

IN THE HIGH COURT OF JUSTICE

Claim No: KB-2024-002210

KINGS BENCH DIVISION

Before:

On:

B E T W E E N:

HEATHROW AIRPORT LIMITED

Claimant

-and-

**PERSONS UNKNOWN WHO (IN CONNECTION WITH JUST STOP OIL OR
OTHER ENVIRONMENTAL CAMPAIGN) ENTER, OCCUPY OR REMAIN
(WITHOUT THE CLAIMANT'S CONSENT) UPON 'LONDON HEATHROW
AIRPORT' AS IS SHOWN EDGED PURPLE ON THE ATTACHED PLAN A TO THE
PARTICULARS OF CLAIM**

Defendants

[DRAFT] 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 OR PERSONS UNKNOWN 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
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 having issued this Claim by a Claim Form dated 7 July 2024 (“the **Claim**”)

AND UPON the Court granting, on the Claimant’s application dated 7 July 2024, a without notice injunction dated 9 July 2024 (“the **Injunction**”) prohibiting the Defendants from trespassing at Heathrow Airport (as defined in the Injunction; “the **Airport**”))

AND UPON the Claimant’s application dated 16 September 2024 for the joinder of additional Defendants to the Claim and further case management directions (“the **Joinder Application**”)

AND UPON READING the Second Witness Statement of Akhil Markanday dated 16 September 2024

AND UPON HEARING Counsel for the Claimant

AND UPON the Claimant giving and the Court accepting the undertakings set out in Schedule 1 to this Order

AND UPON THE COURT noting, and recording in these recitals for the benefit of the Named Defendants (defined in paragraph 1 below) that:

- (i) The Claimant intends to bring committal proceedings against some of the Named Defendants for alleged contempt of court by their alleged breaches of the Injunction.
- (ii) Nothing in this Order amounts to any finding as to whether any such allegations are or would be well founded.
- (iii) The Named Defendants, in response to any such application (if made), have rights:
 - (a) to be legally represented in any contempt proceedings;
 - (b) to a reasonable opportunity to obtain legal representation and to apply for legal aid which may be available without any means test;
 - (c) to the services of an interpreter if required;
 - (d) to a reasonable time to prepare for the hearing of any such contempt application;
 - (e) to give written and oral evidence in their defence (but with no obligation to do so); a right to remain silent and to decline to answer any question which may incriminate them.
- (iv) The Named Defendants should also be aware that:

- (a) the Court may proceed in a defendant’s absence if they do not attend but (whether or not they attend) will only find the defendant in contempt if satisfied beyond reasonable doubt of the facts constituting contempt and that they do constitute contempt;
- (b) if the Court is satisfied that a defendant has committed a contempt, the court may punish the defendant by a fine, imprisonment, confiscation of assets or other punishment under the law;
- (c) if a defendant admits the contempt and wishes to apologise to the court, that is likely to reduce the seriousness of any punishment by the Court;
- (d) the Court’s findings will be provided in writing as soon as practicable after the hearing;
- (e) the Court will sit in public, unless and to the extent that the court orders otherwise, and that its findings will be made public

IT IS ORDERED THAT:

1. The following individuals be joined as the Second to 27th Defendants to these proceedings (“the **Named Defendants**”):

Def #	Name	Address
<i>Alleged to have been involved in activities at the Airport on 24 July 2024</i>		
2	Rory Wilson	
3	Adam Beard	
4	Sean O’Callaghan	
5	Sally Davidson	
6	Hannah Schafer	
7	Luke Elson	
8	Luke Watson	
<i>Alleged to have been involved in activities at the Airport on 27 July 2024</i>		
9	Monday Rosenfeld	
<i>Alleged to have been involved in activities at the Airport on 30 July 2024</i>		
10	Phoebe Plummer	
11	Jane Touil	

<i>Alleged to have been involved in activities at the Airport on 1 August 2024</i>		
<i>Groups 1 & 2</i>		
12	Barbara Lund	
13	Rhiannon Wood	
14	Diane Bligh	
15	Ruth Cook	
16	Malcolm Allister	
17	Susanne Brown	
18	Christina Jenkins	
19	Jack Williams	
20	Paul Raithby	
<i>Group 3</i>		
21	Melanie Griffith	
22	Virginia Barrett	
23	Pauline Hazel Smith	
24	Rosemary Robinson	
25	Irfan Mamun	
26	Callum Cronin	
27	Joe Magowan	

2. Save as expressly provided for herein, the terms of the Injunction shall continue to apply to each of the Named Defendants as if each was expressly named as a person to whom the Injunction applied. Accordingly:

- 2.1 Until 9 July 2029 or final determination of the Claim or further order in the meantime, whichever shall be the earlier, the Named Defendants must not, without the consent of the Claimant, enter, occupy or remain on Heathrow Airport, Hounslow, Middlesex, as shown edged purple on the plan annexed to this Order at Schedule 2 (“Plan A”).
- 2.2 In respect of paragraph 2.1, the Named Defendants must not (a) do it himself/herself/themselves in any other way (b) do it by means of another person acting on his/her/their behalf, or acting on his/her/their instructions.
- 2.3 The injunction set out at paragraph 2.1 of this Order shall be reviewed annually on each anniversary of the Injunction (or as close to this date as is convenient having regard to the Court’s list) in accordance with the directions at paragraph 3 of the Injunction.
3. The Claimant has permission to amend the Claim Form to reflect (by way of a schedule, or in other convenient manner) the joinder of the Named Defendants.
4. The Claimant shall not be required to amend the Particulars of Claim. Instead, the Claimant shall file by 4pm on [] and use all reasonable endeavours to serve (in accordance with paragraph 6 below) as soon as reasonably practicable thereafter Supplementary Points of Claim against the Named Defendants, which give brief particulars of the circumstances alleged to justify their inclusion as named defendants to these proceedings to whom the Injunction expressly applies.

Service

5. The Claimant shall not be required to re-serve the amended Claim Form, Supplemental Points of Claim or this Order on the First Defendant (i.e. persons unknown) in the manner provided for in paragraph 8 of the Injunction or otherwise.
6. Pursuant to CPR r.6.15 & 6.27 (and to the extent that the addresses listed in respect of each Named Defendant in the table under paragraph 1 above do not represent their usual or last known residences), the steps taken by the Claimant to draw the Claim and the Joinder Application to the attention of the Named Defendants amount to good service of the Claim and the Application. The deemed date of service in each case is [].

7. Pursuant to CPR r.6.15, 6.27 and 81.4(2)(c), it is directed that service of this Order and any further document(s) to be served in these proceedings (including any contempt application in respect of alleged breaches of the Injunction, and any notice of further hearing) shall be effected on the Named Defendants as follows:
 - 7.1 by first class post to the addresses listed in the table under paragraph 1 above;
 - 7.2 in respect of any Named Defendant who the Claimant has reasonable cause to believe (after due enquiry) is in prison (whether on remand or otherwise), the Claimant shall (in addition) seek to establish the prison that they are in (via the Government's 'find a prisoner' service or otherwise) and effect service by first class post to that prison;
 - 7.3 in either case, by email to juststopoil@protonmail.com; juststopoilpress@protonmail.com; and info@juststopoil.org; and
 - 7.4 by posting copies on to the following website: www.heathrow.com/injunction.
8. Copies of the documents emailed or posted in accordance with paragraphs 7.3 and 7.4 above shall be redacted to remove the addresses of the Named Defendants.
9. The steps taken pursuant to paragraph 7 above shall be verified by a certificate of service and/or witness statement, and deemed service shall occur (in respect of each Named Defendant) seven working days after the taking of the last relevant step in respect of such Defendant.
10. In the event that any Named Defendant provides in writing to the Claimant's solicitors (whose details are set out below) a postal or an email address for service, service of all documents shall be by first class post or email to such address (as appropriate) and the ordinary provisions as to in the Civil Procedure Rules (including as to the deemed date) shall apply.
11. In accordance with paragraph 7 above, the requirement for personal service of any contempt application in respect of alleged breaches of the Injunction before the date of this Order is dispensed with.

12. Notwithstanding paragraphs 5 to 11 above, the Court will review at the Directions Hearing (to be listed in accordance with paragraph 17 below) or any earlier hearing the adequacy of the steps taken by the Claimant to draw the Claim, this Order, any contempt application and any other relevant document upon the Named Defendant and, if they do not attend, whether or the extent to which it is in all of the circumstances appropriate to make further orders against them in their absence. The Claimant has liberty to seek orders for alternative service pursuant to CPR r.6.15, 6.27 and 81.4(2)(c) at any future hearing without having to file further or separate application notice.

Responses by the Named Defendants

13. Any Named Defendant who wishes: (i) to oppose their being named as a defendant to these proceedings; or (ii) defend the claim against them set out in any Supplemental Points of Claim served upon them pursuant to paragraph 4 above, shall:
 - 13.1 file an Acknowledgment of Service within 21 days of being served with the Supplemental Points of Claim, including a postal or email address for service; and
 - 13.2 file any points of Defence to the Supplemental Points of Claim and/or any witness statement upon which they wish to rely (in either case verified by a statement of truth) within 56 days of being served with the Supplemental Points of Claim.
14. Anyone served with or notified of this Order may apply to the Court at any time to vary or discharge this Order or so much of it as affects that person but they must first give the Claimant's solicitors 72 hours' notice of such application. If any evidence is to be relied upon in support of the application the substance of it must be communicated in writing to the Claimant's solicitors at least 48 hours in advance of any hearing.
15. Any person applying to vary or discharge this Order must provide their full name, address and address for service.

Contempt Applications

16. The Claimant shall use its reasonable endeavours to issue and serve (in accordance with paragraph 7 above) any application(s) it wishes to make for contempt of court in respect of alleged breaches of the Injunction prior to the date of this Order by 4pm on []].

Directions Hearing

17. A further directions hearing shall be listed on the first available date after [] with a time estimate of [2] hours (“the **Directions**”), to consider directions for:
- 17.1 the further case management of the proceedings of the Named Defendants;
- 17.2 the hearing of any contempt applications brought in accordance with paragraph [16] above.
18. The Claimant shall lodge a hearing bundle for that hearing (and make such bundle available electronically for the Named Defendants, providing notice of how it can be accessed in accordance with paragraph 7 or 10 above) not less than 14 days before the review hearing. Skeleton Arguments shall be filed at Court, with a bundle of authorities, not less than 3 clear days before the hearing.
19. Liberty to apply.

COSTS

20. Costs reserved.

COMMUNICATIONS WITH THE CLAIMANT

21. The Claimant’s solicitors and their contact details are:

- (1) Akhil Markanday

Bryan Cave Leighton Paisner, Governor’s House, 5 Laurence Pountney Hill,
London EC4R 0BR akhil.markanday@bclplaw.com / +44 20 3400 4344

- (2) Phil Spencer

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London EC4R 0BR phil.spencer@bclplaw.com / +44 20 3400 3119

Dated: 16 September 2024

SCHEDULE 1 – UNDERTAKINGS

1. The Claimant will comply with any order for compensation which the Court might make in the event that the Court later finds that the injunction in paragraph 1 of this Order has caused loss to a Named Defendant and the Court finds that the future Defendant ought to be compensated for that loss.