

BEFORE THE HON MR JUSTICE SPENCER

BETWEEN:

(1) **ELI LILLY and COMPANY LTD** (pursuant to s.3A Protection from Harassment Act 1997)

(2) **'A'** (for and on behalf of all officers and employees of Eli Lilly and Company Ltd pursuant to CPR 19.6)

Claimants

(1) **STOP HUNTINGDON ANIMAL CRUELTY ("SHAC")** (an unincorporated association by its representative Greg Avery acting for and on behalf of the members of SHAC who are conducting activities against the Claimants pursuant to CPR 19.6)

(2) **National Anti-Vivisection Alliance ("NAVA")** (an unincorporated association by its representative Luke Steele acting for and on behalf of the members of NAVA who are conducting activities against the Claimants pursuant to CPR 19.6)

(3) **Animal Liberation Front ("ALF")** (an unincorporated association by its representative Robin Webb acting for and on behalf of the members of the ALF who are conducting activities against the Claimants pursuant to CPR 19.6)

(4) **PERSONS UNKNOWN** falling within the definition of "Defendants" in paragraph 5.7 of this Order who are or may be engaged in protesting against the Claimants in contravention of paragraphs 7, 8.4 & 8.5 of this Order.

Defendants

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**ORDER**

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**PENAL NOTICE**

IF YOU, BEING A DEFENDANT BOUND BY THIS ORDER, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED. THIS ORDER IS GRANTED UNDER SECTIONS 3

AND/OR 3A OF THE PROTECTION FROM HARASSMENT ACT 1997. BREACH OF THIS ORDER BY ANY PERSON BOUND BY IT MAY RESULT IN ARREST BY THE POLICE AND PROSECUTION AND YOU MAY BE FOUND TO BE GUILTY OF A CRIMINAL OFFENCE FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH

#### DEFINITIONS

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

1. The Second Claimant shall represent the Officers and employees of the First Claimant pursuant to CPR 19.6 and shall remain anonymous pursuant to CPR 39.2(4).
2. Greg Avery shall represent the members of the unincorporated association Stop Huntingdon Animal Cruelty ("SHAC") conducting activities against the Claimants pursuant to CPR 19.6.
3. Luke Steele shall represent the members of the unincorporated association National Anti-Vivisection Alliance ("NAVA") conducting activities against the Claimants pursuant to CPR 19.6.
4. Robin Webb shall represent the members of the unincorporated association the Animal Liberation Front ("ALF") conducting activities against the Claimants pursuant to CPR 19.6.
5. In this Order:
  - 5.1 "**Harass**" has the same meaning as in the Protection from Harassment Act 1997 ("the Act"); and
  - 5.2 "**References**" to "he", "him" or "his" shall be taken as meaning "she", "her" or "hers" where appropriate; and

- 5.3 **"Exclusion Zones"** shall mean any areas in which Protesting Activities are prohibited or curtailed by this Order or otherwise; and
- 5.4 **"Designated Protest Areas"** ("DPAs") shall be the areas marked as such and delineated in green on the Plans annexed hereto; and
- 5.5 **"Designated Leafleting Positions"** ("DLPs") shall be the areas marked by black dots on the Plans, and shall be marked out on the ground by the 1<sup>st</sup> Claimants in advance of any demonstrations.
- 5.6 **"Eli Lilly"** shall be defined as Eli Lilly & Company (incorporated in Indiana, USA) and its subsidiaries, group companies and affiliates worldwide, including, for the avoidance of doubt Eli Lilly and Company Ltd; and
- 5.7 **"Defendant"** or **"Defendants"** shall mean:
- 5.7.1 the members, participants or supporters of SHAC, NAVA and ALF whether by themselves, their servants, agents or otherwise; and
- 5.7.2 any person who is acting in concert with any of the Defendants to do any act prohibited by this Order and who has notice of the terms of this Order whether by himself, his servants, agents, or otherwise; and
- 5.7.3 any other person who is protesting against:-
- 5.7.3.1 the conduct of experimentation on live animals by Huntingdon Life Sciences ("HLS"); and
- 5.7.3.2 the business relationship between Eli Lilly, its clients, suppliers and service providers and any

animal research organisation (as defined by s.148 Serious Organised Crime & Police Act 2005);

5.8 Protected Persons shall mean any of the following while in England and Wales:-

- 5.8.1 the Second Claimant; and
- 5.8.2 the officers, employees and temporary workers of the First Claimant and of Eli Lilly, its suppliers and contractors; and
- 5.8.3 the families, servants or agents of the employees referred to above; and
- 5.8.4 any person other than a Defendant who is seeking to work at or visit any premises referred to in this Order, or any premises or home belonging to or occupied by any Protected Person.

#### THE ORDER

UPON THE CLAIMANTS BY THEIR SOLICITOR UNDERTAKING THAT IF THE COURT LATER FINDS THAT THIS ORDER HAS CAUSED LOSS TO THE DEFENDANTS AND DECIDES THAT THE DEFENDANTS SHOULD BE COMPENSATED FOR THAT LOSS, THE CLAIMANTS WILL COMPLY WITH ANY ORDER THE COURT MAY MAKE

AND UPON HEARING the Claimants' Solicitor and Debbie Vincent (of BM SHAC, London WC1N 3XX), an interested party, (the representative Order dated 12 October 2011 being set aside as against her).

IT IS ORDERED, UNTIL TRIAL OR FURTHER ORDER THAT:

- 6. The Defendants be restrained from pursuing a course of conduct which amounts to harassment of the Protected Persons within the meaning of the Protection from Harassment Act 1997.

7. The Defendants be restrained from entering any premises owned or occupied by Eli Lilly, including but not limited to the premises of the First Claimant at:-
- 7.1 Erl Wood Manor, Sunninghill Road, Windlesham, Surrey, GU20 6PH; and
  - 7.2 Lilly House, Priestley Road, Basingstoke, Hampshire, RG24 9NL; and
  - 7.3 Fleming Road, Speke, Liverpool, L24 9LN; and
  - 7.4 any other premises occupied in the future by the First Claimant and notified to the Defendants in accordance with paragraph 14 below.

**AND**

8. In particular and without prejudice to the generality of paragraphs 6 & 7, the Defendants be restrained under Sections 3 and 3A of the Act from doing, causing, permitting, encouraging or assisting any of the following:-
- 8.1 assaulting, harassing, molesting, threatening or otherwise interfering with any Protected Person; and
  - 8.2 photographing or videoing any Protected Person, or his vehicle or any premises or house belonging to or occupied by any Protected Person or otherwise recording registration details of Protected Persons vehicles (save that, for the avoidance of doubt, Defendants may photograph or video each other and Police Officers).
  - 8.3 making:-

- 8.3.1 any abusive or threatening communication whether orally, by telephone, in writing, by facsimile, by email or other electronic means to any Protected Person which shall include repetitive telephone calls, facsimiles, social network communications or emails; and
- 8.3.2 any communications whatsoever to any Protected Person at their homes, or on their private telephones, emails or social networking sites; and
- 8.4 knowingly entering onto, remaining on or trespassing on any premises or home belonging to or occupied by any Protected Person; and
- 8.5 knowingly picketing, demonstrating, loitering or conducting any other protesting or protesting related activities:-
- 8.5.1 within 100 metres of any premises occupied as a home by any Protected Person; and
- 8.5.2 (other than in accordance with the provisions set out in paragraphs 8.8 to 8.11 below) within the areas of land identified on the plans annexed hereto and coloured in orange, blue, yellow and green being exclusion zones and being land situated the immediate vicinity of the First Claimant's premises at:-

8.5.2.1 Erl Wood Manor, Sunninghill Road,  
Windlesham, Surrey, GU20 6PH; and

8.5.2.2 Lilly House, Priestley Road,  
Basingstoke, Hampshire, RG24 9NL;  
and

8.5.2.3 Fleming Road, Speke, Liverpool,  
L24 9LN.

8.6 publishing or procuring publication by any means whatsoever whether directly or indirectly by a third party publisher acting as agent or otherwise names, addresses, telephone numbers, fax numbers, email addresses, car or other vehicle registration numbers or any other material serving to identify a Protected Person or to publish his personal details; and

8.7 compelling or coercing any Protected Person against his will from doing something he is entitled or required to do or to do something that he is not under any obligation to do; and

**SAVE THAT**

8.8 demonstrations in relation to the above premises may be conducted once every week on the following terms namely:-

8.8.1 the number of persons present (including 2 leafleters, who, for the avoidance of doubt may offer leaflets and bear placards but not otherwise participate in any demonstration) at such demonstrations shall not exceed 22 individuals; and

- 8.8.2 the maximum duration for all demonstrations shall not exceed 3 hours between 10am and 3pm; and
- 8.8.3 demonstrations may only occur within the DPAs marked and coloured green on the plans annexed hereto; and
- 8.8.4 Subject to 8.8.1 and for the avoidance of doubt one person may hand out leaflets at each of the designated leafleting positions respectively; and
- 8.8.5 the Defendants may enter the exclusion zone for the sole purpose of gaining access to the DPA and the said Defendants shall place any banners, placards or signs which may be carried by them solely within the DPA without obstructing pedestrians or drivers and shall not place any banners, placards or signs on any property belonging to the Claimants; and
- 8.8.6 the Defendants shall not park their vehicles within the boundaries of the exclusion zone except in cases of emergency; and
- 8.8.7 the Defendants may not use any instruments whatsoever (whether or not so designed) for the making of artificial or musical noise or to amplify sound including loud hailers, air horns or whistles; and

8.8.8 the Defendants may not wear balaclavas or face coverings (save for the purpose of adhering to genuinely held religious convictions or in prevailing cold weather), masks and/or blood splattered clothing or costumes (save that this provision shall not apply to imitated or simulated blood); and

8.9 not less than 24 hours before any proposed demonstrations, the Defendants shall have first notified the Police and the First Claimants by telephone as follows:-

8.9.1 in relation to Erl Wood Manor aforesaid  
police telephone: 101 and First  
Claimants telephone: 01276 483 595

8.9.2 in relation to Lilly House  
aforesaid, police telephone: 101 and  
First Claimants telephone: 01256 775  
566

8.9.3 in relation to Fleming Road, Speke  
aforesaid, police telephone: 0151-709-  
6010 and First Claimants telephone:  
01514 486 318

8.10 when notifying the police in accordance with subparagraph 8.9 above the Defendants must include the name of the group or groups that intend to take part, the registration number of any vehicles, the proposed number of Defendants, the site, the proposed start and end time of any protest and a name and contact telephone number for the notifier; and

8.11 when notifying the Claimants in accordance with sub-paragraph 8.9 above the Defendants must include the name of the group or groups that intend to take part and the site, date and time of the demonstration.

**IT IS FURTHER ORDERED THAT:**

9. This Order is binding on all Defendants pursuant to CPR 19.6(4)(a).
10. There be substituted service of this Order herein on the Defendants by sending the same by pre-paid ordinary first class post in sealed envelopes addressed to and/or by e-mail as follow:-
  - 10.1 Stop Huntingdon Animal Cruelty ("SHAC") at BM SHAC, London WC1N 3XX and by e-mail to [info@shac.net](mailto:info@shac.net); and
  - 10.2 Greg Avery at SHAC BM SHAC, London WC1N 3XX; and
  - 10.3 National Anti-Vivisection Alliance ("Nava") PO Box 699, Banbury OX16 6JQ AND BY e-mail to [contact@antivivisection.info](mailto:contact@antivivisection.info); and
  - 10.4 Luke Steele at PO Box 699, Banbury OX16 6JQ and by e-mail to [press@antivivisection.info](mailto:press@antivivisection.info) and [contact@antivivisection.info](mailto:contact@antivivisection.info); and
  - 10.5 Robin Webb on behalf of himself and the members of the ALF at 25 Portland Terrace, Langwith, Mansfield, Nottinghamshire, NG20 9HA.
11. There be substituted service of this Order by exhibiting the same on posts within the exclusion zones.

12. There be substituted service of this Order by posting copies of the same on the websites www.shac.net and www.antivivisection.info on terms that SHAC and NAVA are ordered, within 5 working days of receiving copies of this Order in electronic form from the Claimants' solicitors, to place and maintain copies of this Order on the above websites or any further websites created or controlled by them and to take all steps necessary to bring the same to the attention of their members or subscribers and to the attention of the Defendants referred to in this Order. In particular Greg Avery and Luke Steele are ordered to use their best endeavours to ensure that copies of this Order are placed on the websites referred to above.
13. This matter shall be listed before a High Court Judge for further consideration at a Case Management Conference to be listed within 56 days of the conclusion of the criminal proceedings/trial entitled R -v- Luke Steele & Jonathon White which is presently being conducted in Loughborough Magistrates/Leicester Crown Court.
14. There be liberty to the First Claimant to notify the Defendants of the address and location of any premises which the First Claimant may occupy in the future by sending such notification to the Defendants at the addresses referred to in paragraph 10 above (or such other address as the Defendants or any of them may have previously notified the First Claimant in writing) and accordingly the said premises shall become a protected premises within the terms of paragraph 8.8 above and shall be the subject of

exclusion zones, DPAs and DLPs to be agreed between the parties or adjudicated upon by this Court.

15. The Claimants, Defendants and any party affected by this Order may apply to the Court at any time to vary or discharge this order on 14 days' notice to the other parties.
16. There be no order as to Costs.

Dated this 1<sup>st</sup> day of November 2011

#### **GUIDANCE NOTES**

##### **THE EFFECTS OF THIS ORDER**

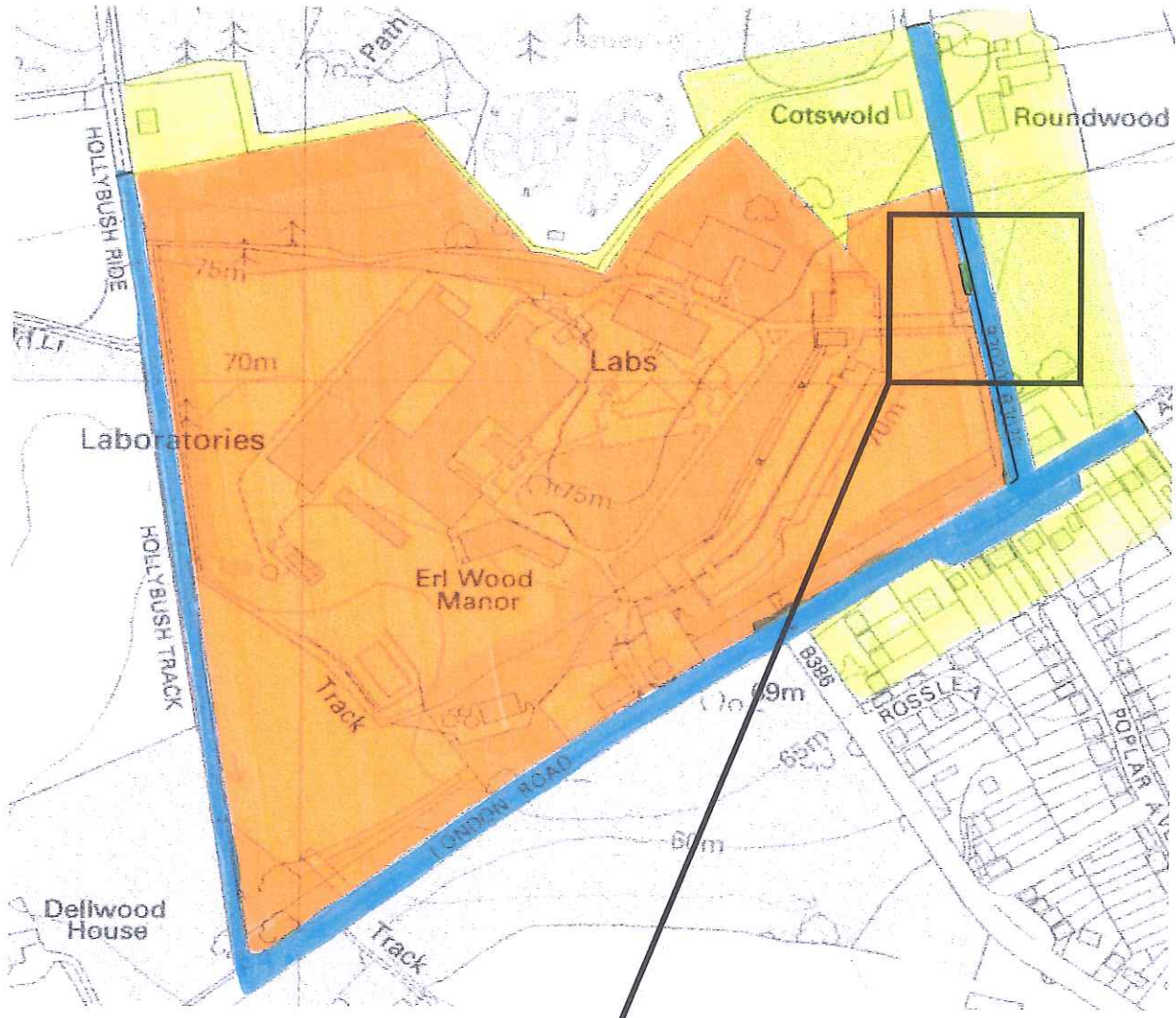
- I A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- II A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

##### **INTERPRETATION OF THIS ORDER**



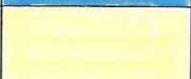
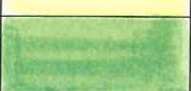
- III In this Order, where there is more than one Defendant, (unless otherwise stated) references to "the Defendant" means all of them.
- IV A requirement to serve on "the Defendant" means on each of them. However, the Order is effective against any Defendant on whom it is served.
- V An Order requiring "the Defendant" to do or not to do anything applies to all Defendants.

**COMMUNICATIONS WITH THE COURT**

All communications to the Court about this Order should be sent to Room WG 08, Royal Courts of Justice, Strand, London WC2A 2LL quoting the case number. The telephone number is 0207 947 6010. The offices are open between 10 am and 4.30pm Monday to Friday.

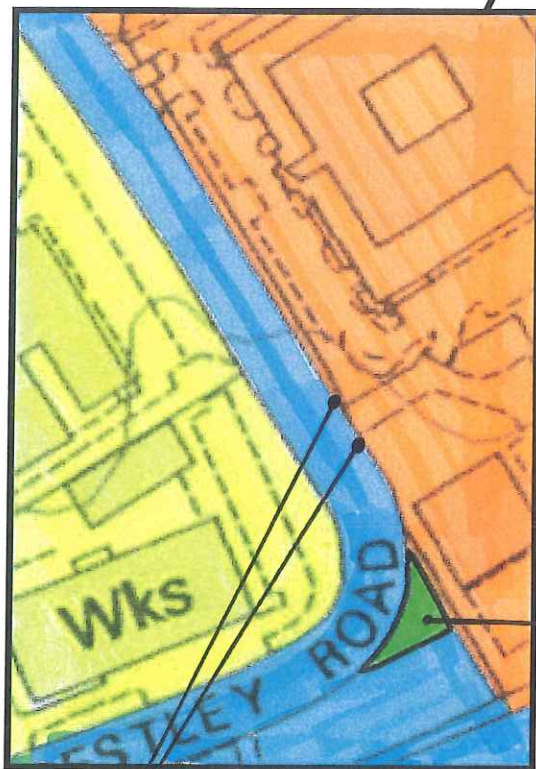
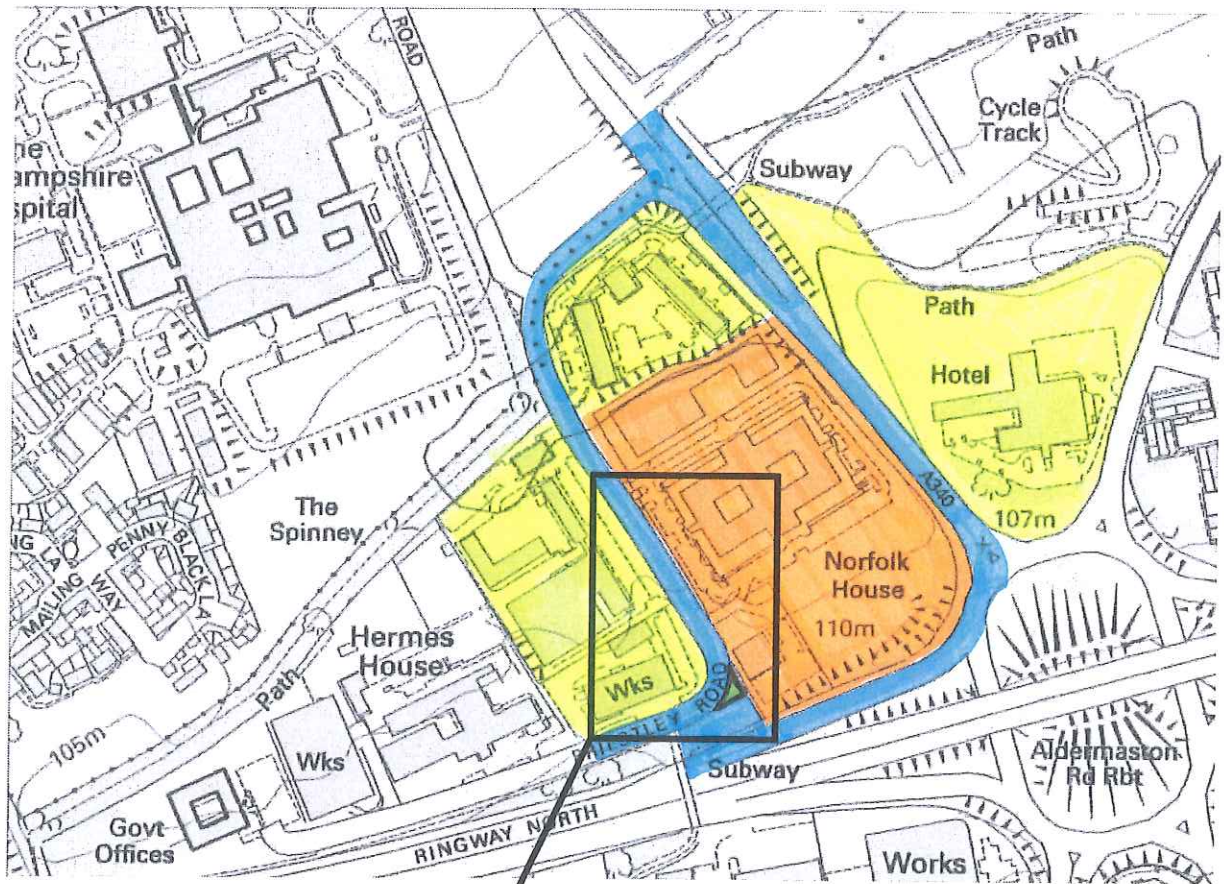


**Erl Wood Manor  
 Sunninghill Road  
 Windlesham  
 Surrey  
 GU20 6PH**

Claimants Premises	
Public Land/Road	
Private Land/Road	
Designated Protest Area	



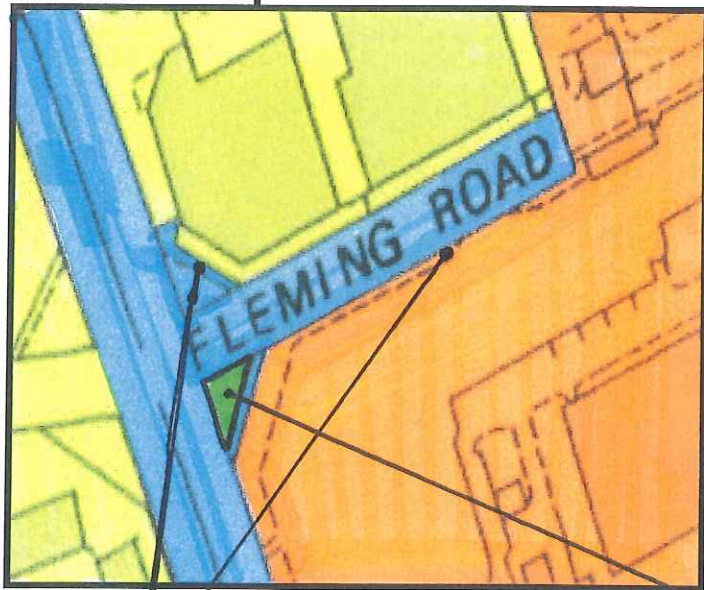
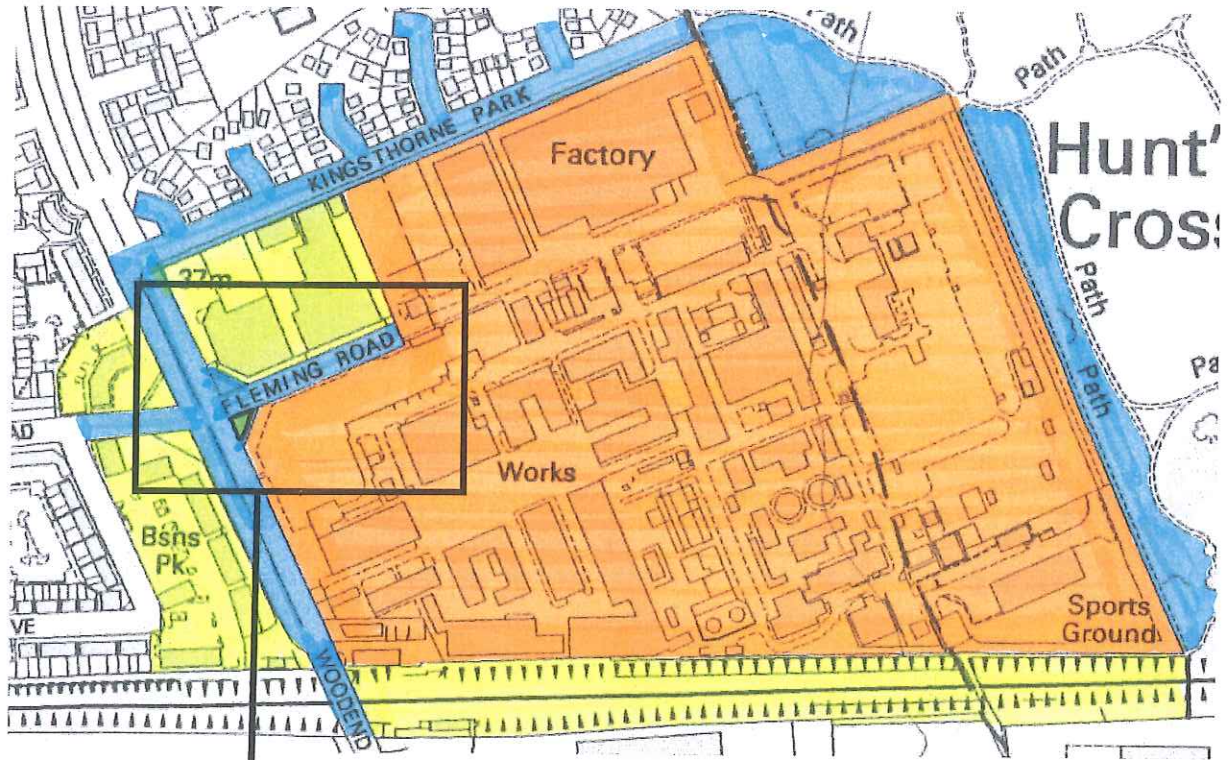
**LEAFLET  
 POSITIONS**



LEAFLET  
POSITIONS


Lilly House  
Priestley Road  
Basingstoke  
Hampshire  
RG24 9NL

Claimants Premises	
Public Land/Road	
Private Land/Road	
Designated Protest Area	



LEAFLET POSITIONS

Lilly – Speke  
 Fleming Road  
 Liverpool  
 L24 9LN

Claimants Premises	
Public Land/Road	
Private Land/Road	
Designated Protest Area	