



IN THE HIGH COURT OF JUSTICE

CLAIM NO

3 BM 30590

CHANCERY DIVISION

BIRMINGHAM DISTRICT REGISTRY

BEFORE HIS HONOUR JUDGE PURLE QC sitting in Birmingham on 25 November 2013 as the designated Chancery Judge of the High Court under section 9 Senior Courts Act 1981

al.

**THE UNIVERSITY OF BIRMINGHAM**

**Claimant**

-and-

(1) SIMON FURSE

(2) HATTIE CRAIG

(3) PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS ASTON WEBB BUILDING, EDGBASTON, BIRMINGHAM AT THE UNIVERSITY OF BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

**Defendants**

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**ORDER**

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**IMPORTANT:-**

**PENAL NOTICE**

- (1) This Order prohibits you from doing and obliges you to do the acts set out in this Order. You should read it all carefully. You are advised to consult a Solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.
- (2) If you disobey this Order you may be found guilty of Contempt of Court and any of you may be sent to prison or fined.

AND UPON HEARING Counsel for the Claimant and the First and Second Defendants in person:

AND UPON READING

1. The documents on the court file being
  - (a) The Claim Form with Particulars of Claim;
  - (b) The Order dated 22<sup>th</sup> November 2013;
  - (c) The Application Notice for the Order dated 22 November 2013;
  - (d) The Application Notice dated 22 November 2013; with draft Order for an Injunction
  - (e) The witness statement and exhibits dated 22<sup>th</sup> November 2013 of Brendan Casey
2. The Certificate of Reasons for bringing the Possession Claim in the High Court

**IT IS ORDERED that:**

POSSESSION

1. The Defendants do by 5pm today give possession of the Aston Webb Building, in the University of Birmingham, Edgbaston, Birmingham B15 2TT which building is for identification marked edged in red on Plan A attached, the position of such building being marked on Plan B attached.

INJUNCTION

2. The Defendants shall not, without the prior written consent of the Claimant enter or remain upon land comprising the Claimant's campus and buildings at the University of Birmingham as shown edged in red on Plan B annexed hereto for the purpose of any occupational protest action (by multiple persons) where the Claimant has by letter objected to such action as a breach of this paragraph.

3. This Injunction shall remain in force for 12 months from the date hereof.

SERVICE

3. Pursuant to Rule 6.27, service of this Order shall be effected by
  - i. affixing copies to a post outside Aston Webb Building
  - ii. affixing copies to the doors of and gates to Aston Webb Building

4. The said documents shall be deemed to be served on the date of such affixation at the Land, such date to be verified by the completion of a certificate of service.

COSTS

5. There shall be no order as to costs.

INTERPRETATION OF THIS ORDER

7. In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
8. Where there are two or more Defendants then (unless the contrary appears)
- (a) References to "the Defendant" mean both or all of them;
  - (b) An Order requiring "the Defendant" to do or not to do anything requires each Defendant to do or not to do it;

THE EFFECT OF THIS ORDER

9. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
10. It is a contempt of court for any person notified of this order knowingly to assist in or permit a breach of this order. Any person doing so may be imprisoned fined or have their assets seized.

COMMUNICATIONS WITH THE COURT

11. All communications to the Court about this Order should be sent to Birmingham Civil Justice Centre, Priory Courts, 33 Bull Street, Birmingham B4 6DS quoting the case number. The office is open between 10 am and 4.30 pm Monday to Friday. The telephone number is 0121 681 4441

Dated 25<sup>th</sup> November 2013

*[Handwritten Signature]*

25/11/13