the traffic and to the ability of other road users to pass along the motorway.

4. The Claimant is responsible for the operation, maintenance and improvement of the United Kingdom's motorways and major A roads ('the Strategic Road Network'). It is responsible for the M25 and for other highways which have been the subject of protests by Insulate Britain.

5. The Claimant considers that the protests organised by Insulate Britain are extremely dangerous. When entering the motorway there is a substantial risk to the life of the protestors and lawful road users. The vehicles on these roads usually travel at 70 MPH (or faster) and drivers may not react swiftly enough to an unexpected pedestrian incursion. The Claimant is also aware that the disruption and gridlock caused by the protests has imperilled life in other ways: ambulance and other emergency service vehicles are reported to have struggled to make good time when responding to emergencies. Further, serious disruption is caused to other road users and they are prevented from exercising their ordinary rights to pass and repass along the highway.

6. In the light of the danger and disruption caused by the protests the Claimant initiated these proceedings (and other similar applications) seeking an injunction against the protestors. An interim injunction was granted by the Honourable Mr Justice Lavender in respect of the M25

Witness statement on behalf of the Claimant

Antony Nwanodi

1st

AN/1 - AN/4

30th September 2021

on 21st September 2021 (“the M25 injunction”). An interim injunction was granted by the Honourable Mr Justice Cavanagh in respect of the A2, A20, A2070, M2 and M20 on 24th September 2021 (“the Kent injunction”). I produce and exhibit those orders as exhibit AN/1.

7. Each of the injunctions includes a recital recording an undertaking given by the Claimant “to identify and name Defendants and apply to add them as named Defendants to this Order as soon as reasonably practicable”. The injunctions also prohibit protestors from refusing to leave when ordered to by *inter alia* ‘a police constable’.
8. Having obtained injunctions discussions occurred with the police forces whose officers were likely to be deployed to the protests. Much of this discussion occurred under the aegis of the National Police Coordination Centre (‘NPoCC’). Those discussions are continuing.
9. Stephen Bramley CBE is the Director of Legal Services of the Metropolitan Police. In this case he has worked through NPoCC to coordinate the approach being taken to the Court’s interim injunctions by the police. In particular, he has been liaising with the Claimant as to the correct approach to be taken to providing information to the Claimant so as to allowing the Claimant’s representatives to serve the injunctions on protestors, and to evidence breaches of the injunctions.
10. In relation to the first of those issues, the Claimant asked the various police forces involved to share the name and address of protestors arrested on the highways. Until the Claimant is provided with the name and address of all of the protestors it cannot add them as named Defendants to the proceedings. In such circumstances the orders’ impact and enforceability is undermined and the Claimant cannot comply with the undertaking it gave when each injunction was granted. Whilst some of these names have now been provided by some of the forces, Mr Bramley remains concerned as to the scope of information that can be shared with NH and it has not been possible therefore to obtain all of the information as to identities held by the police.
11. By an email sent to me and several others at 16:57 on 23rd September he explained (emphasis in the original):

...lawyers for all forces responsible for policing the M25 (MPS, Essex, Kent, Surrey, Thames valley, Herts) have agreed:

- **It is safest for all concerned for officers to continue their task of removing protesters from the motorway and establishing their names and addresses.** We know at least 104 have been identified this way so far

- **We don't recommend that high court enforcement officers are involved at this stage in serving them with the unamended injunction**

- **Instead we would consent to NH applying to the high court for an order under CPR 31.17/18 requiring disclosure by those forces of identifying information of such protesters.** We believe this should be a speedy and straightforward process

- Upon forces furnishing NH with such identifying information, **NH then apply to the court to amend the injunction to:**

(i) Add named defendants

...

- This would enable **enforcement officers to serve the amended injunction personally on named defendants** at their home addresses- safer for all concerned

- The need for a protocol to enable enforcement officers to serve the amended injunction personally in a motorway setting would be secondary, and contingent on the named defendants not being contactable at the address given. Police lawyers can consider further the terms of an amended protocol to provide for this, and also for a further pack of evidence to be gathered by police to enable a committal application to be made in due course

...

12. Following discussions, over the weekend of 25th/26th September, a protocol and memorandum of understanding was put together between NH and Mr Bramley, to allow for some information sharing. Despite this, the Police view was that they required a Court order, to be able to share both the name and address of protestors and evidence of breaches of the

injunctions with the Claimant. Whilst there has been some information sharing, and there is a willingness to co-operate at some level at least, the position is far from certain given the earlier statements by the Police and the Claimant does not consider that it is acceptable to allow the uncertainty to continue given the continuing protests and multiple and deliberate breaches of the Court's orders.

13. For that reason, it is necessary to make this application pursuant to CPR 31.17 to make the position with regard to disclosure clear to the Police and to enable the Court orders to be served and to take steps to enable those orders to be enforced. On the basis of Mr Bramley's email it is expected that the various police forces will not oppose the making of an order that they disclose the name and address of each arrested person to the Claimant, and, for the purposes of the proceedings and in particular to take steps to enforce the Court orders, to the forces sharing evidence of breaches of the injunction, such as body worn video footage showing protestors in the road and other evidential material. However, very recent communications with Mr Bramley suggest that there may be some resistance to an order which, absent a clear and unequivocal commitment to disclose the materials sought (which may only be used in the context of proceeding as provided for in CPR Part 31.22) – which strengthens the need to obtain it since it underlines the uncertainty in the position of the Police with regard to sharing information necessary to the civil proceedings.

The necessity of disclosure

14. The names and addresses, and evidence of breaches of the Court's orders constitute material likely to support the Claimant's case and/or to adversely affect the case of the Defendants. Without the provision of information to the identify and addresses of the Defendants, and demonstrating breaches of order, it will be impossible to proceed with the case and to enforce the orders obtained, and thus to restore the proper use of the motorways and the rights of the public over them.. Moreover, the information would allow the Claimant to comply with the undertaking given to Mr Justice Lavender.
15. Furthermore, the disclosure is necessary because without it the interests of both the Claimant and the Defendants are prejudiced. In respect of the Claimant this is because the injunction proceedings are undermined. In respect of the Defendants prejudice arises because unless the protestors are named in the proceedings their ability to contest the injunction is impaired

although it is clear that their own website has links on it to the Court orders, as does the Claimant's website. I exhibit these as AN/2¹.

Conclusion on disclosure

16. In the circumstances the court is requested to make this order pursuant to CPR 31.17 and that in the circumstances it is appropriate and proportionate to do so.

Service of the proceedings and the Orders

17. The Honourable Mr Justice Cavanaugh ordered personal service of the injunction made on 24 September. The Claimants obtained some definitive information concerning the identities of the Defendants for the first time from the police on Monday 27th September. The Claimant has sought to effect personal service on the individuals identified thus far.
18. In a number of cases, personal service has not been possible. I have spoken to the High Court Enforcement Group (who are seeking to effect service for the Claimant), and have been told that in some cases this was due to the individuals refusing service (presumably being tipped off that it was incoming), and in other cases because the individuals are not at their home address, but residing elsewhere. I was told on a call at 2.30pm on 29 September that to date there had been 76 visits by process servers, 11 successful, 65 unsuccessful visits. There were 29 remaining at that time.
19. I exhibit as AN/3 a report sheet which I received at 16:26 from HCEG on 29 September showing various failed attempts at personal service, in various cases there being no response or the process server being told the individual in question was away.

Alternative service

20. The Court is respectfully requested to allow alternative service of the claim form and injunction pursuant to CPR r.6.15 and r.6.27.

¹ <https://www.insulatebritain.com/injunction-what-injunction;>
[https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf;](https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf) <https://highwaysengland.co.uk/media/s5vocubs/interim-injunction-a20-et-al-sealed-202210924.pdf>]

21. Notwithstanding the existence of the injunctions, which have been publicised in the press and on Insulate Britain's own website the "Insulate Britain" protesters have continued to obstruct the enjoined highways, in open defiance of the Court's Orders, and showing clear knowledge of the Court's Orders [see: <https://www.insulatebritain.com/injunction-what-injunction>]: see AN/2. Indeed, the Insulate Britain website provides links (which work, as of 29th September) to copies of the injunctions in force [<https://www.insulatebritain.com/insulate-britain-returns-to-block-m25-junction-for-the-second-time-today>]. The group is clearly aware of the existence of the injunctions. I exhibit these pages as AN/4. I can confirm that the links provided lead to the Court Orders and allow them to be read and downloaded.
22. I should draw to the Court's attention that some of the Police forces involved may be willing to allow service of those arrested after they have completed the charging process at the police station, but this is unlikely to enable service to be effected on all of those whose names and addresses have already been given (though there are persons whose names have appeared on a number of occasions who may be arrested again, but this is not certain).
23. Service, which has to date not been possible despite attempts by process servers, is a prerequisite to enforcing the Order of the Court by bringing committal proceedings. The inability to serve the Defendants' personally means the Claimant is hampered in its ability to enforce the Orders of the Court, and since the protesters are clearly willing to act in open defiance of the Court Orders, it seems that committal proceedings will likely be the only means of enforcing the Orders of the Court and preventing the deleterious effects of the protests on the road network.

Conclusion on service

24. The Court is respectfully requested to grant an order permitting alternative service by one or more of the following means:
- a. Publication of the injunction on the "Insulate Britain" website [<https://www.insulatebritain.com/>] which contains links to the Court Orders
 - b. The Claimant to post the injunction on the "Insulate Britain" Facebook page [<https://www.facebook.com/insulatebritain>].

Witness statement on behalf of the Claimant

Antony Nwanodi

1st

AN/1 - AN/4

30th September 2021

- c. The Claimant to post sealed copies on its own web page [<https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf>].
- d. The Claimant to serve by posting a copy of the order through the letterbox of each Defendant with a notice affixed to the front door if necessary, drawing the recipients attention to the fact the package contains a court order. In the event that the premises do not have a letter box, a package containing the Court orders and the proceedings may be affixed to the front door marked with a notice drawing attention to the fact that the package contains a court order and should be read urgently (see details in draft Order).

Statement of truth – I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth

Name:.....Antony Nwanodi.....



Signature:...

Date:.....30 September 2021.....

Witness statement on behalf of the Claimant
Antony Nwanodi
1st
AN/1 - AN/4
30th September 2021
Claim No. QB-2021-003626

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY (“THE
ROADS”) TO THE CLAIMANT, AND ADDITIONALLY ALL MATERIAL
RELEVANT TO ENFORCEMENT OF THE INJUNCTION OF THE
HONOURABLE MR JUSTICE CAVANAUGH OF 24 SEPTEMBER 2021**

Defendant

EXHIBIT AN/1

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Before: Mr Justice Cavanagh

On: 24 September 2021

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

-and-

(1) 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 A2070 TRUNK
ROADS AND M2 AND M20 MOTORWAY FOR THE PURPOSE OF
PROTESTING



Defendants

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS 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 the Claimant’s claim in trespass and nuisance by Claim Form dated 24 September 2021 (“the Claim”)

AND UPON READING the Claim Form and the Witness Statement of Nicola Bell dated 24 September 2021

AND UPON hearing Michael Fry and Jonathan Welch, Counsel for the Claimant

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 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 A2, A20, A2070, M2 or M20 nor to prevent lawful use of the A2, A20, A2070, M2 or M20 by any person

IT IS ORDERED THAT:

1. For the purposes of this Order, the A2, A20, A2070, M2 and M20 (together the “Roads”) means the roads identified in the plans annexed to this Order including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges and any apparatus related to that motorway.

Injunction in force

2. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 24 March 2022, the Defendants and each of them are forbidden from:
 - 2.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.

- 2.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.
 - 2.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 2.4 Affixing themselves (“locking on”) to any other person or object on the Roads.
 - 2.5 Erecting any structure on the Roads.
 - 2.6 Tunnelling in the vicinity of the Roads.
 - 2.7 Entering onto the Roads unless in a motor vehicle.
 - 2.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.
 - 2.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
 - 2.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 2.1 – 2.9 above.
 - 2.11 Continuing any act prohibited by paragraphs 2.1 – 2.10 above.
3. The Claimant shall:
 - 3.1 Place copies of this Order and the Claim Form on the National Highways and Gov.uk website; and
 - 3.2 Send a copy of this Order and the Claim Form to Insulate Britain’s email address: Insulate Britain ring2021@protonmail.com.
 4. For the avoidance of doubt, compliance with paragraph 3 shall not constitute service.

Further directions

5. 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).
6. 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.
7. The Claimant has liberty to apply to extend or vary this Order or for further directions.
8. The return date hearing to be listed for 10.30 am on 5 October 2021 in person.
9. Costs reserved.

Communications with the Claimant

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

FAO Antony Nwanodi

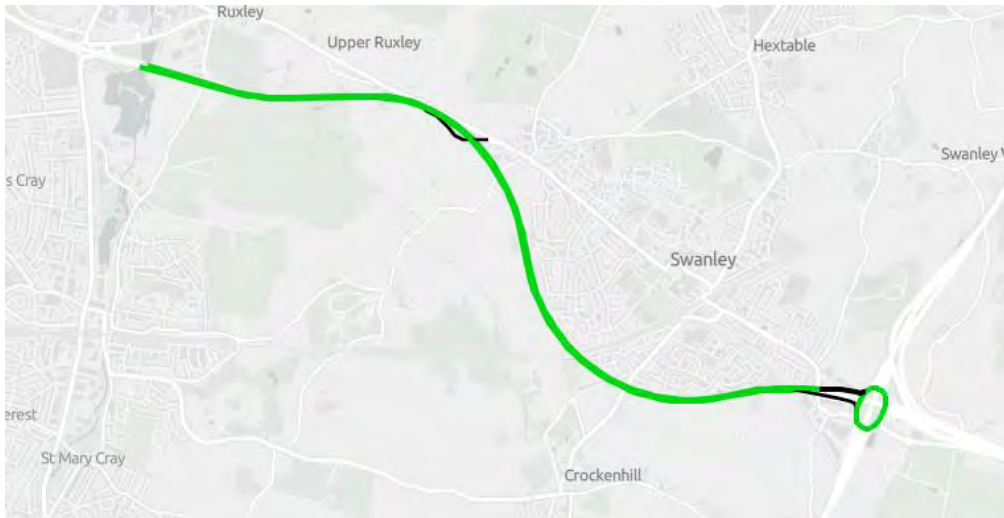


BY THE COURT

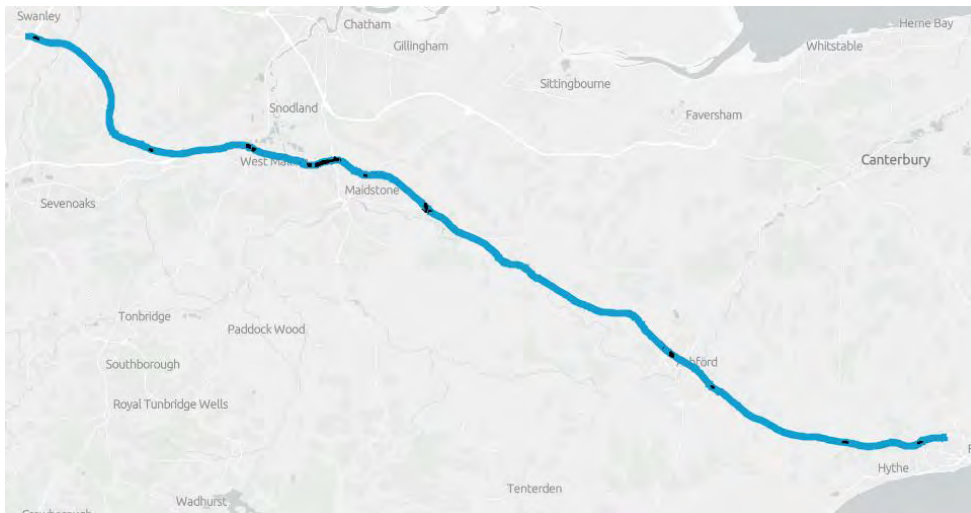
Dated: 24 September 2021

ANNEX TO THE ORDER OF MR JUSTICE CAVANAGH DATED 24 SEPTEMBER 2021

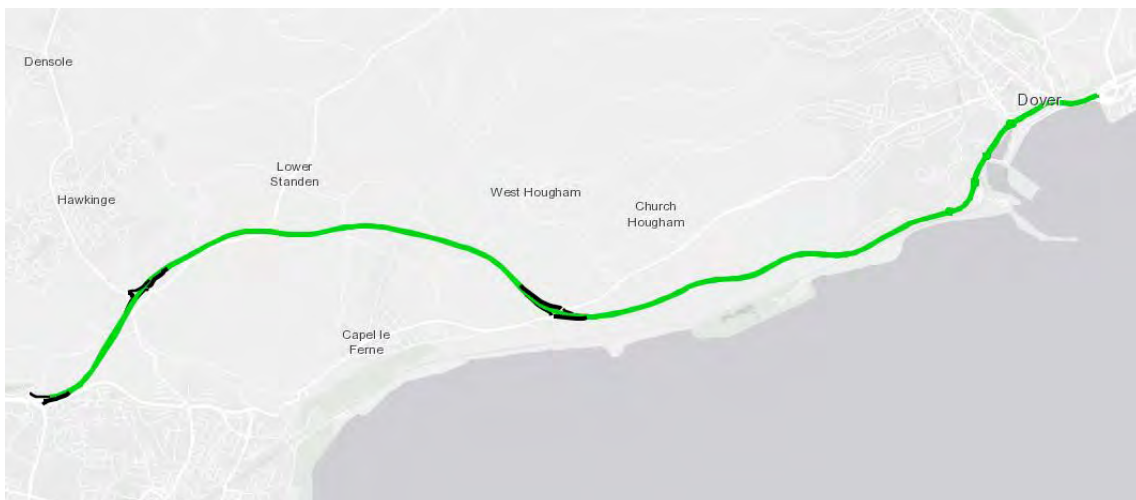
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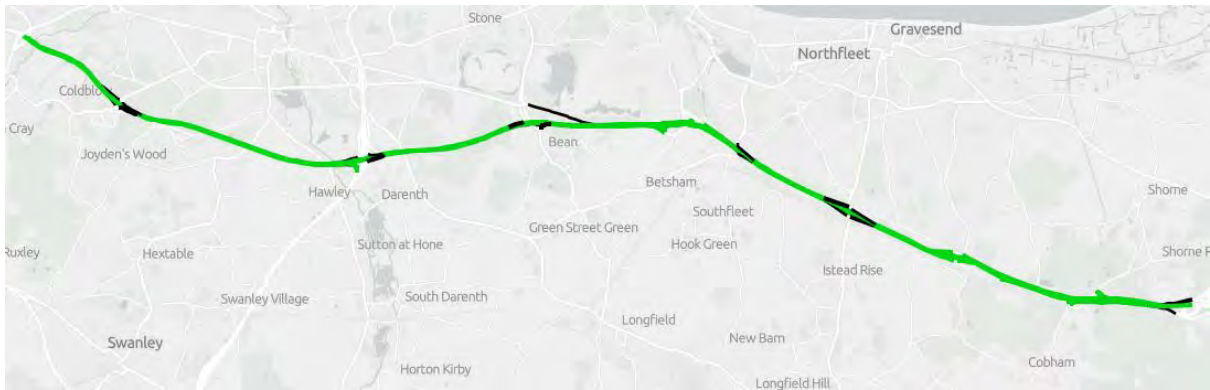
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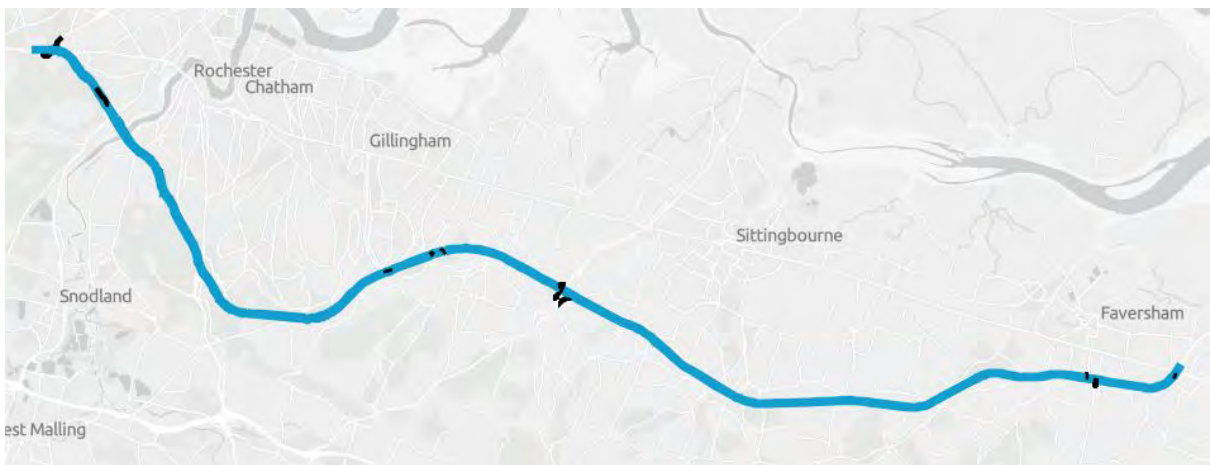
A20 Coast Section



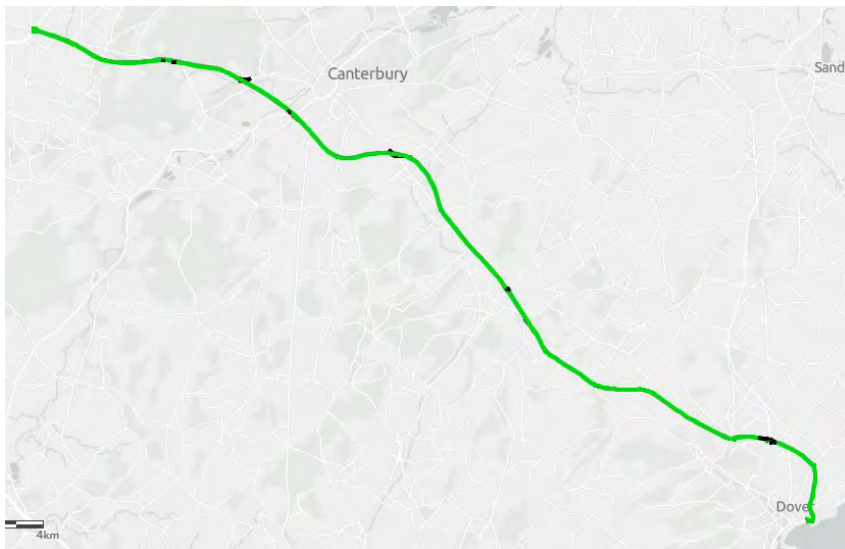
A2 London – M2 Section



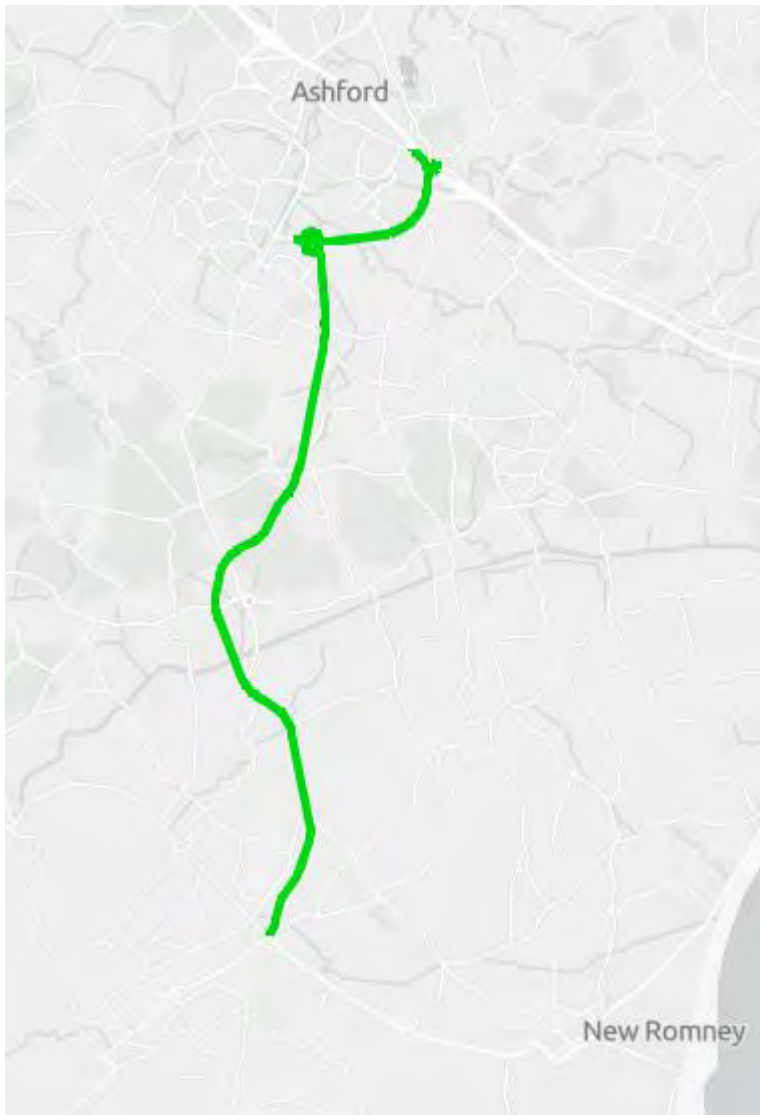
M2



A2 M2 - Dover Section



A2070



Kent & Surrounding areas SRN



Witness statement on behalf of the Claimant
Antony Nwanodi
1st
AN/1 - AN/4
30th September 2021
Claim No. QB-2021-003626

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

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**A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY (“THE
ROADS”) TO THE CLAIMANT, AND ADDITIONALLY ALL MATERIAL
RELEVANT TO ENFORCEMENT OF THE INJUNCTION OF THE
HONOURABLE MR JUSTICE CAVANAUGH OF 24 SEPTEMBER 2021**

Defendant

EXHIBIT AN/2



INJUNCTION? WHAT INJUNCTION?

28 September, 2021

A total of 115 people have been involved in Insulate Britain's campaign of disruptive actions over the last two weeks, with most being arrested multiple times. The total arrest tally has now reached 438.

Fifteen Insulate Britain supporters have been arrested as many as six times and twenty-one have been arrested five times for their participation in the campaign, which began on September 13th and has involved blocking roads on and around the M25 network and at the Port of Dover.

Let's Chat!

The total arrest figure includes five people arrested for conspiracy to cause a public nuisance and subsequently released under investigation.

The police are choosing not to detain people involved in the Insulate Britain campaign, although many have been involved in multiple actions, have broken their bail conditions and have expressed a clear intention to continue with the campaign. Only two people from Insulate Britain have so far been remanded in custody.

Yesterday, 52 people blocked the M25, in breach of the terms of an injunction granted to the Highways Agency on 22nd September. [1]

A second injunction was granted on 24th September covering the A2, A20 and A2070 trunk roads and M2 and M20 motorway, after an Insulate Britain action outside the Port of Dover last Thursday. [2]

Insulate Britain says actions will continue until the government makes a meaningful commitment to insulate all of Britain's 29 million leaky homes by 2030, which are among the oldest and most energy inefficient in Europe. [3]

ENDS

Press contact: 07737 457105

Email: insulatebritainpress@protonmail.com

High quality photos and video footage available here:

<https://drive.google.com/drive/folders/1Kucq-NfhNZLGJWwLx1HX03cWR7M9Y2-m>

Website: <https://www.insulatebritain.com/>

Facebook: <https://www.facebook.com/insulatebritain>

Twitter: <https://twitter.com/insulatelove?lang=en>

Youtube: <https://www.youtube.com/channel/UC8N5mAeeCLbD-AFUqtPaF0g>

Notes to Editors

[1] <https://highwaysengland.co.uk/media/wcufrac5/national-highways-limited-v-persons-unknown-approved-order-21-09-21.pdf>

[3] About Insulate Britain

Insulate Britain is a new campaign group that is calling on the UK government to put in place policy and funding for a national home insulation programme starting with all social housing.

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We are ordinary British citizens with simple and achievable demands to #INSULATEBRITAIN

The UK government must immediately promise to fully fund and take responsibility for the insulation of all social housing in Britain

We demand a national home insulation strategy that gives British people the justice they deserve: a future for our loved ones, lower energy bills and safer living conditions

We are scared: our livelihoods are at risk and the futures of our children are uncertain

The Climate Crisis is a threat to all: we demand the government to act now

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1. That the UK government immediately promises to fully fund and take responsibility for the insulation of all social housing in Britain by 2025;
2. That the UK government immediately promises to produce within four months a legally binding national plan to fully fund and take responsibility for the full low-energy and low-carbon whole-house retrofit , with no externalised costs, of all homes in Britain by 2030 as part of a just transition to full decarbonisation of all parts of society and the economy.

Further information about Insulate Britain and our demands here:

<https://www.insulatebritain.com/>

Technical Report on home energy efficiency here:

<https://drive.google.com/file/d/1HtOQmArzkDxhIYJrv9lBcl9lOUwfKoe7/view>

Let's Chat!

Witness statement on behalf of the Claimant

Antony Nwanodi

1st

AN/1 - AN/4

30th September 2021

Claim No. QB-2021-003626

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY (“THE
ROADS”) TO THE CLAIMANT, AND ADDITIONALLY ALL MATERIAL
RELEVANT TO ENFORCEMENT OF THE INJUNCTION OF THE
HONOURABLE MR JUSTICE CAVANAUGH OF 24 SEPTEMBER 2021**

Defendant

EXHIBIT AN/3

Our Ref	Defendant Name	PostCode	Notes
SWN18373PS	Liam Norton		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 06:00.</p> <p>The residential flat property is in fair condition. Process Server's comments: Gained access into the communal area and located a letterbox for "Norton". There was no response via the intercom on the first try, on the 2nd a female responded, asking me to identify myself, I did so and she stated I would have to call back later. I asked to speak to Liam Norton, she advised he is "definitely" not here. This may potentially be the mother's address, a Theresa Norton, as we also have documents for this person. At this time I have been unable to serve documents.</p>
SWN18375PS	Christian Leslie Murray		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 06:17 hours.</p> <p>The residential detached property is in fair condition.</p> <p>Process Server's comments: No contact at the address, there was a large dog behind the front door.</p>
SWN18381PS	Gabriella Ditton		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 08:47 hours. The residential terrace property is in fair condition.</p> <p>Process Server's comments: No contact made at the property.</p>
SWN18389PS	Amy Pritchard		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 08:08 hours. The residential semi detached property is in fair condition.</p> <p>Process Server's comments: I was unable to get a response from the property and able to confirm residency.</p>
SWN18431PS	Anne Taylor		<p>Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 08:05 hours. The residential terrace property is in fair condition.</p> <p>Process Server's comments: There was no answer from the property. The neighbour at No. 101 stated it is her mother. The female stated that the defendant was currently not at home and does not know when she will return.</p>

SWN18517PS Ian Bates

Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 09:46 hours. The residential terrace property is in fair condition.

Process Server's comments: A male answered the door and stated that he rents the property from the Defendant but that the Defendant does not live there. The male stated that he just pays the Defendant rent, he has no bills or anything. A driving licence was shown as proof of identification but this did have a different address. The male provided me with a contact number for the Defendant. I proceeded to call the mobile number which went to a voicemail message of himself stating that he is away for 3 weeks from the 13th September.

SWN18559PS Serena Schellenberg

Our Process Server attended [REDACTED] on Wednesday 29 September 2021. The residential terrace property is in fair condition.

Process Server's comments: Upon attendance, contact was made with an adult male who stated the Defendant is out and he doesn't know what time she will be back. The adult male confirmed it is her property and that he is just a friend visiting.

SWN18573PS Tracey Mallaghan

Our Process Server attended [REDACTED] on Wednesday 29 September 2021. The residential detached property is in fair condition.

Process Server's comments: As I drove past the property a vehicle drove onto the driveway. I knocked on the front door, which was answered by an adult female. I asked for Tracey Mallaghan and I was informed that she does reside at the address, however she has not been home for three weeks and has been in London dealing with the M25 staff. The person I spoke with, confirmed she is the Defendant's mother.

SWN18575PS Tyrone Hodge

Our Process Server attended [REDACTED] on Wednesday 29 September 2021. The residential semi-detached property is in fair condition.

Process Server's comments: I attended the address and spoke with builders outside the property. They confirmed they did not know of a Tyrone Hodge at the address and that "Sophie" and "George" live at the address. Upon knocking the front door, I made contact with Sophie. She stated that the Defendant used to reside at the address with his nan, but when she passed away, he vacated. Sophie went on to say that they still receive post for Tyrone, one was a letter from Specsavers regarding some stolen sunglasses and some Court letters.

SWN18549PS Matthew Lunnon

Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 09:01 hours. The residential detached property is in fair condition.

Process Server's comments: I met with Mr Lunnon's wife at the address who stated that he was not here this week, he was away. Mrs Lunnon advised that she had an address at which he was staying along with a telephone number, both of which were provided to me.

Address: [REDACTED].

Telephone Number: [REDACTED].

Mrs Lunnon stated that this is where he is this week.

SWN18361PS Mary Adams

Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 13:51 hours. The residential flat property is in fair condition.

Process Server's comments: There was no answer at the intercom to the building and I was unable to gain access via any other means.

SWN18352PS Stephanie Aylett

Our Process Server attended [REDACTED] on Wednesday 29 September 2021 at 12:57 hours. The residential detached property is in fair condition.

Process Server's comments: I met with a male at the address who confirmed that the Defendant resides there but isn't there at the moment. The male stated that he does not know where she is or have a contact number for her.

Witness statement on behalf of the Claimant

Antony Nwanodi

1st

AN/1 - AN/4

30th September 2021

Claim No. QB-2021-003626

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

**A2, A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY (“THE
ROADS”) TO THE CLAIMANT, AND ADDITIONALLY ALL MATERIAL
RELEVANT TO ENFORCEMENT OF THE INJUNCTION OF THE
HONOURABLE MR JUSTICE CAVANAUGH OF 24 SEPTEMBER 2021**

Defendant

EXHIBIT AN/4



INSULATE BRITAIN RETURNS TO BLOCK M25 JUNCTION FOR

THE SECOND TIME TODAY

29 September, 2021

Insulate Britain has returned for the second time today to block the M25 at Swanley (Junction 3).

This follows an earlier action at the same junction which took place at 7.30am, where Insulate Britain supporters sat down on the carriageway, gluing their hands to each other and the road, while others poured oil onto the carriageway.

Revd Sue Parfitt from Bristol, who was involved in the first of today's actions said earlier:

“Many people will ask why a 79 year old Anglican Priest is sitting in the road, causing disruption and how can I justify participating in such actions? I simply feel called to do everything in my power to protect God's planet, his creatures and the people. If we are successful in persuading the government to do what is necessary, the actions I'm taking today will help to prevent a much greater harm - no less than the destruction of everything we hold dear.”

Today's actions are in breach of a High Court injunction imposed on 22nd September, which prohibits “causing the blocking, endangering, slowing down, obstructing or otherwise preventing the free flow of traffic onto or along the M25 motorway for the purpose of protesting.” [1]

ENDS

Press contact: 07737 457105

Email: insulatebritainpress@protonmail.com

High quality photos and video footage available here:

<https://drive.google.com/drive/folders/1Kucg->

Let's Chat!

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Website: <https://www.insulatebritain.com/>

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Youtube: <https://www.youtube.com/channel/UC8N5mAeeCLbD-AFUqtPaF0g>

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Let's Chat!

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<https://drive.google.com/file/d/1HtOQmArzkDxhIYJrv9IBcl9IOUwfKoe7/view>

ring2021@protonmail.com



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Let's Chat!

830



BREAKING: INSULATE BRITAIN RETURNS TO BLOCK M25 FOR

THIRD DAY THIS WEEK

30th September AM

**BREAKING: INSULATE BRITAIN RETURNS TO BLOCK M25 FOR THIRD DAY
THIS WEEK**

Insulate Britain has blocked the M25 for the third day this week with an action at Junction 30.

This follows an action on Tuesday at Heathrow and two actions yesterday at Swanley (Junction 3).

A spokesperson for Insulate Britain said:

“ We are raising the tempo this week as, despite the urgency of the situation, there has been no meaningful response from the government to our demands. We are deeply concerned that with rising fuel bills and not enough action on insulation, there will be further unnecessary suffering and deaths among the most vulnerable this winter.

“It's not just cold and hungry Britain, it's billions of pounds wasted on fuel costs for everyone. Failing to help hardworking families, failing to stop poverty fuel deaths, failing to protect the country we love from the biggest threat it has ever faced. We need our government to keep us safe. Boris, get on with the job.”

Today's actions are in breach of a High Court injunction imposed on 22nd September, which prohibits “causing the blocking, endangering, slowing down, obstructing or otherwise preventing the free flow of traffic onto or along the M25 motorway for the purpose of protesting.”

ENDS

Press contact: 07737 457105

Email: insulatebritainpress@protonmail.com

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The UK government must immediately promise to fully fund an
responsibility for the insulation of all social housing in Britain

Let's Chat!

833

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ring2021@protonmail.com

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Let's Chat!

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IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim Nos: QD-2021-003576, QD-2021-003626, QD-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

DR ANDREW TAYLOR WORSLEY

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below:

IT IS ORDERED THAT:

1. For the purposes of this Order:
 - 1.1. "Injunction Order" shall mean the Order of Mr Justice Bennett in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <http://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.
 - 1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.
 - 1.3. "Roads" shall mean all of the following:
 - 1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.
 - 1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.
 - 1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1305 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 3 to Junction 4), A216 (from M3 Junction 1 to Feltham Hill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Tray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A114 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.

2. The Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

- 5.1. Not to engage in any of the following conduct:

- 5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.
- 5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.
- 5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.

Andrew Worsley

ANDREW TAYLOR WORSLEY

DATE: 23/03/2023

We consent to an order in these terms

DLA Piper UK LLP

DLA Piper UK LLP
Solicitors for the Claimant

DATE: 23 March 2023

Laura Higson

From: Petra Billing
Sent: 23 March 2023 12:50
To: andrew worsley
Cc: Laura Higson
Subject: FW: Removal from Named Defendants
Attachments: Injunct 1.pdf; Injunct 2.pdf; Injunct 3.pdf; Injunct 4.pdf; Injunct 5.pdf

Noted and received Mr Worsley - we will counter sign the undertaking and put it before the Court for their consideration.

regards

Petra Billing
Partner

DLA Piper UK LLP

-----Original Message-----

From: andrew worsley
Sent: 23 March 2023 11:48
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Removal from Named Defendants

****EXTERNAL****

I am Andrew Taylor Worsley of

Defendant No: D6

I give permission for NHL to present my signed undertaking to the court at the Review Hearing for approval in my absence.

Please find the signed undertaking attached to this email

Andrew Worsley

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D9 BARRY MITCHELL

Defendant

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AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:

1.1. “Injunction Order” shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant’s website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

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Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

- 1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.
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in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

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5. The Defendant undertakes to the Court promising as follows:

- 5.1. Not to engage in any of the following conduct:

- 5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.

- 5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.

- 5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.

Barry W. Mitchell

BARRY MITCHELL

DATE: 6th April 2023

We consent to an order in these terms

DLA Piper UK LLP
Solicitors for the Claimant
DATE: 14 April 2023

Laura Higson

From: NH-Injunctions
Sent: 11 April 2023 10:16
To: Barry Mitchell; NH-Injunctions
Cc:
Subject: RE: Ref: QB-2021-003576,002626 AND 003737. Undertaking to court form [DLAP-UKMATTERS.FID6544265]

Dear Mr Mitchell

Thank you for your email below.

We acknowledge receipt of the signed undertaking which we will place before the court on 24 April 2023.

Yours sincerely,

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: Barry Mitchell
Sent: 07 April 2023 10:33
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Cc:
Subject: RE: Ref: QB-2021-003576,002626 AND 003737. Undertaking to court form [DLAP-UKMATTERS.FID6544265]

****EXTERNAL****

Dear Sirs
Please find attached covering letter and signed form.
Best regards
Barry Mitchell

Sent from [Mail](#) for Windows

From: [NH-Injunctions](#)
Sent: 04 April 2023 18:02
To: [Barry Mitchell](#)
Cc: [NH-Injunctions](#)
Subject: RE: Ref: QB-2021-003576,002626 AND 003737. Undertaking to court form [DLAP-UKMATTERS.FID6544265]

Dear Mr Mitchell,

Thank you for your email.

Please find attached a further copy of our letter of 15 March 2023 and the form of undertaking enclosed with the letter.

We will issue a further hard copy to you in tomorrow's post.

Yours sincerely,

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: Barry Mitchell
Sent: 04 April 2023 17:19
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Ref: QB-2021-003576,002626 AND 003737. Undertaking to court form

****EXTERNAL****

Hello.

I have received your above reference correspondence, dated 3 April 2023.

You have mentioned a form to be completed, which was in the bundle with your letter of 15 March 2023.

I have looked through the bundle and am unable to find said form.

Could you please resend the form?

Best regards

Barry Mitchell

Sent from [Mail](#) for Windows

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

By e-mail only: NH-Injunctions@dlapiper.com and Royal mail

CC:

7.4.2023.

Your Client: National Highways Limited
Claim No: QB-2021-003576,002626, 003737
Your Ref:RXS/LNH/366530/250/UKM124292989.1

Dear Sirs,

I refer to recent correspondence and, in particular, your e-mail of 4th April at 18.02 with enclosed draft undertaking.

In particular I refer to the timings contained in paragraph 3 of your letter of 3rd April. Since receipt of the draft undertaking I have been trying to obtain appropriate legal advice as you suggest without success. Nonetheless I have considered its terms and have decided to execute it and return it to you for approval by your client and to notify the court of my entry into the undertaking in advance of the hearing on 24th April.

My understanding is that the deadline you state in your e-mail and letters of receipt of signed undertakings of close of business on 6th April is not binding, the significance being that you require time to consider the terms and have your client consent to the Final Order and Undertakings.

As you will appreciate, I have considered and signed the undertakings as soon as I am able and notwithstanding that I have been unable to obtain qualified advice. Nonetheless I am prepared to proceed on this basis and request that you now do the same.

Accordingly I attach a copy of the signed undertakings and confirm I have also sent a hard copy by post. I look forward to receipt of your client's signed copy and confirmation this has been submitted to the court.

Yours faithfully.

Barry W Mitchell.

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Case No. QB-2021-003576, QB-2021-003626, QB-2021-003737

Claim No. QB-2021-003576, QB-2021-003626, QB-2021-003737

BETWEEN:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D12 BIFF WILLIAM COURTENAY WHIPSTER

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:

1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.

1.3. "Roads" shall mean all of the following:

1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.

1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.

1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Line Drain Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Feltham Hill

Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.

2. The Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

~~in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.~~

~~Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.~~

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

5.1. Not to engage in any of the following conduct:

5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.

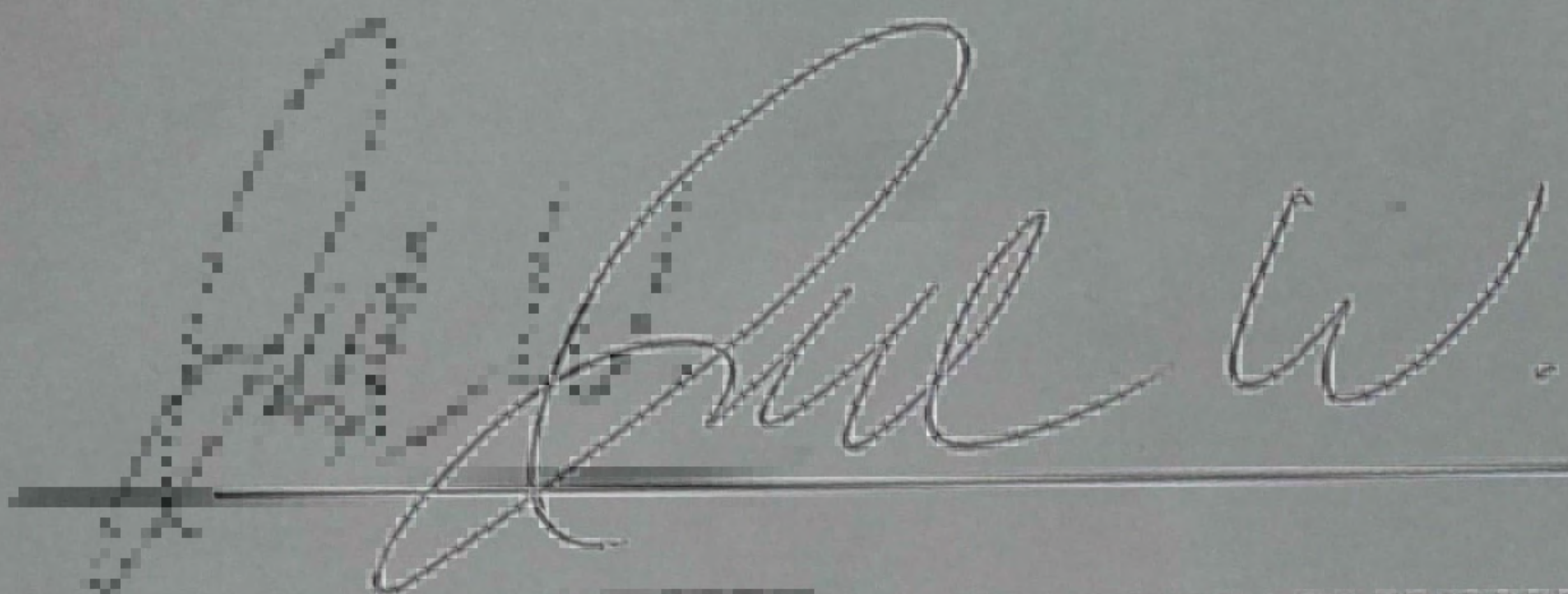
5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.

5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

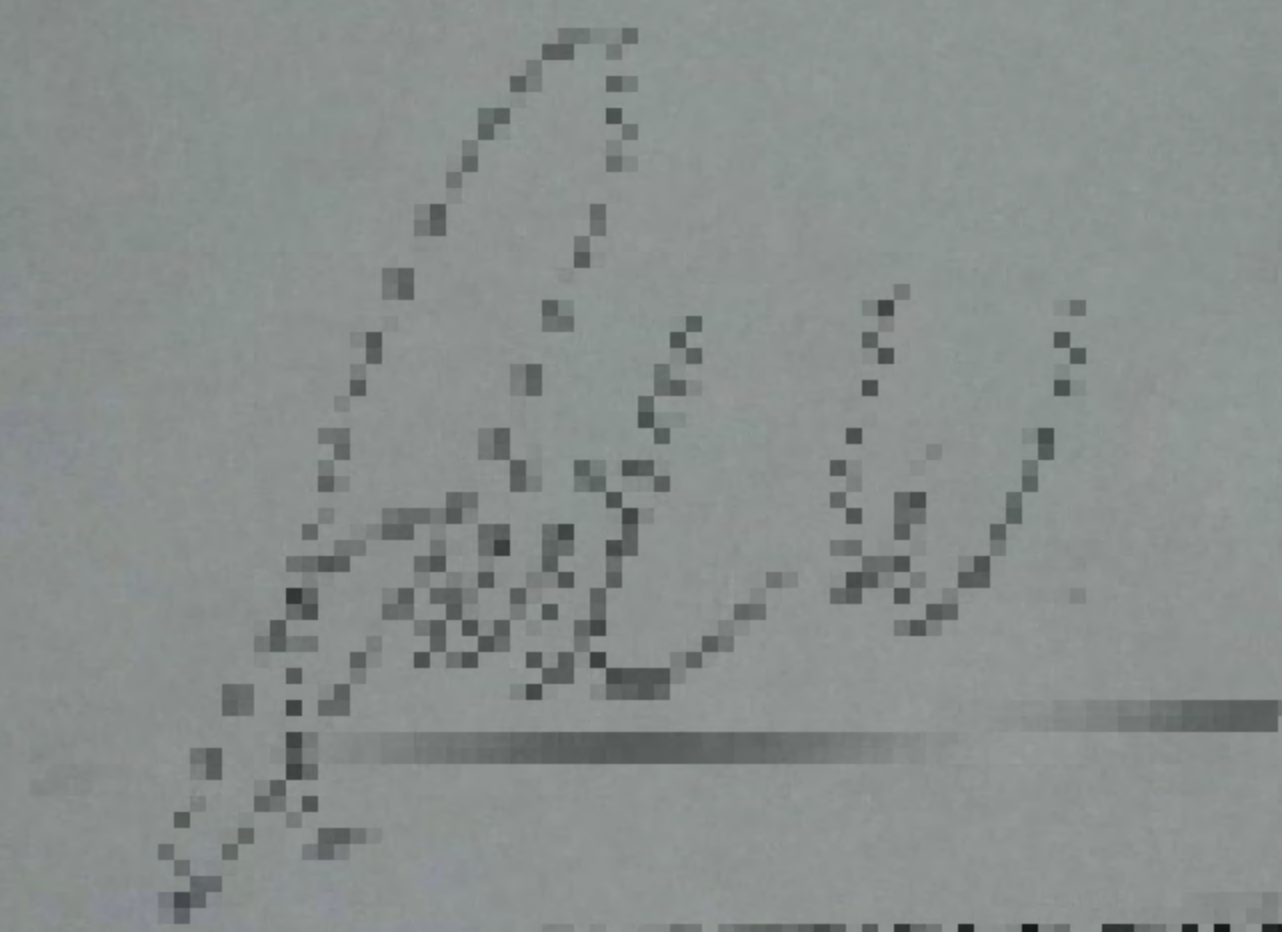
STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.



COURTENAY WHIPSTER

DATE: 17/03/23



[Signature]

DATE: 17/03/23

We consent to an order in these terms

DLA Piper UK LLP

DLA Piper UK LLP
Solicitors for the Claimant

DATE: 14 April 2023

Laura Higson

From: Petra Billing
Sent: 29 March 2023 15:55
To: Biff WHIPSTER
Cc: NH-Injunctions
Subject: FW: FW: QB-2021-003576, 002626, 003737
Attachments: 20230329_121034-min.jpg; 20230329_121120-min.jpg; 20230329_121044-min.jpg; 20230329_121110-min.jpg; 20230329_121057-min.jpg

Thanks Mr Whipster

Just so you know others have been in contact asking for more time on the basis they are taking legal advice.

I have written to them in these terms:

“We note that you are taking legal advice, and that you intend to respond to relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each named defendant by close of business on the date you have indicated of 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for our client to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.”

This has now been posted on the NH website. We would be grateful if you could contact Mr Pritchard , although we recommend that he should take legal advice.

regards

Petra Billing

Partner

DLA Piper UK LLP

From: Biff WHIPSTER
Sent: 29 March 2023 12:22
To: Petra Billing
Subject: Re: FW: QB-2021-003576, 002626, 003737

****EXTERNAL****

Dear Ms Billing,

Please find attached copies of all relevant sheets.

For info:

Stephen Pritchard (D94) has been in prison for contempt of court. He is due for release on 30th March 2023. He will not have seen any communications on this topic. I do not know whether or not he might wish to sign to make any commitments. I'll try and get in touch with him upon his release, but if he does respond to you he will of course have missed your deadline.

Kind regards,

Biff Whipster

(Defendant 12)

On Mon, 20 Mar 2023, 10:43 Petra Billing,

wrote:

Dear Mr Whipster

We are in receipt of the attached.

Please would you send to us a full copy of the undertaking you have signed as you have returned part only of the undertaking.

We require the full signed copy (pages 1 – 5) so that we might print it off and put before the Court at the Review Hearing.

regards

Petra Billing

Partner

petra.billing@dlapiper.com

DLA Piper UK LLP

From: Biff WHIPSTER
Sent: 17 March 2023 16:40
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: QB-2021-003576, 002626, 003737

****EXTERNAL****

Biff Whipster

Defendant number: 12

This email is from DLA Piper UK LLP. The contents of this email and any attachments are confidential to the intended recipient. They may not be disclosed to or used by or copied in any way by anyone other than the intended recipient. If this email is received in error, please contact DLA Piper UK LLP on +44 (0) 20 7349 0296 quoting the name of the sender and the email address to which it has been sent and then delete it. For more information on how we process personal data please see www.dlapiper.com/privacy-policy. Please note that neither DLA Piper UK LLP nor the sender accepts any responsibility for viruses and it is your responsibility to scan or otherwise check this email and any attachments. DLA Piper UK LLP is a limited liability partnership registered in England and Wales (registered number OC307847) which provides services from offices in England, Belgium, Germany and the People's Republic of China. A list of members is open for inspection at its registered office and principal place of business 160 Aldersgate Street London EC1A 4HT. Partner denotes member of a limited liability partnership. DLA Piper UK LLP is authorised and regulated by the Solicitors Regulation Authority and is part of DLA Piper, a global law firm, operating through various separate and distinct legal entities. For further information, please refer to www.dlapiper.com.

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D29 EDWARD LEONARD HERBERT

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

E. L. Herbert

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:

1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

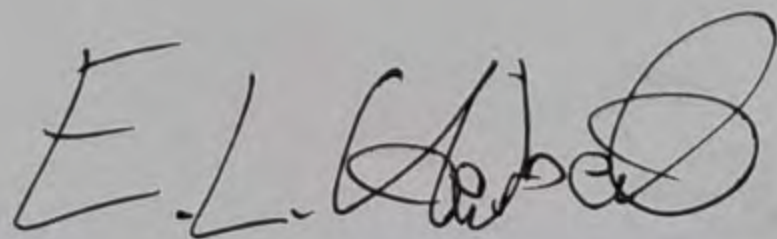
1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.

1.3. "Roads" shall mean all of the following:

1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.

1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.

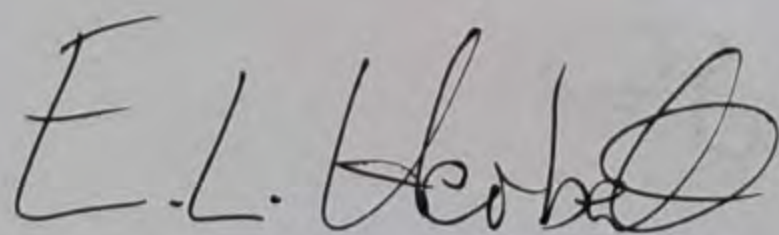
1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25



Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.

2. The Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings



in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

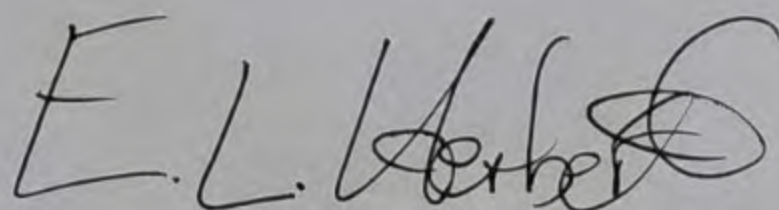
5.1. Not to engage in any of the following conduct:

- 5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.
- 5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.
- 5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.



EDWARD LEONARD HERBERT

DATE:

06/04/2023

We consent to an order in these terms

E.L. Herbert

DLA Piper UK LLP

DLA Piper UK LLP

Solicitors for the Claimant

DATE: 14 April 2023

Laura Higson

From: NH-Injunctions
Sent: 13 April 2023 15:27
To: Len Herbert; NH-Injunctions
Subject: RE: Claim Nos QB-2021-003576, 002626 and 003737 [DLAP-UKMATTERS.FID6544265]

Dear Mr Herbert

Thank you for your email below.

We acknowledge receipt of the signed undertaking which we will place before the court on 24 April 2023.

Yours sincerely,

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: Len Herbert
Sent: 13 April 2023 15:14
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Re: Claim Nos QB-2021-003576, 002626 and 003737 [DLAP-UKMATTERS.FID6544265]

****EXTERNAL****

Pages 1 to 5 as requested

 [IMG_20230413_150516.jpg](#)

 [IMG_20230413_150542.jpg](#)

 [IMG_20230413_150556_1.jpg](#)

 [IMG_20230413_150617_1.jpg](#)

 [IMG_20230413_150636.jpg](#)

On Thu, 13 Apr 2023 at 12:31, NH-Injunctions <NH-Injunctions@dlapiper.com> wrote:

Dear Mr Herbert,

Please would you send to us a full copy of the undertaking you have signed as you have returned part only of the undertaking.

We require the full signed copy (pages 1 – 5) so that we might print it off and put before the Court at the Review Hearing.

Kind regards,

DLA Piper UK LLP

From: Len Herbert
Sent: 13 April 2023 08:53
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Re: Claim Nos QB-2021-003576, 002626 and 003737 [DLAP-UKMATTERS.FID6544265]

****EXTERNAL****

As requested

regards

Edward Herbert

 [IMG_20230413_084658~2.jpg](#)

On Wed, 12 Apr 2023 at 17:16, NH-Injunctions <NH-Injunctions@dlapiper.com> wrote:

Dear Mr Herbert,

Thank you for your email below.

If possible, please could you provide a signed copy of the undertaking by email, or if more convenient, by post marked for the attention of Laura Higson at DLA Piper UK LLP, 1 St Pauls Place, Sheffield S1 2JX.

If you are unable to provide a signed copy of the undertaking, we would be grateful if you could please reply to this email, attaching a copy of the undertaking (a copy of which is attached for ease) and confirming as you have done in your email below that you agree to be bound by the undertaking. We will then place a copy of that email before the Court on 24 April.

Kind regards,

DLA Piper UK LLP

DLA Piper UK LLP

www.dlapiper.com



From: Len Herbert
Sent: 06 April 2023 16:51
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Claim Nos QB-2021-003576, 002626 and 003737

****EXTERNAL****

Dear Sir, Madam 06/04/2023

Thank you for your offer to be removed from the Injunction.

Edward Leonard Herbert.

Defendant No D29

I consent to your terms outlined in 5.1.1 to 5.1.3

and will not engage in any of those undertakings.

I agree to be bound by these promises until 24th April 2026

I understand these undertakings and the consequences if I break any of them.

Yours faithfully

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D63 MATTHEW LUNNON

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:
 - 1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.
 - 1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.
 - 1.3. "Roads" shall mean all of the following:
 - 1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.
 - 1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.
 - 1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

- 1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.
2. The Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

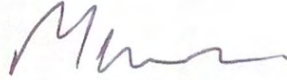
5. The Defendant undertakes to the Court promising as follows:
 - 5.1. Not to engage in any of the following conduct:
 - 5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.
 - 5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.
 - 5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.

MATTHEW LUNNON



DATE: 13.04.2023

We consent to an order in these terms

DLA Piper UK LLP
Solicitors for the Claimant
DATE: 14 April 2023

Laura Higson

From: NH-Injunctions
Sent: 13 April 2023 12:42
To: matthew lunnon; NH-Injunctions
Subject: RE: Offer to sign an undertaking dated 15 March [DLAP-UKMATTERS.FID6544265]

Dear Mr Lunnon

Thank you for your email below.

We acknowledge receipt of the signed undertaking which we will place before the court on 24 April 2023.

Yours sincerely,

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: matthew lunnon
Sent: 13 April 2023 12:17
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: RE: Offer to sign an undertaking dated 15 March [DLAP-UKMATTERS.FID6544265]

****EXTERNAL****

I Attach my signed copy of the undertaking.
Regards
Matthew Lunnon

Sent from Proton Mail for iOS

On Wed, Apr 12, 2023 at 10:53, NH-Injunctions <NH-Injunctions@dlapiper.com> wrote:

Dear Mr Lunnon

We refer to your email below.

In our letter offering the undertaking we stated:

“Any removal would be on the strict basis that individuals provide an unretractable and unconditional signed undertaking to the court (in the form enclosed, without amendment) confirming that they will, amongst other things, not block, endanger or prevent the free flow of traffic on the Roads (as defined in the undertaking) for the purposes of protesting.”

Our client is not willing to agree any amendment to the form of undertaking offered to any named defendant. To do so would be unfair to those whom have already signed the undertaking without

amendment and a consistent approach to all defendants has and will continue to be our client's approach.

If you wish to sign the undertaking as drafted without amendment we are willing to place that before the Court.

Regards

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: matthew lunnon
Sent: 06 April 2023 16:26
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: RE: Offer to sign an undertaking dated 15 March

****EXTERNAL****

FAO DLA Piper UK LLP

I have receiving legal advice I would agree to the undertaking subject to the following amendments, namely:

- a) Removing the words “ (which includes training, coaching, teaching or educating)” from the first paragraph under the penal notice;
- b) Adding the words “and to claim numbers QB-2021-003576, 002626, 003737” at the end of paragraph 2;
- c) Removing the words “of the Review Hearing” after “no order for costs” in the first sentence of paragraph 3 and the entirety of the second sentence of paragraph 3.

This makes the terms of the penal notice on the undertaking match those on the Bennathan Order.

As to the duration of the undertaking, I wish to suggest two years as a compromise.

Would this be acceptable to you and your client?

Yours faithfully

Matthew Lunnon

Sent with [Proton Mail](#) secure email.

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

BETWEEN:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D64 MATTHEW TULLEY

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

For the purposes of this Order:

- 1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.
- 1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.
- 1.3. "Roads" shall mean all of the following:
 - 1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.
 - 1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.
 - 1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023(Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Comer roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.

2. Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

5.1. Not to engage in any of the following conduct:

5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.

5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any Structure thereto.

5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.

Matthew Tully

MATTHEW TULLEY

DATE: 26 March 2023

We consent to an Order in these terms

DLA Piper UK LLP
Solicitors for the Claimant
DATE: 27 March 2023

Laura Higson

From: Petra Billing
Sent: 27 March 2023 08:45
To: Matthew Tulley
Cc: NH-Injunctions
Subject: FW: QB-2021-003576, 3626 and 3737 - National Highways Limited v Persons Unknown and Others - Court Hearing on 24 April 2023
Attachments: 2023 03 26 DLA Undertaking signed.pdf

Dear Mr Tulley

We acknowledge receipt.

regards

Petra Billing

Partner

T: +442077966047
M: +447968558801
petra.billing@dlapiper.com

DLA Piper UK LLP

From: Matthew Tulley >
Sent: 26 March 2023 17:33
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Cc: Petra Billing
Subject: RE: QB-2021-003576, 3626 and 3737 - National Highways Limited v Persons Unknown and Others - Court Hearing on 24 April 2023 [DLAP-UKMATTERS.FID6544265]

****EXTERNAL****

Hello,
Further to your email below, I have signed and attached the Undertaking.

Matthew Tulley

Defendant Number D64

I give permission for NHL to present the signed Undertaking to the Court at the Review Hearing for approval in my absence.

Please confirm you are happy with the Undertaking and do not require a wet ink copy.

Thanks and regards,
Matthew Tulley

Mobile

From: NH-Injunctions <NH-Injunctions@dlapiper.com>

Sent: Wednesday, March 15, 2023 5:01 PM

To: Matthew Tulley

Subject: QB-2021-003576, 3626 and 3737 - National Highways Limited v Persons Unknown and Others - Court Hearing on 24 April 2023 [DLAP-UKMATTERS.FID6544265]

Importance: High

Dear Sir

Please see the attached correspondence, a copy of which has also been sent you by first class and special delivery post today.

Yours faithfully

DLA Piper UK LLP

DLA Piper UK LLP

www.dlapiper.com



IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D69 NATALIE CLARE MORLEY

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

For the purposes of this Order:

- 1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.
- 1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.
- 1.3. "Roads" shall mean all of the following:
 - 1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.
 - 1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.
 - 1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023(Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Comer roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.

2. Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

5.1. Not to engage in any of the following conduct:

5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.

5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.

5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.

NATALIE CLARE MORLEY

DATE:

We consent to an order in these terms

A handwritten signature in black ink, appearing to read 'Natalie Morley', written over a horizontal line.

DLA Piper UK LLP
Solicitors for the Claimant

DATE: 14 April 2023

Natalie Morley

DWA Piper
1 St Pauls Place
Sheffield S1 2JX

4th April 2023

Dear Sir / Madam,

please find enclosed my signed forms with regard to having my name removed from the list of defendants with respect to NTH's claim. I removed myself from the Insulate Britain campaign following the imposition of the 1st injunction as I didn't want to break any injunctions. I haven't been involved in any protests since as I have been suffering from anxiety and am a single parent. The amount of injunction papers served has been overwhelming and intimidating. I felt at the time that the Insulate Britain

campaign was a good one given the climate and ecological emergency we are in and the sort of living crisis. However having paid many fines and doing many hours of community service I feel I have paid my dues and wish to be removed from the list.

Yours faithfully
Nat Coley

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D105 VALERIE SAUNDERS

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:

1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.

1.3. "Roads" shall mean all of the following:

1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.

1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.

1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.

2. The Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

- 5.1. Not to engage in any of the following conduct:

- 5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.

- 5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.

- 5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.

V Saunders

VALERIE SAUNDERS

DATE: 4/4/23

We consent to an order in these terms

avery.com

DLA Piper UK LLP
Solicitors for the Claimant

DATE: 14 April 2023

Laura Higson

From: Val Saunders
Sent: 05 April 2023 09:01
To: NH-Injunctions
Subject: Undertaking

****EXTERNAL****

Defendant no: D105

I give permission for NHL to present the signed undertaking to the Court at the Review Hearing for approval in my absence.

I attach undertaking

Valerie Janet Saunders

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D111 ADRIAN TEMPLE-BROWN

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:

1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.

1.3. "Roads" shall mean all of the following:

1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.

1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.

1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

- 1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.
2. The Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

- 5.1. Not to engage in any of the following conduct:

- 5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.
- 5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.
- 5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.

A. R. C. Temple-Brown

ADRIAN TEMPLE-BROWN

DATE: 01-Apr-2021

We consent to an order in these terms

DLA Piper UK LLP
Solicitors for the Claimant

DATE: 14 April 2023

Laura Higson

From: Petra Billing
Sent: 05 April 2023 17:30
To: Adrian Temple-Brown; NH-Injunctions
Subject: RE: QB-2021-003576, 3626 and 3737 - National Highways Limited v Persons Unknown and Others - Court Hearing on 24 April 2023

Dear Adrian

I suggest that you either email the court yourself with a copy of your signed undertaking and your email, or attend the hearing and make your own submissions.

It is a matter for the court to decide whether they accept your undertaking.

You may wish to take legal advice.

regards

Petra Billing

Partner

petra.billing@dlapiper.com

DLA Piper UK LLP

From: Adrian Temple-Brown
Sent: 05 April 2023 15:23
To: Petra Billing ; NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: RE: QB-2021-003576, 3626 and 3737 - National Highways Limited v Persons Unknown and Others - Court Hearing on 24 April 2023

****EXTERNAL****

Dear Petra,

Thank you for the acknowledgement below.

When placing my signed .pdf statement before the court, would there be any chance of reading my email below to the Person of Public Authority whose domain is the court?

A judge has as much of a duty of care to the Public as does a government cabinet member – so the words below apply as equally to that person as they do to you and your team (in this case).

I would appreciate your making one last shout out for help on my behalf, before I formally give up what was my Human Right To Public Protest.

I hope you can find a way do that for me.

Adrian

From: Petra Billing
Sent: 05 April 2023 15:13
To: Adrian Temple-Brown ; NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: RE: QB-2021-003576, 3626 and 3737 - National Highways Limited v Persons Unknown and Others - Court Hearing on 24 April 2023

Dear Mr Temple Brown

Thank you for your email below and the attachment.

We acknowledge receipt of the signed undertaking which we will place before the court on 24 April 2023.

regards

Petra Billing

Partner

petra.billing@dlapiper.com

DLA Piper UK LLP

From: Adrian Temple-Brown
Sent: 04 April 2023 15:17
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: RE: QB-2021-003576, 3626 and 3737 - National Highways Limited v Persons Unknown and Others - Court Hearing on 24 April 2023 [DLAP-UKMATTERS.FID6544265]

****EXTERNAL****

Aaah, Petra and team !

This is one example of what you personally condone in the work you do daily.
If you have the courage, read this: [Petroleum Act 1998](#) – it’s written in language you’ll understand.

Key excerpts:

9A The principal objective and the strategy

(1) In this Part the “principal objective” is the objective of maximising the economic recovery of UK petroleum

1 Meaning of “petroleum”.

In this Part of this Act “petroleum”—

- (a) includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition
- (b) does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by distillation.

2 Rights to petroleum vested in Her Majesty.

(1) Her Majesty has the exclusive right of searching and boring for and getting petroleum to which this section

QB means “Queen’s Bench” ... that’s the “Her Majesty” and “Her Government”, as referred to in Section 1 above.
That’s who you work for.

You already know the current [state of the climate](#) from my previous emails, but you still condone the industrial extraction of all UK fossil fuels – bar coal.

You still work to suppress the truth of what the monarch and the government are doing to the world's population, in the pursuit of wealth, that is, GDP, also know as "money".

Have my statement – it's attached.

When you *finally* realise what you've been doing, the guilt will crush you.

When you *finally* feel the need to protest, you'll realise you can't - the era of effective protest is already over: [The Public Order Bill 2022](#)

You and your ilk did that.

I'm not passionate.

I'm knowledgeable.

Big difference.

Adrian Temple-Brown

Ps What will it take for *you* personally to straighten you backbone and stand up ?

From: NH-Injunctions <NH-Injunctions@dlapiper.com>

Sent: 15 March 2023 17:01

To: Adrian Temple-Brown

Subject: QB-2021-003576, 3626 and 3737 - National Highways Limited v Persons Unknown and Others - Court Hearing on 24 April 2023 [DLAP-UKMATTERS.FID6544265]

Importance: High

Dear Sir

Please see the attached correspondence, a copy of which has also been sent you by first class and special delivery post today.

Yours faithfully

DLA Piper UK LLP

DLA Piper UK LLP

www.dlapiper.com



This email is from DLA Piper UK LLP. The contents of this email and any attachments are confidential to the intended recipient. They may not be disclosed to or used by or copied in any way by anyone other than the intended recipient. If this email is received in error, please contact DLA Piper UK LLP on +44 (0) 20 7349 0296 quoting the name of the sender and the email address to which it has been sent and then delete it. For more information on how we process personal data please see www.dlapiper.com/privacy-policy. Please note that neither DLA Piper UK LLP nor the sender accepts any responsibility for viruses and it is your responsibility to scan or otherwise check this email and any attachments. DLA Piper UK LLP is a limited liability partnership registered in England and Wales (registered number OC307847) which provides services from offices in England, Belgium, Germany and the People's Republic of China. A list of members is open for inspection at its registered office and principal place of business 160 Aldersgate Street London EC1A 4HT. Partner denotes member of a limited liability partnership. DLA Piper UK LLP is authorised and regulated by the Solicitors Regulation Authority and is part of DLA Piper, a global law firm, operating through various separate and distinct legal entities. For further information, please refer to www.dlapiper.com.

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

BETWEEN:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D115 JULIAN MAYNARD SMITH

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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

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UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:

1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

1.2. "Review Hearing" shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.

1.3. "Roads" shall mean all of the following:

1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.

1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.

1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.

2. The Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

5.1. Not to engage in any of the following conduct:

5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.

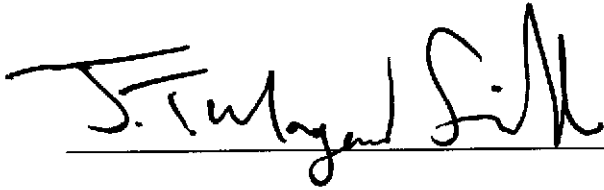
5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.

5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.



JULIAN MAYNARD SMITH

DATE: 12th April 2023

We consent to an order in these terms

DLA Piper UK LLP
Solicitors for the Claimant
DATE: 14 April 2023

Laura Higson

From: NH-Injunctions
Sent: 11 April 2023 09:50
To: julian maynard smith
Cc: NH-Injunctions
Subject: RE: QB-2021-003576, 3626 and 3737 - National Highways v Persons Unknown and Ors [DLAP-UKMATTERS.FID6544265]

Dear Mr Maynard Smith

We refer to your email below.

In our letter offering the undertaking we stated:

“Any removal would be on the strict basis that individuals provide an unretractable and unconditional signed undertaking to the court (in the form enclosed, without amendment) confirming that they will, amongst other things, not block, endanger or prevent the free flow of traffic on the Roads (as defined in the undertaking) for the purposes of protesting.”

Our client is not willing to agree any amendment to the form of undertaking offered to any named defendant. To do so would be unfair to those whom have already signed the undertaking without amendment and a consistent approach to all defendants has and will continue to be our client’s approach.

If you wish to sign the undertaking as drafted without amendment we are willing to place that before the Court.

Regards

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: julian maynard smith
Sent: 06 April 2023 11:09
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Re: QB-2021-003576, 3626 and 3737 - National Highways v Persons Unknown and Ors [DLAP-UKMATTERS.FID6544265]

****EXTERNAL****

Hello,

I wish to accept this undertaking, but following legal advice request the following amendments:

1. a) Removing the words “*(which includes training, coaching, teaching or educating)*” from the first paragraph under the penal notice;
2. b) Adding the words “and to claim numbers QB-2021-003576, 002626, 003737” at the end of paragraph 2;
3. c) Removing the words “of the Review Hearing” after “no order for costs” in the first sentence of paragraph 3 and the entirety of the second sentence of paragraph 3.

4. Thank you,
5. Julian Maynard Smith

On Mon, Apr 3, 2023 at 5:14 PM NH-Injunctions <NH-Injunctions@dlapiper.com> wrote:

Dear Sir/Madam,

Please see the attached correspondence, a copy of which has also been issued to you by first class and special delivery post today.

Yours faithfully,

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D128 TONY HILL

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

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AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:

1.1. "Injunction Order" shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant's website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

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UNDERTAKINGS TO THE COURT

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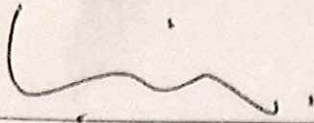
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AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.



TONY HILL

DATE: 28/3/23

We consent to an order in these terms

DLA Piper UK LLP

DLA Piper UK LLP
Solicitors for the Claimant

DATE: 14 April 2023

Laura Higson

From: Petra Billing
Sent: 28 March 2023 14:00
To:
Cc: NH-Injunctions
Subject: FW: Fwd:
Attachments: IMG_0102.jpg; IMG_0103.jpg; IMG_0104.jpg; IMG_0105.jpg; IMG_0106.jpg

Mr Hill

Receipt acknowledged and your position is noted.

regards

Petra Billing
Partner

DLA Piper UK LLP

From: Tony Hill
Sent: 28 March 2023 13:53
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Fwd:

****EXTERNAL****

With reference to the attached Final Order and Undertakings, which I have duly signed:

I, Tony Hill, give my permission for NHL to present the signed undertaking to the court at the Review Hearing for approval in my absence.

Tony Hill
Defendant number: D128

Tony HILL
28 March 2023

----- Forwarded message -----

From: Tony Hill
Date: Tue, Mar 28, 2023 at 1:48 PM
Subject:
To: Tony Hill

Laura Higson

From: Petra Billing
Sent: 21 March 2023 16:05
To: Tony Hill
Cc: NH-Injunctions
Subject: FW: Response to your letter of 15 March 2023
Attachments: Interim Injunctions; FW: EXTERNAL - National Highways Injunctions; IMG_0098.jpg; IMG_0100.jpg; Sealed Order (Redacted).pdf

Dear Mr Hill

We refer to you email below and refer you to your email dated 17 March 2022 and our response of 18 March 2022 (attached) – further to which we have heard no further from you.

We are not in a position to provide you with legal advice. You should take your own legal advice.

You did not acknowledge the claim/ proceedings or issue a defence within the timescales provided by the court rules.

No one has suggested that you have breached the civil injunction. Had you done so our client would have issued civil contempt proceedings against you.

The criminal law and the civil law are entirely distinct.

You were properly named as a defendant to the claim given your involvement in the Insulate Britain Protest on 27 October 2021 whether or not you were present on the Roads. We would refer you to the terms of the injunction applicable at the time (attached).

Given your assurance that you do not intend to breach the injunction in the future then you may wish to consider entering in to the undertaking offered by my client, which if accepted by the court would result in you being removed as a named defendant in these proceedings.

We repeat however you should take your own legal advice.

regards

Petra Billing
Partner

DLA Piper UK LLP

From: Tony Hill
Sent: 21 March 2023 11:38
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Response to your letter of 15 March 2023

****EXTERNAL****

Dear Sir/Madam

Your Reference: RXS/LNH/366530/250
UKM/125235815.1

I am responding to your letter of 15 March 2023, with reference to the implications of signing an undertaking to the court.

Since the injunction imposed on me from October 2021, I have tried unsuccessfully to inform DLA Piper that although I am included on the list of those who had breached the injunction orders, I have never in actual fact, breached those orders.

Please may I outline the facts, so you are aware of my individual situation.

1. I was arrested at Bishopsgate, in the City of London, on 25 October 2021, as part of the Insulate Britain protests. I, along with others, was originally charged with 'Obstruction of the Public Highway', Highways Act. This was subsequently upgraded to 'a public nuisance' under Common Law. I pleaded not guilty to this charge and was recently found guilty at the Inner London Crown Court. I am due to be sentenced on 31 March 2023. This is my one and only criminal conviction. I have no pending convictions or outstanding charges to answer
2. On 27 October 2021 I was arrested on the car park at the Double Tree Hilton Hotel at the Dartford Bridge, Kent DA2 6QF, for 'conspiracy to cause a public nuisance.' PLEASE NOTE that this charge was subsequently refused by Kent Police. The plain fact that Kent Police state that there was insufficient evidence to pursue the case, or the fact that I never set foot on the motorway, or any part of the motorway, was insubstantial grounds for the injunction to have been served on me. Indeed, I think you can see that there was no intention whatsoever, then or now, to breach the injunction.
3. Therefore, I must inform you that a) I never set foot on the public highway (the M25) on 27 October 2021, b) nor was there **any intention** on my part to do so (I was acting in my capacity in a welfare role for those protesters who were endeavoring to protest on the M25 motorway that day, c) my prime role that day was to remain on that car, park NOT to conspire to cause a public nuisance, d) I had no intention of breaking the injunction imposed on Insulate Britain and others, by setting foot on any part of the motorway, either then or at any time in the future.
4. At my Crown Court trial I stated, on oath, that my protest at Bishopsgate on 25 October 2021 was the one and only time I intended to protest peacefully on a public highway.
5. I reiterate that at no time since my arrest at Bishopsgate on the 25 October 2021 have I ever breached the injunction, nor do I have any intention to do so in the future. I think the plain fact that I have not been arrested on any public highway since the 25 October 2021, or involved in any action on a public highway in any way since, is evidence that I have been true to my word.

I enclose copies of my arrest on 27 October 2021 and a copy of the refused charge from Kent Police.

I think you will agree that my inclusion on the list of defendants is unreasonable and probably unlawful, given the circumstances I outline.

Therefore, I would respectfully request that you remove my name forthwith from the list of defendants, as a matter of fairness. I am very happy to provide more information in support of this email. I enclose copies of a) my arrest on 27 October 2021 and b) the Refused charge by Kent Police.

Thank you for your attention to this matter.

Tony (Anthony) Hill



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114 273 8948
dlapiper.com

Your reference

Our reference

LNH/LNH/366530/250
UKM/124292989.1

**By Special Delivery and First Class Post
and**

9 February 2023

Dear Sir/Madam

CLAIMANT: NATIONAL HIGHWAYS LIMITED
CLAIM NOS: QB-2021-003576, 002626 AND 003737
**HEARING: 24 APRIL 2023 AT THE ROYAL COURTS OF JUSTICE, STRAND, LONDON
WC2A 2LL**

As you are aware, we are instructed by National Highways Limited, the Claimant in the above claim. All correspondence should be directed to this firm at the above address or by email to: NH-Injunctions@dlapiper.com.

You are also aware that on 9 May 2022, Mr. Justice Bennathan made an Order (“**Order**”) consolidating the three claims and granting:

- (i) a final injunction against the Defendants listed at paragraph 2 of the Order; and
- (ii) an interim injunction against the Defendants listed at Schedule 1 (but excluding the Defendants listed at paragraph 2) of the Order.

You are a Named Defendant to the Order and you have been served with the Order in accordance with the provisions for service contained therein. We enclose with this letter a further copy of the Order for your ease of reference.

The Court has now listed the review hearing pursuant to paragraph 19 of the Order on **24 April 2023 at the Royal Courts of Justice, Strand, London WC2A 2LL with a time estimate of half a day**. We enclose by way of service upon you email correspondence between this firm and the King's Bench Judge's Listing Office which should be treated as the official notice of hearing. The time of the review hearing and the court room in which it will be heard will be confirmed by the Court the day before the hearing, and the Court will publish this information on the daily cause list at: <https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list>.

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A list of members is open for inspection at its registered office and principal place of business, 160 Aldersgate Street, London, EC1A 4HT and at the address at the top of this letter. Partner denotes member of a limited liability partnership.

A list of offices and regulatory information can be found at dlapiper.com.

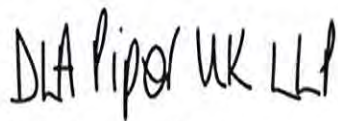
UK switchboard
+44 (0) 20 7349 0296

Please confirm by email to NH-Injunctions@dlapiper.com if you intend to instruct a firm of solicitors or a barrister to represent you at the review hearing. If you intend to make representations at the hearing, please provide the evidence upon which you will rely by email to NH-Injunctions@dlapiper.com by **no later than 3 April 2023**. In this regard we would draw your attention in particular to paragraph 21 of the Order which provides that if you wish to apply to vary or discharge the Order, you must provide your full name and address and address for service to the Claimant and to the Court.

The Claimant's Application, Skeleton Argument and the evidence upon which the Claimant will rely at the review hearing will be served upon you in due course.

If you are unsure about the contents of this letter or its enclosures we recommend that you seek independent legal advice.

Yours faithfully



DLA Piper UK LLP

Enc.

Laura Higson

From: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>
Sent: 01 February 2023 16:15
To: Petra Billing
Cc: Laura Higson
Subject: RE: National Highways and Persons Unknown ; Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

****EXTERNAL****

Dear Madam,

Please use the email below and confirmation.

Kind regards,

Lauren Dixon

KB Judge's Listing Office Team Leader

KB Judge's Listing Office | HMCTS | RCJ | The Strand | London | WC2A 2LL

Phone: 0203 936 8957

Web: www.gov.uk/hmcts



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<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Coronavirus (COVID-19): courts and tribunals planning and preparation

We must
keep on protecting
each other.



HANDS



FACE



SPACE

From: Petra Billing

Sent: 01 February 2023 16:11

To: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>

Cc: Laura Higson

Subject: RE: National Highways and Persons Unknown ; Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

Dear Sir/ Madam

Thanks you for confirming this.

Will you be issuing a notice of hearing or should we serve the Defendants with the email exchange below?

regards

Petra Billing

Partner

From: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>
Sent: 31 January 2023 13:27
To: Petra Billing
Cc: Laura Higson
Subject: RE: National Highways and Persons Unknown ; Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

****EXTERNAL****

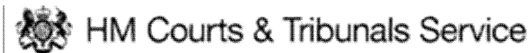
Dear Sirs

Thank you for your email below, the final hearing has been listed for 24th April 2023 for ½ day before a High Court Judge in person.

The Judge and the time of the hearing will be confirmed the working day before on the cause list.

Regards

Rupkiran Bhamra (Mon-Fri 7am-2:30pm)
Team Leader
King's Bench Judge's Listing Office, Room E03
King's Bench Division | HMCTS | Royal Courts of Justice | Strand, London | WC2A 2LL
Phone: 020 3936 8957
Web: www.gov.uk/hmcts



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From: Petra Billing
Sent: 31 January 2023 13:20
To: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>
Cc: Laura Higson
Subject: National Highways and Persons Unknown ; Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

Dear Sirs/ Madams

Both leading and junior counsel's availability for the review hearing (based on a **half day** estimate) in April 2023 is limited.

The only dates free are 24, 25 and 26 April 2023.

They are also both available 1, 2 and 3 May 2023.

Regards

Petra Billing

DLA Piper UK LLP
www.dlapiper.com



From: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>
Sent: 30 January 2023 11:30
To: Petra Billing
Subject: RE: National Highways and Persons Unknown ; Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

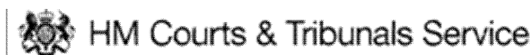
****EXTERNAL****

Dear Sirs

Further to your email below, can you provide dates for the final injunction to be listed in April.

Regards

Rupkiran Bhamra (Mon-Fri 7am-2:30pm)
Team Leader
King's Bench Judge's Listing Office, Room E03
King's Bench Division | HMCTS | Royal Courts of Justice | Strand, London | WC2A 2LL
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Web: www.gov.uk/hmcts



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From: Petra Billing
Sent: 30 January 2023 11:10
To: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>
Subject: National Highways and Persons Unknown ; Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

Dear Sir/ Madam

We refer to paragraph 19 of the attached Order ("the Bennathan Order"). This matter is to be listed for review in April of this year. To date we have not received a listing for the hearing from the Court, but before the Court does list the review hearing we wish to draw the following to the Court's attention:

1. Permission to appeal the attached order (“the Bennathan Order”) has been granted by the Court of Appeal. The matter is to be heard by the Court of Appeal on 16 February 2023. The outcome of that appeal will determine whether the interim injunction granted at paragraph 10 of the Bennathan Order becomes final or not – this is the crux of the appeal. The Bennathan Order also contains a final injunction at paragraph 9, but that will be unaffected by the appeal.
2. Both the final injunction ordered at paragraph 9 and the interim injunction granted at paragraph 10 of the Bennathan Order expire presently **on 9 May 2023**. The purpose of the review hearing is to enable the Court to determine whether to extend the injunctions. The Claimant will be seeking an extension to the injunctions for at least 1 year with some time allowed for service.
3. It is anticipated that the Court of Appeal will not give judgment on the appeal on 16 February 2023, but instead will reserve judgment with some uncertainty as to when they will be in a position to hand down judgment following the hearing on 16 February 2023. The determination of the appeal in the Bennathan Order may require that the interim injunction part of the Bennathan Order be varied so as to be a permanent injunction.

In light of the above, we would invite the Court to list the review hearing in April (that is, prior to the expiration on 9 May 2023) and deal with the issue of whether or not the injunction should be extended at that point. As to the effect of the appeal on the review hearing:

- If the Court of Appeal has handed down judgment and found that the interim injunction should be a final injunction, that can be incorporated into any Order made at the review hearing.
- If the Court of Appeal has *not* handed down judgment by the date of the review hearing, we consider that the Court should in any event determine the issue of continuation of the interim injunction at a review hearing in April. If the Court of Appeal subsequently finds that the interim injunction should have been a final injunction, then the Claimant proposes to deal with that by making an application to vary the injunction in due course. We would emphasise that this would not affect the substance of the injunction, only whether it is interim or final; and also we would highlight that the test for whether or not the injunction should continue is, by virtue of s.12 of the Human Rights Act 1998 very similar (if not materially identical) whether the injunction is interim or final. Therefore, the outcome of the appeal should not materially affect the task before the Court on the review hearing.

If the Court disagrees with that proposal and considers that it wishes to adjourn the review hearing till a later date to allow it to take account of the Court of Appeal’s judgment, a short extension of the injunctions would need to be granted so that the injunctions did not expire prior to the adjourned review hearing.

We would appreciate it if you would place this email before a Judge for determination before steps are taken to list the review hearing.

Petra Billing
Partner



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Your reference

Our reference

RXS/LNH/366530/250
UKM/125235815.1

By First Class Post and Special Delivery and by Email:

15 March 2023

Dear Sir/Madam

CLAIMANT: NATIONAL HIGHWAYS LIMITED

CLAIM NOS: QB-2021-003576, 002626 AND 003737, resulting in the final injunction order of Mr Justice Bennathan dated 9 March 2022, as amended by the Court of Appeal on appeal ("the Bennathan Injunction Order")

HEARING: 24 APRIL 2023 AT THE ROYAL COURTS OF JUSTICE, STRAND, LONDON WC2A 2LL

As you are aware, we are instructed by National Highways Limited ("NHL"), the Claimant in the above claim, which resulted in the Bennathan Injunction Order to which you are currently a Named Defendant.

The Bennathan Injunction Order is subject to the judgment of the Court of Appeal handed down on 23 February 2023. The Bennathan Injunction Order (as amended by the Court of Appeal) is awaited from the Court and will be served upon you in accordance with the service provisions therein following it being issued by the Court.

As explained in our letter of 9 February 2023, the Court has listed a hearing, for 24 April 2023 at the Royal Courts of Justice, Strand, London WC2A 2LL with a time estimate of half a day (the "**Review Hearing**"), at which it will review whether it should vary the Bennathan Injunction Order. Details of the time and location of the hearing will be available on the Court's website on the afternoon of 23 April 2023.

A further copy of the Bennathan injunction Order can be found on the NHL website at: <https://nationalhighways.co.uk/media/pqlogh01/queen-s-bench-associate-s-blank-order-003.pdf>. This has been previously served upon you as a Named Defendant to the Bennathan Injunction Order.

At the Review Hearing, NHL will be asking the court to extend the injunction for a further 12 months and the police Duty to Disclose by a further 14 months. As you are a Named Defendant to these proceedings if the court approves these extensions of the Bennathan Injunction Order, you will continue to be named in these proceedings and in the Schedule to the Bennathan Injunction Order.

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A list of offices and regulatory information can be found at dlapiper.com.

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+44 (0) 20 7349 0296

In advance of the Review Hearing, NHL has been considering the list of Named Defendants in the Schedule to the Bennathan Injunction Order and we are instructed that NHL is prepared to consider the removal of individuals as Named Defendants to these proceedings. Any removal would be on the strict basis that individuals provide an unretractable and unconditional signed undertaking to the court (in the form enclosed, without amendment) confirming that they will, amongst other things, not block, endanger or prevent the free flow of traffic on the Roads (as defined in the undertaking) for the purposes of protesting.

If you would like to be removed as a Named Defendant please review the form of undertaking enclosed with this letter. We recommend that you consider seeking legal advice on the undertaking and the implications of signing it (and the contents of this letter generally) if you are unsure in any way.

If you wish to sign the undertaking, please send a signed copy to us by email at NH-Injunctions@dlapiper.com by 31 March 2023. In that email you should confirm your full name, address, Defendant No (which can be found in the Schedule to the Bennathan Injunction Order and on the form of draft undertaking enclosed with this letter) and that you give permission for NHL to present the signed undertaking to the court at the Review Hearing for approval in your absence. Removal from the Bennathan Injunction Order as a Named Defendant is ultimately a decision for the Court in their discretion. This cannot be guaranteed.

Assuming the court accepts signed undertakings, this will provide a basis for you to be removed as a Named Defendant in the proceedings and remove your exposure to future legal costs, beyond those for which you are already liable to date as a result of any costs orders made pursuant to the Bennathan Injunction Order in this claim to date.

You will remain liable under any costs orders made against you up to the point in time when/if you are removed as a Named Defendant.

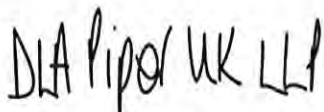
You will note that the undertaking:

1. is specified to be for a period of 3 years, during which time you must adhere strictly to the promises you are giving in the undertaking;
2. explains that if you disobey the undertaking (or instruct others to do the acts which you have undertaken not to do), you may be held in contempt of court and may be imprisoned, fined or have your assets seized; and
3. once given your signed undertaking cannot be withdrawn or retracted – you will be strictly bound by it.

If you are unsure about the contents of this letter or its enclosures we recommend that you seek independent legal advice.

All correspondence should be directed to this firm at the above address or by email to: NH-Injunctions@dlapiper.com.

Yours faithfully



DLA Piper UK LLP

Enc.

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No: QB-2021-003576, QB-2021-003626, QB-2021-003737

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

Claimant

-and-

D2 ALEXANDER RODGER

Defendant

FINAL ORDER AND UNDERTAKINGS

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANT DISOBEY THE UNDERTAKINGS SET OUT IN THIS ORDER OR INSTRUCT OR ENCOURAGE (WHICH INCLUDES TRAINING, COACHING, TEACHING OR EDUCATING) OTHERS TO DO ACTS WHICH YOU HAVE UNDERTAKEN NOT TO DO, 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 DEFENDANT TO BREACH THE UNDERTAKINGS SET OUT IN 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 which you have undertaken not to do. You should read it very carefully.

UPON the parties having agreed to an order in the terms set out below.

AND UPON the Claimant confirming that the undertakings given in this Order are not intended to prohibit the Defendant from lawful protest which does not block or endanger, or prevent the free flow of traffic on the Roads defined in paragraph 1 of this Order.

AND UPON the Defendant confirming that they have reviewed the Appendices to the Injunction Order and understands which Roads are subject of the undertakings given in this Order.

AND UPON the Defendant giving undertakings to the Court as set out below.

IT IS ORDERED THAT:

1. For the purposes of this Order:

1.1. “Injunction Order” shall mean the Order of Mr Justice Bennathan in these proceedings dated 9 May 2022 as amended by the Court of Appeal, a copy of which can be found on the Claimant’s website at: <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/>.

1.2. “Review Hearing” shall mean the hearing listed for 24 April 2023 at 10:30am to review the Injunction Order.

1.3. “Roads” shall mean all of the following:

1.3.1. The M25, meaning the London Orbital Motorway and shown in red on the plans at Appendix 1 to the Injunction Order.

1.3.2. The A2, A20, A2070, M2 and M20, meaning the roads shown in blue and green on the plans at Appendix 2 to the Injunction Order.

1.3.3. The A1(M) (Junction 1 to Junction 6), A1 (from A1M to Rowley Lane and from Fiveways Corner roundabout to Hilltop Gardens), M11 (Junction 4 to Junction 7), A12 (M25 Junction 28 to A12 Junction 12), A1023 (Brook Street) (from M25

Junction 28 roundabout to Brook Street Shell Petrol Station access), A13 (M25 Junction 30 to A1089), A13 (from junction with A1306 for Wennington to M25 Junction 30), A1089 (from junction with A13 to Port of Tilbury entrance), M26 (whole motorway from M25 to M20), A21 (M25 to B2042), A23 (M23 to Star Shaw), M23 (Junction 7 to Junction 10 (including M23 Gatwick Spur)), A23 (between North and South Terminal Roundabouts), A3 (A309 to B2039 Ripley Junction), M3 (Junction 1 to Junction 4), A316 (from M3 Junction 1 to Felthamhill Brook), A30 (M25 Junction 13 to Harrow Road, Stanwell, Feltham), A3113 (M25 Junction 14 to A3044), M4 (Junction 1 to Junction 7), M4 Spur (whole of spur from M4 Junction 4 to M4 Junction 4a), M40 (Junction 7 to A40 at Fray's River Bridge), M1 (Junction 1 to Junction 8), A405 (from M25 Junction 21A to M1 Junction 6), A1 (from Fiveways Corner roundabout to Hilltop Gardens), and A414 (M1 Junction 8 to A405), meaning the roads shown in red on the plan at Appendix 3 to the Injunction Order.

- 1.3.4. In the case of each of the Roads, the reference to the Roads shall include all carriageways, hard shoulders, central reservations, motorway (including the A1(M)) verges, slip roads, roundabouts (including those at junctions providing access to and from the Roads), gantries, traffic tunnels, traffic bridges including in the case of the M25 the Dartford Crossing and Queen Elizabeth II Bridge and other highway structures whether over, under or adjacent to the motorway/trunk road, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, lay-bys, police observation points/park up points, and emergency refuge areas.
2. The Defendant is to be removed as a Named Defendant (as defined within the Injunction Order) to the Injunction Order.
3. There is to be no order for costs in respect of the Review Hearing as against the Defendant. For the avoidance of doubt, any previous order for costs arising out of any prior hearings

in these proceedings (including the hearing before the Court of Appeal on 16 February 2023), even if not made by the court as at the date of this undertaking, will remain enforceable.

4. Service of this Order may be effected, as an alternative, by email to the Defendant at an email address provided by the Defendant to the Claimant's solicitors and such service shall be deemed to be good and sufficient service on the Defendant.

UNDERTAKINGS TO THE COURT

5. The Defendant undertakes to the Court promising as follows:

5.1. Not to engage in any of the following conduct:

- 5.1.1. Blocking or endangering, or preventing the free flow of traffic on the Roads for the purposes of protesting by any means including their presence on the Roads, or affixing themselves to the Roads or any object or person, abandoning any object, erecting any structure on the Roads or otherwise causing, assisting, facilitating or encouraging any of those matters.
- 5.1.2. Causing damage to the surface of or to any apparatus on or around the Roads including by painting, damaging by fire, or affixing any structure thereto.
- 5.1.3. Entering on foot those parts of the Roads which are not authorised for access on foot, other than in cases of emergency.

AND TO BE BOUND BY THESE PROMISES UNTIL 24 APRIL 2026

STATEMENT

I understand the undertakings I have given, and that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of court.

ALEXANDER RODGER

DATE:

We consent to an order in these terms

DLA Piper UK LLP
Solicitors for the Claimant
DATE:



DLA Piper UK LLP
1 St Paul's Place
Sheffield
S1 2JX
United Kingdom
DX: 708580 Sheffield 10
T: +44 (0) 20 7349 0296
F: +44 (0) 114 270 0568 or +44 (0)
114 273 8948
dlapiper.com

Your reference

Our reference

RXS/LNH/366530/250
UKM/124292989.1

By First Class Post and Special Delivery

3 April 2023

Dear Sir/Madam

CLAIMANT: NATIONAL HIGHWAYS LIMITED

CLAIM NOS: QB-2021-003576, 002626 AND 003737, resulting in the final injunction order of Mr Justice Bennathan dated 9 March 2022, as amended by the Court of Appeal on appeal ("the Bennathan Injunction Order")

HEARING: 24 APRIL 2023 AT THE ROYAL COURTS OF JUSTICE, STRAND, LONDON WC2A 2LL

As you are aware, we are instructed by National Highways Limited ("**NHL**"), the Claimant in the above claim, which resulted in the Bennathan Injunction Order to which you are currently a Named Defendant.

We write further to our letter of 15 March 2023 in which we advised you that NHL is prepared to consider the removal of individuals as Named Defendants to these proceedings on the strict basis that individuals provide an unretractable and unconditional signed undertaking to the court (the form of which was enclosed with our letter) confirming that they will, amongst other things, not block, endanger or prevent the free flow of traffic on the Roads (as defined in the undertaking) for the purposes of protesting.

Since the issue of our letter of 15 March 2023, we have received emails from several defendants who have advised us that many of the defendants are taking legal advice and intend to respond in relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each Named Defendant by close of business on 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for NHL to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.

For the avoidance of doubt, in the event that you choose not to sign the proposed undertaking, NHL will not ask the Court to remove you as a Named Defendant to the Bennathan Injunction Order at the Review Hearing. If you remain a Named Defendant to the Bennathan Injunction Order you may be exposed to a costs order for NHL's costs in relation to the Review Hearing, in addition to any costs orders made against you in this claim to date and any costs orders which the Court may be minded to make

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A list of members is open for inspection at its registered office and principal place of business, 160 Aldersgate Street, London, EC1A 4HT and at the address at the top of this letter. Partner denotes member of a limited liability partnership.

A list of offices and regulatory information can be found at dlapiper.com.

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retrospectively at the review hearing in relation to our client's successful appeal of our client's Summary Judgment application, which might result in a variation to the costs order made by Mr Justice Bennathan on our client's Summary Judgment application.

If you wish to sign the undertaking, please send a signed copy to us by email at NH-Injunctions@dlapiper.com. In that email you should confirm your full name, address, Defendant No (which can be found in the Schedule to the Bennathan Injunction Order and on the form of draft undertaking enclosed with this letter) and that you give permission for NHL to present the signed undertaking to the Court at the Review Hearing for approval in your absence. Removal from the Bennathan Injunction Order as a Named Defendant is ultimately a decision for the Court in their discretion. This cannot be guaranteed.

Assuming the Court accepts signed undertakings, this will provide a basis for you to be removed as a Named Defendant in the proceedings and remove your exposure to future legal costs, beyond those for which you are already liable to date.

You will remain liable under any costs orders made against you up to the point in time when/if you are removed as a Named Defendant.

You will note that the undertaking:

- 1 is specified to be for a period of 3 years, during which time you must adhere strictly to the promises you are giving in the undertaking;
- 2 explains that if you disobey the undertaking (or instruct others to do the acts which you have undertaken not to do), you may be held in contempt of court and may be imprisoned, fined or have your assets seized; and
- 3 once given your signed undertaking cannot be withdrawn or retracted – you will be strictly bound by it.

If you are unsure about the contents of this letter or its enclosures we recommend that you seek independent legal advice.

All correspondence should be directed to this firm at the above address or by email to: NH-Injunctions@dlapiper.com.

Yours faithfully



DLA Piper UK LLP

Enc.

Your reference**Our reference**RXS/LNH/366530/250
UKM/124292989.1**By Email**

14 April 2023

Dear Sir/Madam

CLAIMANT: NATIONAL HIGHWAYS LIMITED**CLAIM NOS: QB-2021-003576, 002626 AND 003737, resulting in the final injunction order of Mr Justice Bennathan dated 9 March 2022, as amended by the Court of Appeal on appeal (“the Bennathan Injunction Order”)****HEARING: 24 APRIL 2023 AT THE ROYAL COURTS OF JUSTICE, STRAND, LONDON WC2A 2LL**

As you are aware, we are instructed by National Highways Limited (“NHL”), the Claimant in the above claim.

We have also previously made you aware that the Court has listed a hearing on 24 April 2023 at the Royal Courts of Justice, Strand, London WC2A 2LL where it will review whether it should vary the Bennathan Injunction Order (“**Review Hearing**”). At the Review Hearing, NHL will ask the Court to:

1. continue the final injunction imposed by the Bennathan Injunction Order for a further 12 months;
2. vary the provisions of the Bennathan Injunction Order that currently provide for service by alternative means; and
3. amend the Schedule of Named Defendants to the Bennathan Injunction Order.

We enclose by way of service upon you:

1. Sealed Application Notice dated 13 April 2023;
2. Witness Statement of Sean Foster Martell dated 13 April 2023 with Exhibit SFM1;
3. Witness Statement of Laura Natasha Higson dated 13 April 2023 with Exhibit LNH1;
4. The Draft Order that NHL is asking the Court to make at the Review Hearing; and
5. Schedule of Defendants to be Added / Removed from the Bennathan Injunction Order.

NHL’s Skeleton Argument, the Hearing Bundle and NHL’s Statement of Costs for the Review Hearing will be made available on NHL’s Injunctions Website at <https://nationalhighways.co.uk/about-us/high-court-injunctions-for-motorways-and-major-a-roads/m25-feeder-and-kent-roads-injunction-judgment-and-documents/> during the week commencing 17 April 2023. If you have provided your email address

DLA Piper UK LLP is authorised and regulated by the Solicitors Regulation Authority.

DLA Piper UK LLP is a limited liability partnership registered in England and Wales (registered number OC307847) which is part of DLA Piper, a global law firm, operating through various separate and distinct legal entities.

A list of members is open for inspection at its registered office and principal place of business, 160 Aldersgate Street, London, EC1A 4HT and at the address at the top of this letter. Partner denotes member of a limited liability partnership.

A list of offices and regulatory information can be found at dlapiper.com.

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to NHL and / or DLA, copies will also be served upon you by email. If you have not already provided an email address and would like to receive these documents by email, please confirm your email address to NH-Injunctions@dlapiper.com.

The time of the Review Hearing and the court room in which it will be heard will be confirmed by the court in the afternoon of 21 April 2023 and will be published by the court on the daily cause list at <https://www.gov.uk/government/publications/royal-courts-of-justice-cause-list/royal-courts-of-justice-daily-cause-list#kings-bench-judges-daily-cause-list>. Please note that while NHL initially gave a time estimate of half a day for the Review Hearing, it has subsequently advised the Court that a time estimate of one day would be appropriate.

Please confirm by email to NH-Injunctions@dlapiper.com if you intend to instruct a firm of solicitors or a barrister to represent you at the Review Hearing. If you intend to make representations at the hearing, please provide any statement you intend to provide to the Court and/or the evidence upon which you will rely by email to NH-Injunctions@dlapiper.com as soon as possible. Any such statement and/or evidence should also be filed with the court in advance of the hearing.

If you are unsure about the contents of this letter or its enclosures we recommend that you seek independent legal advice.

All correspondence should be directed to this firm at the above address or by email to: NH-Injunctions@dlapiper.com.

Yours faithfully



DLA Piper UK LLP

Laura Higson

From: ana mizm
Sent: 28 March 2023 16:03
To: ; NH-Injunctions
Subject: NHL UNDERTAKING

****EXTERNAL****

To Whom It May Concern, Thank you for your letter dated 15 March 2023. I note that you ask for the undertaking to be returned to you by 31 March 2023, with confirmation that I give permission for NHL to present it to the court at the review hearing on 24 April 2023. Many of us are taking legal advice on your proposal and will confirm our positions by 6 April 2021. Could this new date apply to all named defendants?

Currently, it seems reasonable for NHL to allow for more time, as it is beneficial for you to accept undertakings, as the legal fees of enforcing the costs order are likely to be higher than NHL will recover in costs.

Thank you for your time and work.

Yours in Truth,
ana Heyatawin

Laura Higson

From: Petra Billing
Sent: 29 March 2023 09:09
To: ana mizm; NH-Injunctions
Subject: Extension of time to Revert on Undertaking - Our client : National Highways Limited
- Hearing 24 April 2023

Dear Ms Heyatawin

Many thanks for your email.

We note that you are taking legal advice, and that you intend to respond to relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each named defendant by close of business on the date you have indicated of 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for our client to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.

As we have agreed not take any steps in relation to the proposed undertakings until after the Easter Bank Holiday, that concession would apply to all named defendants. We will place this email with your name redacted on the NHL Injunction Website.

regards

Petra Billing
Partner

petra.billing@dlapiper.com

DLA Piper UK LLP

From: ana mizm
Sent: 28 March 2023 16:03
To: ; NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: NHL UNDERTAKING

****EXTERNAL****

To Whom It May Concern, Thank you for your letter dated 15 March 2023. I note that you ask for the undertaking to be returned to you by 31 March 2023, with confirmation that I give permission for NHL to present it to the court at the review hearing on 24 April 2023. Many of us are taking legal advice on your proposal and will confirm our positions by 6 April 2021. Could this new date apply to all named defendants?

Currently, it seems reasonable for NHL to allow for more time, as it is beneficial for you to accept undertakings, as the legal fees of enforcing the costs order are likely to be higher than NHL will recover in costs.

Thank you for your time and work.

Yours in Truth,
ana Heyatawin

Laura Higson

From: NH-Injunctions
Sent: 11 April 2023 10:00
To: PrivateLawsEnableClimateGenocide
Cc: NH-Injunctions
Subject: RE: LNH/LNH/366530/250 UKM/124292989.1

Dear Mr Shaw

Thank you for your email.

Documents pertinent to these proceedings will hereafter be served upon you by email (where the court rules or court orders permit), or where the documents are too large to attach to an email, by a secure email link.

Yours sincerely,

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: PrivateLawsEnableClimateGenocide
Sent: 06 April 2023 17:47
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: LNH/LNH/366530/250 UKM/124292989.1

****EXTERNAL****

Dear Sir/Madam

Re National Highways Injunctions

My name is Daniel Shaw; home address

Please could you send any further correspondence in relation to the above matter via email to this address. If you require any further information please let me know.

Kind regards
Daniel Shaw

Sent with [Proton Mail](#) secure email.

Laura Higson

From: Petra Billing
Sent: 29 March 2023 08:58
To: David Squire
Cc: NH-Injunctions
Subject: RE: Extension of time to Revert on Undertaking - Our client : National Highways Limited - Hearing 24 April 2023

Dear Mr Squire

Many thanks for your email.

We note that you are taking legal advice, and that you intend to respond to relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each named defendant by close of business on the date you have indicated of 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for our client to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.

As we have agreed not take any steps in relation to the proposed undertakings until after the Easter Bank Holiday, that concession would apply to all named defendants. We will place this email with your name redacted on the NHL Injunction Website.

Kind regards

Petra Billing

Partner

petra.billing@dlapiper.com

DLA Piper UK LLP

From: David Squire
Sent: 28 March 2023 20:37
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject:

****EXTERNAL****

Hi,

Is it possible to extend the deadline to at least the 6th of April to respond to your letter since I am trying to obtain legal advice on how I should respond.

Especially since you stated in a previous response to myself, that signing would not prevent your client NHL, pursuing myself for costs for legal work and other expenses.

Yours David Squire

Laura Higson

From: Petra Billing
Sent: 21 March 2023 15:18
To: David Squire
Cc: NH-Injunctions
Subject: RE: NHL injunctions

Dear David

As I have said I am not in a position to provide you with legal advice. I think however you misunderstand. My client has not suggested that you are in breach of the injunction after the same was served on you. Had you been in breach of it once you had notice of it you would have faced civil contempt proceedings as a consequence.

I refer to the content of my email below. You were properly added as a named defendant to the injunction in accordance with its terms as a result of your arrest of 13 September 2021 by the Surrey police.

I cannot add anything further to what has already been said.

You should take your own legal advice on this matter.

regards

Petra Billing
Partner

DLA Piper UK LLP

From: David Squire
Sent: 21 March 2023 14:23
To: Petra Billing
Subject: Re: NHL injunctions

****EXTERNAL****

Hi Petra,

Thank you for your email.

However I am surprised by the suggestion that I was in breach of any injunction. As far as I am aware I returned to Cornwall prior to any injunctions being put in place. I was convicted of two offences during the previous week and then returned to Cornwall on the Saturday.

My last conviction was for marching a long London road, which I had been told was free of any injunction. Surely if I had broken an injunction I would have faced a charge of doing that. I did not.

Yours David Squire
Cornwall

On Mon, 20 Mar 2023, 11:36 Petra Billing,

wrote:

Dear Mr Squire,

I am responding on behalf of my client to your email below.

You were arrested by Surrey police on 13 September 2021 protesting on a road covered by an injunction obtained by my client as part of an Insulate Britain protest. You were therefore properly added as a named defendant to these civil proceedings as a consequence. You have filed no acknowledgment of the claim; nor any defence and are now out of time for doing so.

As a gesture (and without any obligation) my client has offered all named defendants such as yourself the opportunity to enter in to an undertaking in identical terms to that attached. The copy you have received is personal to you and if you choose to give such undertaking that is the version you should sign and return to us.

You should take legal advice, but the effect of giving the undertaking (if given and signed and returned to us) would mean that my client will not seek an order for costs in respect of the Review Hearing as against yourself but that you would remain fully responsible and liable to my client for all and any previous orders for costs made by the civil courts in my client's favour against you arising out of any prior hearings in these proceedings (including but not limited to that hearing before the Court of Appeal on 16 February 2023), even if not as yet made by the court as at the date of you giving such undertaking, if you choose to do so.

The effect of giving such undertaking therefore (assuming the Court accepts the same) is that you will not be liable for any costs order made in favour of my client made at the review hearing or in the future in these proceedings after you have been removed from the proceedings as a named defendant assuming the court accepts your undertaking and approves that your name be removed as a defendant to these proceedings.

Given that there is no obligation on my client to offer named defendants any concessions on costs the undertaking is non negotiable and each and every defendant have been offered it by my client without obligation in identical terms.

regards

Petra Billing

Partner

petra.billing@dlapiper.com

DLA Piper UK LLP

From: David Squire
Sent: 17 March 2023 17:26
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Fwd: NHL injunctions

****EXTERNAL****

----- Forwarded message -----

From: David Squire
Date: Fri, 17 Mar 2023, 16:54
Subject: NHL injunctions
To: <NHInjunctions@dlapiper.com>

Dear Sir,

I would be happy to sign your undertaking if there was a clear commitment from NHL not to proceed with a case to obtain costs against myself.

I have received injunction papers from various courts, many with multiple copies, detailing new roads etc. Yet I have made no effort to breach any from the first received. I have had to endure: my name and address being released to the media, bailiffs at my door and papers attached to my door, constant huge documents, seemingly daily at times. Once a policeman warning me my details had reached the general public and asking how this made me feel.

All of this has me feel that I am the subject of a campaign of intimidation by the judiciary.

I have played a role in raising awareness of the climate crisis and paid for my crime. I am tired of these intrusions into my life since April 2021.

I do not see why pursuing me this way is cost effective to the councils, NHL or judiciary. I recognise you feel this is not your responsibility but mine.

That said I don't believe pursuing me further will a) deter others b) is effective use of court time c) should be seen by the judiciary as victimisation of those who have paid for their crimes as requested d) is intimidation with no recourse to challenge it.

I hope you will negotiate with NHL to obtain an assurance that signing the agreement will not only remove my name but also remove the noose that has threatened me and more than a hundred others, that have not broken any of the injunctions, from day 1.

Yours David Squire

Cornwall

This email is from DLA Piper UK LLP. The contents of this email and any attachments are confidential to the intended recipient. They may not be disclosed to or used by or copied in any way by anyone other than the intended recipient. If this email is received in error, please contact DLA Piper UK LLP on +44 (0) 20 7349 0296 quoting the name of the sender and the email address to which it has been sent and then delete it. For more information on how we process personal data please see www.dlapiper.com/privacy-policy. Please note that neither DLA Piper UK LLP nor the sender accepts any responsibility for viruses and it is your responsibility to scan or otherwise check this email and any attachments. DLA Piper UK LLP is a limited liability partnership registered in England and Wales (registered number OC307847) which provides services from offices in England, Belgium, Germany and the People's Republic of China. A list of members is open for inspection at its registered office and principal place of business 160 Aldersgate Street London EC1A 4HT. Partner denotes member of a limited liability partnership. DLA Piper UK LLP is authorised and regulated by the Solicitors Regulation Authority and is part of DLA Piper, a global law firm, operating through various separate and distinct legal entities. For further information, please refer to www.dlapiper.com.

Laura Higson

From: Petra Billing
Sent: 29 March 2023 09:05
To: Mark Coleman; NH-Injunctions
Subject: Extension of time to Revert on Undertaking - Our client : National Highways Limited
- Hearing 24 April 2023

Dear Mr Coleman

Many thanks for your email.

We note that you are taking legal advice, and that you intend to respond to relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each named defendant by close of business on the date you have indicated of 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for our client to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.

As we have agreed not take any steps in relation to the proposed undertakings until after the Easter Bank Holiday, that concession would apply to all named defendants. We will place this email with your name redacted on the NHL Injunction Website.

Kind regards

Petra Billing
Partner

DLA Piper UK LLP

From: Mark Coleman
Sent: 28 March 2023 16:11
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Re Bennathan Injunction Undertaking

****EXTERNAL****

Your reference: RXS/LNH/366530/250UKM/125235815.1

Dear Sir or Madam

Thank you for your letter dated 15 March 2023. I note that you ask for the undertaking to be returned to you by 31 March 2023, with confirmation that I give permission for NHL to present it to the court at the review hearing on 24 April 2023.

Many of us are taking legal advice on your proposal and will confirm our positions by 6 April 2021. Could this new date apply to all named defendants? Thank you.

Yours sincerely

Laura Higson

From: NH-Injunctions
Sent: 14 April 2023 16:59
To: 'paid4laws2suppress_protests'; NH-Injunctions
Subject: RE: QB-2021-003576, 3626 and 3737 - National Highways v Persons Unknown and Ors [DLAP-UKMATTERS.FID6544265]

Dear Madam

We acknowledge receipt of your email.

Yours faithfully

DLA Piper UK LLP

From: paid4laws2suppress_protests
Sent: 06 April 2023 16:28
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Re: QB-2021-003576, 3626 and 3737 - National Highways v Persons Unknown and Ors [DLAP-UKMATTERS.FID6544265]

****EXTERNAL****

Dear Sir/ Madam

Thank you for your offer to be removed from the injunction. For reference, I've been named D57 Mair Bain regarding this injunction.

I have carefully considered this undertaking and was at first considering signing as I am not planning to do any civil disobedience road blocking protests in the next 3 years for various personal reasons.

However I have decided not to sign for the following reasons of conscience:

1. I wish to stand in solidarity with those who are not being removed from the injunction and if costs are ordered, then there will be more people to divide the costs between. Although I would be basically following the undertaking anyway and I'd rather not suffer financial hardship, my conscience urges me to stand in solidarity with others and share the risks of financial hardship.

Principles are more important than profit.

2. I morally object to the protest repression tactics being employed by the Government, National Highways and DLA Piper which are attempting to bypass criminal law because of an anti-protest political agenda which does not want to introduce policies that reduce carbon emissions in line with what science and law demand. There are criminal laws in place which prevent and punish obstruction of the highway and sometimes courts have ruled that road block protests are lawful. These injunctions are basically bought laws that deny protesters the right to a fair trial and to defend themselves as most of us can't afford solicitors and have not engaged in proceedings as the costs would likely increase further. These injunctions are also a way to seek harsher and disproportionate punishments than criminal law would allow.
3. DLA Piper is seeking extortionate costs from defendants who have either already been fined for breaking the injunction and those who have not broken it at all. The criminal courts would not issue such punishments to nonviolent protesters, especially for those who have not even broken a law. The fact that the injunction is

renewed annually, implies that DLA Piper are seeking to maximise profit opportunity from these injunctions. If the undertaking is for a 3 year period, why not also seek a final injunction for 3 years? Probably because annual injunction reviews are more profitable.

4. The climate crisis is already claiming hundreds of thousands of lives every year and in my life time I'm likely to see millions if not billions more people die due to unliveable heat, water shortages, famine from crop failure, forced mass migration, disease and violence from social collapse. The climate crisis and Government failure to mitigate and adapt to it has forced me decide not to bring children into the world and the climate crisis will likely cause me to die prematurely. The risks to UK citizens' lives from extreme weather events, food insecurity, water insecurity, loss of infrastructure and public services and conflict / social breakdown are outlined by the Government's own Committee on Climate Change (CCC) and the Chatham House Climate Change Risk Assessment 2021 so my concerns are based on science which the UK Government is ignoring to protect the interests of their party donors and corporate lobbyist friends in polluting industries.

This Government has already stolen my dreams of having children, a stable future for myself and loved ones and a comfortable retirement while severely impacting my mental health with anxiety, depression and grief related to the climate crisis. These actions by the Government and their lack of concern when I tried to engage through the usual "democratic" processes are far worse than any injunction, prison or financial hardship and the Government caused this before I even engaged in any "unlawful" protest.

5. More than 120 leading lawyers recently published a ["Declaration of Conscience"](#), refusing to act for new fossil fuel projects or to prosecute members of campaign groups opposing new fossil fuel projects, such as Extinction Rebellion, Insulate Britain and Just Stop Oil.

While I will accept being prosecuted under criminal law for my acts of civil disobedience (which I am), I morally object to DLA Piper's actions to protect and profit from the interests of National Highways and the UK Government who have both been found to have been acting unlawfully in several judicial review cases around carbon emissions and climate targets. Some law firms and lawyers have made a declaration of conscience because they no longer want law firms to be complicit in the death and destruction resulting from the climate crisis. Yet DLA Piper has made a choice to profit from producing bespoke anti-protest laws to oppress those who object to people dying from UK Government policy decisions which make the climate crisis worse.

6. As I morally object to the actions of DLA Piper as outlined above, I respectfully refuse to cooperate and sign the undertaking. This is primarily as an act of protest against this law firm's decision to protect and profit from the interests of high carbon emitting organisations which have been found to be acting unlawfully on several occasions regarding carbon emissions and climate/ environmental laws.

If you want to continue to persecute climate protesters like me for profit, then I hope it comforts you to know that nothing can be worse than what this Government has already done to me and millions of others with their failure on the climate crisis.

Yours sincerely,

Mair Bain

----- Original Message -----

On Monday, April 3rd, 2023 at 5:13 PM, NH-Injunctions <NH-Injunctions@dlapiper.com> wrote:

Dear Sir/Madam,

Please see the attached correspondence, a copy of which has also been issued to you by first class and special delivery post today.

Yours faithfully,

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



Laura Higson

From: Petra Billing
Sent: 29 March 2023 10:40
To: Marguerite Doubleday; NH-Injunctions
Subject: Extension of time to Revert on Undertaking - Our client : National Highways Limited
- Hearing 24 April 2023

Dear Ms Doubleday

Many thanks for your email.

We note that you are taking legal advice, and that you intend to respond to relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each named defendant by close of business on the date you have indicated of 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for our client to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.

As we have agreed not take any steps in relation to the proposed undertakings until after the Easter Bank Holiday, that concession would apply to all named defendants. We will place this email with your name redacted on the NHL Injunction Website.

regards

Petra Billing
Partner

DLA Piper UK LLP

From: Marguerite Doubleday
Sent: 29 March 2023 10:30
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Insulate Britain Injunction

****EXTERNAL****

Dear Sir/ Madam,

Thank you for your letter dated 15 March 2023. I note that you ask for the undertaking to be returned to you by 31 March 2023, with confirmation that I give permission for NHL to present it to the court at the review hearing on 24 April 2023. Many of us are taking legal advice on your proposal and will confirm our positions by 6 April 2021. Could this new date apply to all named defendants? Thank you.

Regards

Laura Higson

From: NH-Injunctions
Sent: 23 March 2023 18:14
To: Marguerite Doubleday
Cc: NH-Injunctions
Subject: RE: National Highways Injunctions

Dear Ms Doubleday

Thank you for your email.

Documents pertinent to these proceedings will hereafter be served upon you by email (where the court rules or court orders permit), or where the documents are too large to attach to an email, by a secure email link.

Yours sincerely,

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: Marguerite Doubleday
Sent: 23 March 2023 18:07
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: National Highways Injunctions

****EXTERNAL****

Dear Sir/Madam,

As I am moving house please may I request that any information regarding the National Highways Injunction be sent to me by email rather than post.

Many thanks,
Marguerite Doubleday

Laura Higson

From: Petra Billing
Sent: 29 March 2023 09:02
To: Philippa Clarke; NH-Injunctions
Subject: Extension of time to Revert on Undertaking - Our client : National Highways Limited
- Hearing 24 April 2023

Dear Ms Clarke

Many thanks for your email.

We note that you are taking legal advice, and that you intend to respond to relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each named defendant by close of business on the date you have indicated of 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for our client to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.

As we have agreed not take any steps in relation to the proposed undertakings until after the Easter Bank Holiday, that concession would apply to all named defendants. We will place this email with your name redacted on the NHL Injunction Website.

Kind regards

Petra Billing
Partner

DLA Piper UK LLP

From: Philippa Clarke
Sent: 28 March 2023 22:49
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Request

****EXTERNAL****

NHL UNDERTAKING UPDATE:

Thank you for your letter dated 15 March 2023. I note that you ask for the undertaking to be returned to you by 31 March 2023, with confirmation that I give permission for NHL to present it to the court at the review hearing on 24 April 2023. Many of us are taking legal advice on your proposal and will confirm our positions by 6 April 2021. Could this new date apply to all named defendants? Thank you.

Regards,

Laura Higson

From: NH-Injunctions
Sent: 11 April 2023 10:31
To: Ruth Jarman
Cc: NH-Injunctions
Subject: RE: your undertaking - qb-2021-003576, 002626, 003737 [DLAP-UKMATTERS.FID6544265]

Dear Ms Jarman

We acknowledge receipt of your email.

Yours sincerely

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: Ruth Jarman
Sent: 10 April 2023 16:05
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: your undertaking - qb-2021-003576, 002626, 003737

****EXTERNAL****

Dear Sir/Madam,

This is to let you know that I won't be signing the undertaking.

I do not actually intend to break any of your injunctions in the future, but I don't feel I can sign it on moral and religious grounds.

Firstly, we are in an existential emergency. We are all contributing to the end of life on earth. But by your legal action against those few, so few, of us who are trying to raise the alarm and prevent billions of deaths, you must know that you are contributing more than most. I don't want to do a deal with an entity that is coming down so mercilessly on just a few good people trying to save lives. I am sure you think you are just doing your job. But all humanity needs to do to end abundant life on earth is for us all to carry on doing our jobs. Please look a child you love in the eyes as you think about whether it is ok for you to just do your job when you know you are helping to smooth the earth's trajectory to civilisation and ecological collapse.

Secondly, I understand that were I to sign the undertaking, it would simply mean that others might be charged more.

Yours faithfully,

Ruth Jarman

"Climate activists are sometimes depicted as dangerous radicals. But the truly dangerous radicals are the countries that are increasing the production of fossil fuels." - Antonio Guterres, UN Secretary General

Ruth Jarman,

Laura Higson

From: Petra Billing
Sent: 29 March 2023 09:41
To: Steve Gower; NH-Injunctions
Subject: Extension of time to Revert on Undertaking - Our client : National Highways Limited
- Hearing 24 April 2023

Dear Mr Gower

Many thanks for your email.

We note that you are taking legal advice, and that you intend to respond to relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each named defendant by close of business on the date you have indicated of 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for our client to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.

As we have agreed not take any steps in relation to the proposed undertakings until after the Easter Bank Holiday, that concession would apply to all named defendants. We will place this email with your name redacted on the NHL Injunction Website.

regards

Petra Billing
Partner

DLA Piper UK LLP

From: Steve Gower
Sent: 28 March 2023 15:39
To:
Subject: letter dated 15 March

Thank you for your letter dated 15 March 2023.

I note that you ask for the undertaking to be returned to you by 31 March 2023, with confirmation that I give permission for NHL to present it to the court at the review hearing on 24 April 2023.

Many of us are taking legal advice on your proposal and will confirm our positions by 6 April 2021.

Could this new date apply to all named defendants?

Thank you.

Steve Gower

Laura Higson

From: NH-Injunctions
Sent: 11 April 2023 10:32
To: Sue Parfitt; NH-Injunctions
Subject: RE: Your invitation to sign an undertaking not to breach your Injunctions in the future. [DLAP-UKMATTERS.FID6544265]

Dear Ms Parfitt

We acknowledge receipt of your email.

Yours sincerely

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com

-----Original Message-----

From: Sue Parfitt
Sent: 10 April 2023 17:43
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Your invitation to sign an undertaking not to breach your Injunctions in the future.

****EXTERNAL****

Dear Sir,

Thank you for inviting me to consider signing an undertaking not to breach injunctions placed on the strategic road network.

I have considered it but I must decline. As a Christian and as a priest I must remain open to the promptings of the Holy Spirit who will guide me into the truth of God's will in relation to these actions. I feel deeply committed to doing all in my power to draw attention to the appalling actions and inaction of the Government, in leading us into climate catastrophe and this includes taking acts of civil disobedience when the opportunity presents itself.

Your action in prosecuting climate protesters in the way that you do suggests you have little understanding of the existential emergency that the world is in. I imagine you have tried hard to avoid reading and understanding the science that supports this and that you thus feel able to continue to act as you do for your own profit and short term gain.

120 senior lawyers including KCs have recently signed an undertaking not to defend fossil fuel industries in court and not to prosecute climate protestors. Perhaps you would like consider why they are acting in this way which is bound to cause them a considerable amount of difficulty.

Yours faithfully,

Revd Sue Parfitt

Laura Higson

From: NH-Injunctions
Sent: 11 April 2023 09:51
To: Chris Parish
Cc: NH-Injunctions
Subject: RE: Signed Undertaking to NHL [DLAP-UKMATTERS.FID6544265]

Dear Mr Parish

We refer to your email below.

In our letter offering the undertaking we stated:

“Any removal would be on the strict basis that individuals provide an unretractable and unconditional signed undertaking to the court (in the form enclosed, without amendment) confirming that they will, amongst other things, not block, endanger or prevent the free flow of traffic on the Roads (as defined in the undertaking) for the purposes of protesting.”

Our client is not willing to agree any amendment to the form of undertaking offered to any named defendant. To do so would be unfair to those whom have already signed the undertaking without amendment and a consistent approach to all defendants has and will continue to be our client's approach.

If you wish to sign the undertaking as drafted without amendment we are willing to place that before the Court.

Regards

DLA Piper UK LLP

DLA Piper UK LLP
www.dlapiper.com



From: Chris Parish
Sent: 06 April 2023 12:51
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Signed Undertaking to NHL

****EXTERNAL****

Dear DLA Piper

Please find my signed copy of undertaking attached

Please note that I have signed and agreed subject to a couple of amendments (which I have also added to the signed undertaking attached) following legal advice

I will agree the undertaking subject to certain amendments, namely:

- a) **Removing the words “ (*which includes training, coaching, teaching or educating*)” from the first paragraph under the penal notice;**
- b) **Adding the words “and to claim numbers QB-2021-003576, 002626, 003737” at the end of paragraph 2;**
- c) **Removing the words “of the Review Hearing” after “no order for costs” in the first sentence of paragraph 3 and the entirety of the second sentence of paragraph 3.**

I give permission for NHL to present this signed (amended) undertaking to the Court at the Review Hearing for approval in my absence

Yours sincerely

Christopher Parish

Defendant No. D113

Laura Higson

From: NH-Injunctions
Sent: 13 April 2023 17:56
To:
Subject: RE: QB-2021-003576 / 002626 / 003737 V Morris & R Lockyer vs NHL injunction 24.04.23 [DLAP-UKMATTERS.FID6544265]
Attachments: Letter offering to accept undertaking (Rebecca Lockyer) - 15.03.2023.pdf; Undertaking - Rebecca Lockyer.pdf; Letter offering to accept undertaking (Virginia Morris) - 15.03.2023.pdf; Undertaking - Virginia Morris.pdf

Dear Ms Morris

We refer to your email of 28 March 2023 below.

It remains National Highways Limited's position that both yourself and Ms. Lockyer were appropriately named as defendants to these proceedings.

We note that you state you both:

1. have not breached the injunctions granted by the court;
2. that you do not intend to breach the injunctions granted by the court; and
3. wish to be removed as Named Defendants from these proceedings.

As set out in our letters of 15 March 2023 (copies of which are attached), National Highways Limited is prepared to remove you as Named Defendants to these court proceedings, on the basis that you provide the undertaking enclosed with our letter.

Whilst our letter provides a deadline of 31 March 2023 for the signed undertaking to be returned, we are instructed that National Highways Limited is prepared to extend that deadline until 21 April 2023.

If you wish to sign the undertaking we are willing to place that before the Court.

We will await hearing from you further.

Yours sincerely

DLA Piper UK LLP

From: ginny morris
Sent: 28 March 2023 12:45
To: KBEnquiries@justice.gov.uk
Cc: Petra Billing
Subject: QB-2021-003576 / 002626 / 003737 V Morris & R Lockyer vs NHL injunction 24.04.23

****EXTERNAL****

To the Royal Courts of Justice

Claim no's: QB-2021-003576 / 002626 / 003737
Claimant: National Highways Limited

Hearing: 24 April 2023 RCJ, King's Bench Division, Court of Appeal, Civil Division, Strand, London WC2A 2LL

From named defendants:
Virginia Morris (123)
Rebecca Lockyer (120)

Regards: removal of named defendants from current NHL injunction.

To whom it may concern,

I am writing to request that my name (Virginia Morris) and that of my sister (Rebecca Lockyer) be removed from the current NHL injunction.

I contacted Petra Billing of DLA Piper (the solicitor to NHL) on the 15th February 2023, in accordance with the Civil court order directive to "inform the Appellant's solicitors by email ...48 hours before making such an application..";
(*CA-2022-001066 no.14 Further directions)

I requested our removal from the injunction on the grounds that neither myself nor my sister have protested on or been arrested on any NHL roads or highways.

In *CA-2022-001066 No.10: Third party disclosure, it states that the police should disclose details of those arrested at "protests on the roads referred to in these proceedings";.

As we have not been arrested on the roads referred to, it appears most likely that our names have been provided to NHL in error by the police.

Ms Billing investigated our situation and responded on the 1st March 2023 stating that "You were arrested on... (13.10.21) by Essex Police on the A1090 St Clements way, Thurrock. This is not a National Highways Road."; I infer from this statement that Ms Billing found that my claim that I had not protested on or been arrested on any NHL roads or highways is correct.

In the case of my sister, Ms Billing stated that Rebecca Lockyer had been arrested on Junction 31 of the M25 on 13th October 2021 (an NHL road). However, we informed Ms Billing that this assertion is untrue (15.02.23) and Ms Billing has provided no evidence to us in order to try to substantiate her claim.

We again notified Ms Billing of this fact (03.03.23), but have to date, received no response from her.

Ms Billing goes on to claim that, as a result of her investigations, we both fall into the category of "persons unknown";, but then contends that we "are rightly named";. Her position is therefore unclear and inconsistent.

As evidence of myself and my sister being 'rightly named', Ms Billing cites a traffic report for Junction 31 of the M25. I believe that this is not relevant, as neither of us was present at that location on that day.

Ms Billing also claims that: "you were protesting under the Insulate Britain banner justifying the concern that there was a very real risk you would breach the injunction in the future. Neither of you have done so since service of the injunction order on you, but our client could not have known this at the time you were added to the court proceedings as Named Defendants given the regularity with which protests were being carried out by Insulate Britain on roads (principally within the south-east of England).";

We contend that alleged mere support for IB protests generally clearly does not meet the test in the injunction for police to pass on your details to NHL.

We have not broken NHL's various injunctions regarding protests by Insulate Britain and we do not intend to do so. We do not accept that the above view by DLA Piper is reasonable grounds for us to remain as named defendants on NHL's current injunction.

Therefore, I respectfully request that my name and that of my sister be removed from the current NHL injunction.

I would greatly appreciate an acknowledgement of receipt of this email. If there is any further information required by the court in this matter, then please do not hesitate to contact me.

Many thanks for your help.

Best regards,

Virginia Morris

We both reside at Address :

Address for service

My DOB:

Rebecca's DOB:

Note: *CA-2022-001066 refers to the application number on the court of appeal civil division papers QB-2021-003576 dated 14 March 2023 before Dame V Sharp between NHL & Mr A Rodger & 132 others

Laura Higson

Subject: FW: Re removal from NHL injunction
Attachments: 20211013 M25 J31 - Insulate Britain Protests Impact Assessment.pptx

From: ginny morris <
Sent: 03 March 2023 18:41
To: Petra Billing
Subject: Re: Removal from NHL injunction

****EXTERNAL****

Dear Petra Billing,

Since writing this morning, I have managed to access the traffic impact report, so wanted to let you know that I do not require another copy. From a quick glance it appears that the report is concerned with the protest at junction 31 of the M25. As mentioned earlier today, my sister was not arrested at this junction, so I am not sure that it applies as sufficient reason for us both to remain included on the current injunction. However, I will study it further to check that it does not have any bearing on us.

Many thanks for your help in sorting through this matter.

Regards,
Ginny Morris

From: ginny morris
Sent: 03 March 2023 11:26
To: Petra Billing
Subject: Re removal from NHL injunction

****EXTERNAL****

Dear Petra Billing,

Many thanks for all your efforts to investigate my situation and that of my sister, Rebecca Lockyer.

Unfortunately there still seems to be an error in the information that the police are providing. My sister is certain that she was not arrested on J31 of the M25.

In your email you mention:

'Both yourself and your sister were arrested as part of a group protesting at St. Clements Way, Thurrock.'

This arrest was on the 13/10/2021. We were both detained for 24 hours, so it is not possible for Becky to also have been at J31 on that date. Furthermore, we were charged with conspiracy as we had not actually carried out any protest when detained, and later we were notified of a refused charge.

If you would like a copy of the paperwork to substantiate this, please let me know and I will endeavour to find it and send it to you.

You also mention in your email that:

'You were arrested on the same date by Essex Police on the A1090 St Clements way, Thurrock. This is not a National Highways road.'

As far as I understand it, this then confirms that neither I (or my sister) have been arrested on any NHL roads.

I appreciate your reference to the order, but am unable to locate the attached traffic impact report. Would it be possible to send it again?

Many thanks for your option to be removed from future NHL injunctions. I look forward to receiving your instructions at that time and finalising our removal from the injunction, if not before.

Best regards,
Ginny Morris

[Sent from Yahoo Mail on Android](#)

From: Petra Billing
Sent: 01 March 2023 16:13
To: ginny morris
Subject: Removal from NHL injunction

Dear Ms Morris

We have conducted further investigations. The information provided by the police is as follows:

Both yourself and your sister were arrested as part of a group protesting at St. Clements Way, Thurrock

Rebecca Lockyer was arrested by the police at J31 of the M25 Motorway – a National Highways Road on 13/10/2021 by Essex Police.

You were arrested on the same date by Essex Police on the A1090 St Clements way, Thurrock. This is not a National Highways Road.

However, as you will see from the attached order in force at the time you both when arrested (whether or not on National Highways roads) fall in to the category of 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 – as (1) the attached traffic impact report evidences and (2) you were protesting under the Insulate Britain banner justifying the concern that there was a very real risk you would breach the injunction in the future. Neither of you have done so since service of the injunction order on you, but our client could not have known this at the time you were added to the court proceedings as Named Defendants given the regularity with which protests were being carried out by Insulate Britain on roads (principally within the south-east of England).

You were both therefore properly named as defendants and neither of you acknowledged the claim or sought to defend the proceedings.

That said you will in advance of the review hearing be receiving correspondence from us inviting you to undertake to the Court that you will not breach the injunction(s) in the future and assuming

such an undertaking is provided to the court and the court accepts it, this will provide you with a basis for seeking your removal as named defendants and exposure to costs in the future if you are removed as named defendants.

You will remain liable for any costs orders made against you up to the point in time when you are removed as named defendants. You will however once / if removed as named defendants still be bound by the injunction(s) as persons unknown irrespective of the terms of any undertaking given to the court if in the future you breach the injunction(s) whilst ever they remain in force.

We will be in further contact as we mention.

regards

Petra Billing

Partner

DLA Piper UK LLP

Petra Billing

Partner

DLA Piper UK LLP

Laura Higson

From: Petra Billing
Sent: 29 March 2023 09:10
To: Mary Light; NH-Injunctions
Subject: Extension of time to Revert on Undertaking - Our client : National Highways Limited
- Hearing 24 April 2023

Dear Ms Light

Many thanks for your email.

We note that you are taking legal advice, and that you intend to respond to relation to the proposed undertaking by close of business on 6 April 2023. On that basis, we agree not to provide any updates in relation to defendants to the claim to the Court before 6 April 2023, but would encourage a response from any and each named defendant by close of business on the date you have indicated of 6 April 2023. We note that that is just before the Easter Bank Holiday. If your position is made clear by 6 April 2023, that will allow sufficient time for our client to consider the position and to notify the Court of any developments and undertakings in advance of the hearing on 24 April 2023.

As we have agreed not take any steps in relation to the proposed undertakings until after the Easter Bank Holiday, that concession would apply to all named defendants. We will place this email with your name redacted on the NHL Injunction Website.

regards

Petra Billing
Partner

DLA Piper UK LLP

From: Mary Light
Sent: 28 March 2023 14:34
To: NH-Injunctions <NH-Injunctions@dlapiper.com>
Subject: Fwd: NATIONAL HIGHWAYS LIMITED v. MR ALEXANDER ROGER AND OTHERS (claim no. QB-2021-003576, QB-2021-003626, QB-2021-003737)

****EXTERNAL****

----- Forwarded message -----

From: **Mary Light**
Date: Tue, 28 Mar 2023 at 14:27
Subject: Re: NATIONAL HIGHWAYS LIMITED v. MR ALEXANDER ROGER AND OTHERS (claim no. QB-2021-003576, QB-2021-003626, QB-2021-003737)
To:

Dear Sir,

Thank you for your letter dated 15 March 2023. I note that you ask for the undertaking to be returned to you by 31 March 2023, with confirmation that I give permission for NHL to present it to the court at the review hearing on 24 April 2023.

Many of us are taking legal advice on your proposal and will confirm our positions by 6 April 2021. Could this new date apply to all named defendants? Thank you.

Yours faithfully,
Mary Light

On Wed, 15 Feb 2023 at 06:15, Mary Light

wrote:

----- Forwarded message -----

From: **General Counsel's Team**

Date: Tue, 14 Feb 2023 at 17:58

Subject: NATIONAL HIGHWAYS LIMITED v. MR ALEXANDER ROGER AND OTHERS (claim no. QB-2021-003576, QB-2021-003626, QB-2021-003737)

To:

Dear Mary Light

Please find attached a letter marked for your attention.

Hardcopies have also been served on you by post.

Sent on behalf of

Lawyer (Property Litigation)

LEGAL SERVICES

National Highways | The Cube | 199 Wharfside Street | Birmingham | B1 1RN

Email

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National Highways Limited | General enquiries: 0300 123 5000 | National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF | <https://nationalhighways.co.uk> | info@nationalhighways.co.uk

Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ

Consider the environment. Please don't print this e-mail unless you really need to.

Laura Higson

From: NH-Injunctions
Sent: 13 April 2023 17:57
To:
Subject: RE: Claim Nos: QB-2021-003576, 003626 and 003737 - CA-2022-001066 [DLAP-UKMATTERS.FID6544265]
Attachments: Letter offering to accept undertaking (Giovanna Lewis) - 15.03.2023.pdf; Undertaking - Giovanna Lewis.pdf

Dear Ms. Lewis

We refer to your email of 29 March 2023 below.

We note that you state you:

1. have not blocked a road covered by an injunction obtained by National Highways Limited;
2. have no intention of protesting on or blocking a road covered by an injunction obtained by National Highways Limited; and
3. can see no good reason why you should be a Named Defendant to the injunction.

Our previous correspondence with you of 6 and 20 June 2022 explains why you were added as a Named Defendant to these court proceedings.

As set out in our letter of 15 March 2023 (a copy of which is attached), National Highways Limited is prepared to remove you as a Named Defendant to these court proceedings, on the basis that you provide the undertaking enclosed with our letter.

Whilst our letter provides a deadline of 31 March 2023 for the signed undertaking to be returned, we are instructed that National Highways Limited is prepared to extend that deadline until 21 April 2023.

If you wish to sign the undertaking we are willing to place that before the Court.

We will await hearing from you further.

Yours sincerely

DLA Piper UK LLP

From: Giovanna Lewis
Sent: 29 March 2023 22:58
To: KBEnquiries@justice.gov.uk
Cc: Petra Billing
Subject: Claim Nos: QB-2021-003576, 003626 and 003737 - CA-2022-001066

****EXTERNAL****

To:
The King's Bench Division
The Royal Courts of Justice
Strand
London
WC2A 2LL

Dear Sirs

I am writing to ask that my name be removed from the above injunctions.

I have not blocked an NHL injuncted road.

I have no intention of being arrested for protesting on or **blocking** an NHL injuncted road.

Therefore, I see no **good** reason why I should be a 'named **person**' on these injunctions.

Thank you.

Yours faithfully

Giovanna Lewis