

IN THE HIGH COURT OF JUSTICE

CLAIM NO:HQ11X02607

QUEEN'S BENCH DIVISION

BEFORE THE HON MRS. JUSTICE NICOLA DAVIES

BETWEEN:



- (1) HARLAN LABORATORIES UK LIMITED (pursuant to s.3A Protection from Harassment Act 1997)
- (2) THEODORE ROBERT WASKY (for and on behalf of all Officers and Employees of Harlan Laboratories UK Limited, its Clients, Suppliers and Service Providers (as defined) pursuant to CPR 19.6)]

Claimants

and

- (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) PERSONS UNKNOWN who are conducting or who may conduct protesting and/or unlawful activities against the Claimants

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, Harlan Laboratories UK Limited ("Harlan") (as defined below), its clients, suppliers and service providers (as defined) pursuant to CPR 19.6.
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. In this Order:
  - 4.1 "**Harass**" has the same meaning as in the Protection from Harassment Act 1997 ("the Act").
  - 4.2 "**References**" to "he", "him" or "his" shall be taken as meaning "she", "her" or "hers" where appropriate.
  - 4.3 "**Exclusion Zone**" shall mean any areas in which Protesting Activities (as defined in paragraph 4.8.2) are prohibited or curtailed by this Order or otherwise.
  - 4.4 "**Designated Protest Areas**" ("DPAS") shall be the areas marked as such and delineated in green on the Plans annexed hereto.
  - 4.5 "**Leafletting Zones**" ("LZS") shall be the areas marked by black dots on the Plans.
  - 4.6 "**Harlan**" shall be defined as Harlan Laboratories Inc and its subsidiaries, group companies and affiliates worldwide, including, for the avoidance of doubt Harlan Laboratories UK Limited.
  - 4.7 "**Client**" shall mean any third party to which the First Claimant provides investment services, directly or indirectly, such as investment advice or investment management.
  - 4.8 "**Supplier**" shall mean any third party that directly or indirectly supplies any goods to Harlan.

- 4.9 **“Service Provider”** shall mean any third party that directly or indirectly provides any services to Harlan.
- 4.10 **“Defendant”** or “Defendants” shall mean:
- 4.10.1 the members, participants or supporters of SHAC and NAVA whether by themselves, their servants, agents or otherwise;
  - 4.10.2 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;
  - 4.10.3 any other person who is protesting against:
    - 4.10.3.1 the conduct of experimentation on live animals by Huntingdon Life Sciences (“HLS”);
    - 4.10.3.2 the business relationship between Harlan, its clients, suppliers and service providers and any animal research organisation (as defined by s.148 Serious Organised Crime & Police Act 2005);
- 4.11 Protected Persons shall mean any of the following while in England and Wales:
- 4.11.1 the Second Claimant;
  - 4.11.2 the officers and employees of the First Claimant and of Harlan;
  - 4.11.3 the employees and shareholders of Harlan’s clients suppliers and service providers;
  - 4.11.4 the families, servants or agents of the employees and shareholders referred to above;
  - 4.11.5 any person other than a Defendant who is seeking to 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 TH E COURT MAY MAKE**

**AND UPON HEARING THE CLAIMANTS SOLICITOR AND LUKE STEELE**

**IT IS ORDERED, UNTIL 5-OCTOBER 2011, OR FURTHER ORDER THAT:**

5. 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.
6. The Defendants be restrained from entering any premises owned or occupied by Harlan, including but not limited to the premises of the First Claimant at:
  - 6.1 Harlan Hillcrest, Dodgeford Lane, Belton, Leicestershire, LE12 9TE ("Harlan Hillcrest")
  - 6.2 Harlan Wyton, Sawtry Way, Wyton, Cambridgeshire, PE28 2DX ("Harlan Wyton")
  - 6.3 Harlan Blackthorn, Station Road, Blackthorn, Oxfordshire, OX25 1TP ("Harlan Blackthorn")
  - 6.4 Harlan Shardlow, Shardlow Business Park, Shardlow. Derbyshire, DE72 2GD ("Harlan Shardlow")

**AND**

7. In particular and without prejudice to the generality of paragraphs 5 & 6 the Defendants be restrained under Sections 3 and 3A of the Act from doing, causing, permitting, encouraging or assisting any of the following:
  - 7.1 assaulting, harassing, molesting, threatening or otherwise interfering with any Protected Person;
  - 7.2 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, Protestors may photograph or video each other and Police Officers).

8. Making:

- 8.1 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;
- 8.2 any communications whatsoever to any Protected Person at their homes, or on their private telephones, emails or social networking sites.
- 8.3 Knowingly entering onto, remaining on or trespassing on any premises or home belonging to or occupied by any Protected Person.
- 8.4 Knowingly picketing, demonstrating, loitering or conducting any other protesting or protesting related activities:-
  - 8.4.1 within 100 metres of any premises occupied as a home by any Protected Person;
  - 8.4.2 (other than in accordance with the provisions set out in paragraphs 8.7 to 8.9 below) within the areas of land identified on the plans annexed hereto and coloured in pink blue and yellow being exclusion zones and being land situated the immediate vicinity of the First Claimant's premises at
    - 8.4.2.1 Harlan Hillcrest, Dodgeford Lane, Belton, Leicestershire, LE12 9TE
    - 8.4.2.2 Harlan Wyton, Sawtry Way, Wyton, Cambridgeshire, PE28 2DX
    - 8.4.2.3 Harlan Blackthorn, Station Road, Blackthorn, Oxfordshire, OX25 1TP

8.4.2.4 Harlan Shardlow, Shardlow Business Park,  
Shardlow. Derbyshire, DE72 2GD

- 8.5 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.
- 8.6 Inciting, 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.

**SAVE THAT**

- 8.7 Demonstrations (including leafleting) in relation to the First Claimant's above premises may be conducted once every week in the following terms namely:
- 8.7.1 the number of Protesters present at such demonstrations shall not exceed 25 individuals (including 2 leafleters) provided that on 27 August 2011 only and at Harlan Wyton only the number of protesters permitted shall be 100 individuals (including 2 leafleters); and
  - 8.7.2 the maximum duration for all demonstrations (including leafleting) shall not exceed 3 hours between 10am and 3pm provided that on 27 August 2011 only and at Harlan Wyton only the time frame shall be from 2pm to 5pm; and
  - 8.7.3 subject to 8.7.4 demonstrations may only occur within the DPA marked and coloured green on the Plans annexed hereto; and
  - 8.7.4 Two protestors may hand out leaflets in the Leafleting Zones. Leafleting may only occur within the Leafleting

Zones, and shall be limited to one leafleter in each north Leafleting Zone and in each south Leafleting Zone.

- 8.7.5 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
  - 8.7.6 the Defendants shall not park their vehicles within the boundaries of the exclusion zone except in cases of emergency other than in marked car parking spaces specifically allocated to members of the public; and
  - 8.7.7 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; and
  - 8.7.8 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; and
- 8.8 Not less than 24 hours before any proposed demonstrations, the Defendants shall have first notified the Police and the Claimants by telephone as follows:-
- 8.8.1 In relation to Harlan Hillcrest
    - Police telephone: 01162 222 222
    - and Claimants telephone: 01869 243241
  - 8.8.2 In relation to Harlan Wyton,
    - Police telephone: 0345 4 564 564
    - and Claimants telephone: 01480 455335
  - 8.8.3 In relation to Harlan Blackthorn,

Police telephone: 0845 8 505 505

and Claimants telephone: 01869 243241

8.8.4 In relation to Harlan Shardlow,

Police telephone: 0345 123 3333

and Claimants telephone: 01332 792896

8.9 When notifying the police in accordance with sub-paragraph 8.8 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 contact telephone number for the notifier.

8.10 When notifying the Claimants in accordance with sub-paragraph 8.8 above the Protesters must include the name of the group or groups 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 email as follow:-
  - 10.1 Stop Huntingdon Animal Cruelty ("SHAC") at 89 Bush Road, East Peckham, Tonbridge, Kent TN12 5LJ and BM SHAC, London WC1N 3XX and by e:mail to [info@shac.net](mailto:info@shac.net)
  - 10.2 Greg Avery [A4874AD] HM Prison Coldingley, Shaftsbury Road, Bisley, Woking, Surrey GU24 9EX;
  - 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)
  - 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)

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](http://www.shac.net), [www.antivivisection.info](http://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. 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 12 hours notice to the other parties.
14. The matter to be listed for a further hearing on notice to the Defendants on 4 and 5 October 2011 with a time estimate of 2 days.
15. Costs reserved.

Dated this 2<sup>nd</sup> day of August 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**

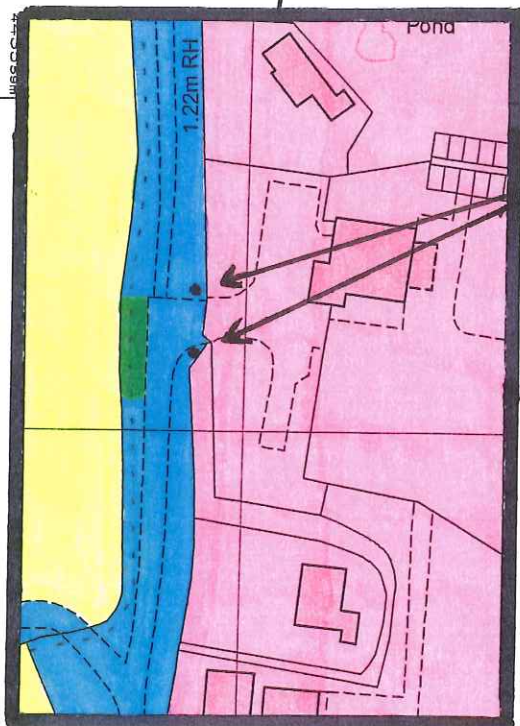
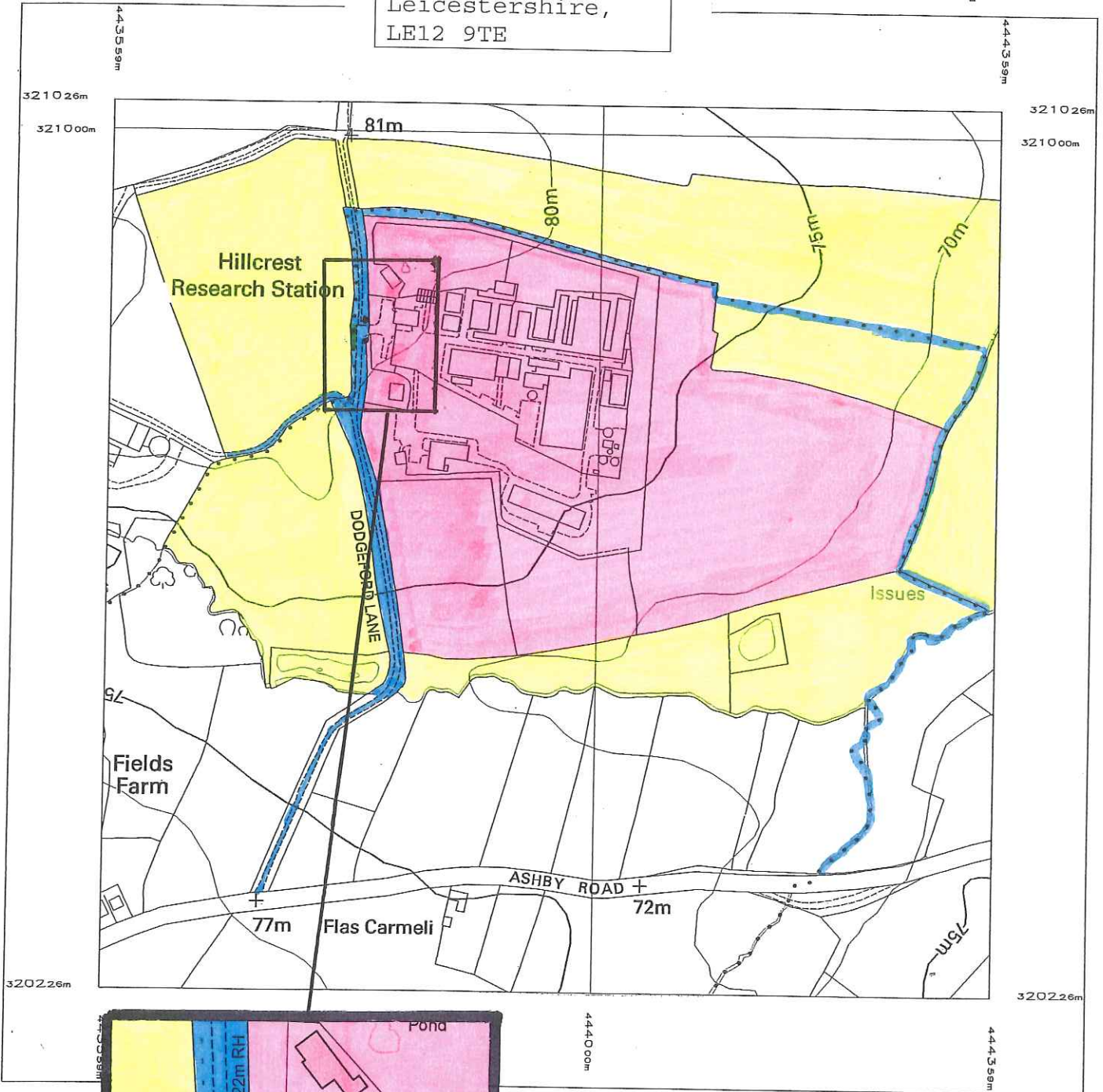
- III In this Order, where there is more than one Defendant, (unless otherwise stated) references to "the Defendant" means all of them.

- 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**

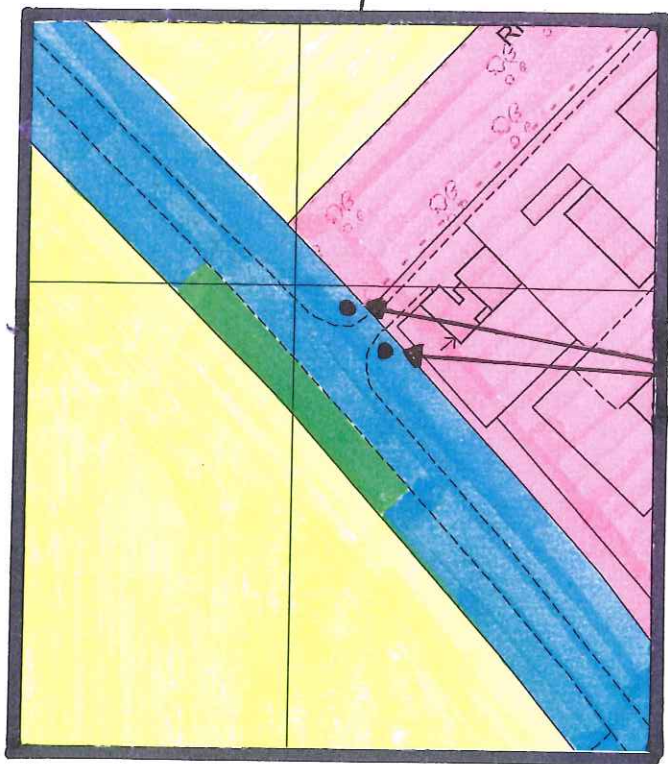
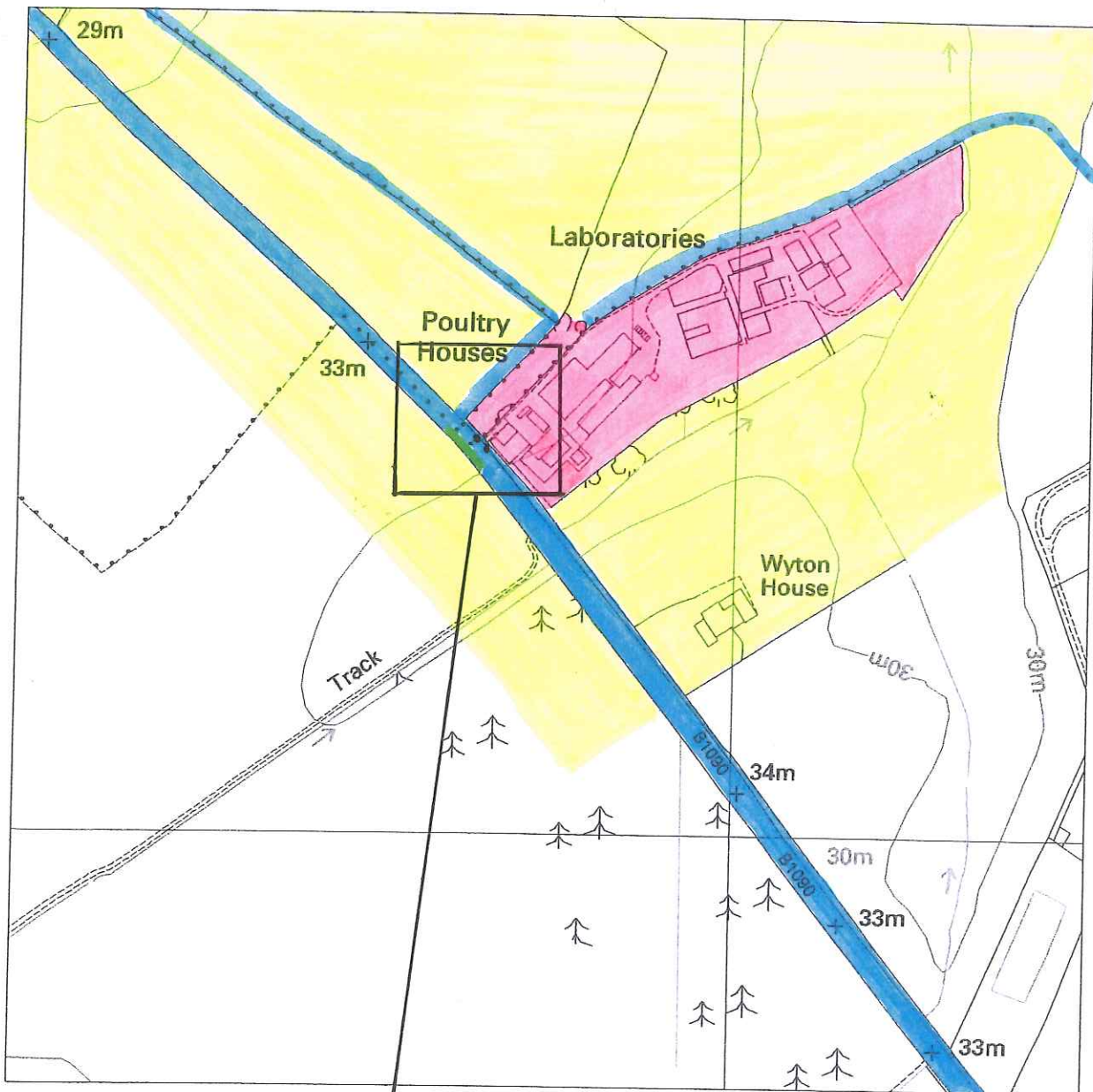
All communications to the Court about this Order should be sent to Room WG 08, Royal Courts of Justice, Strand, London WC2A 2LL quoting the case number. The telephone number is 0207 947 6010. The offices are open between 10 am and 4.30pm Monday to Friday.

Harlan Hillcrest,  
Dogeford Lane,  
Leicestershire,  
LE12 9TE






Leafleting zones

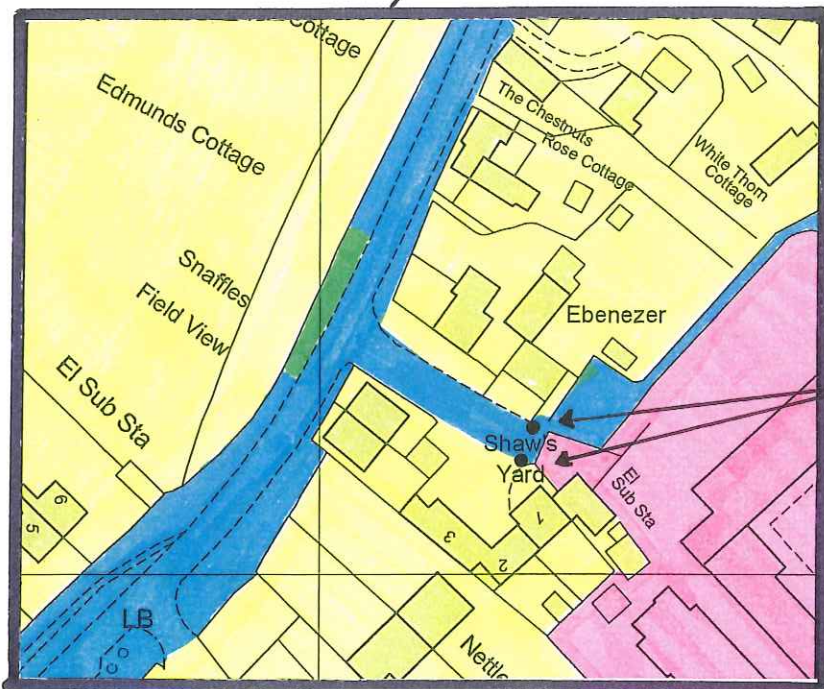
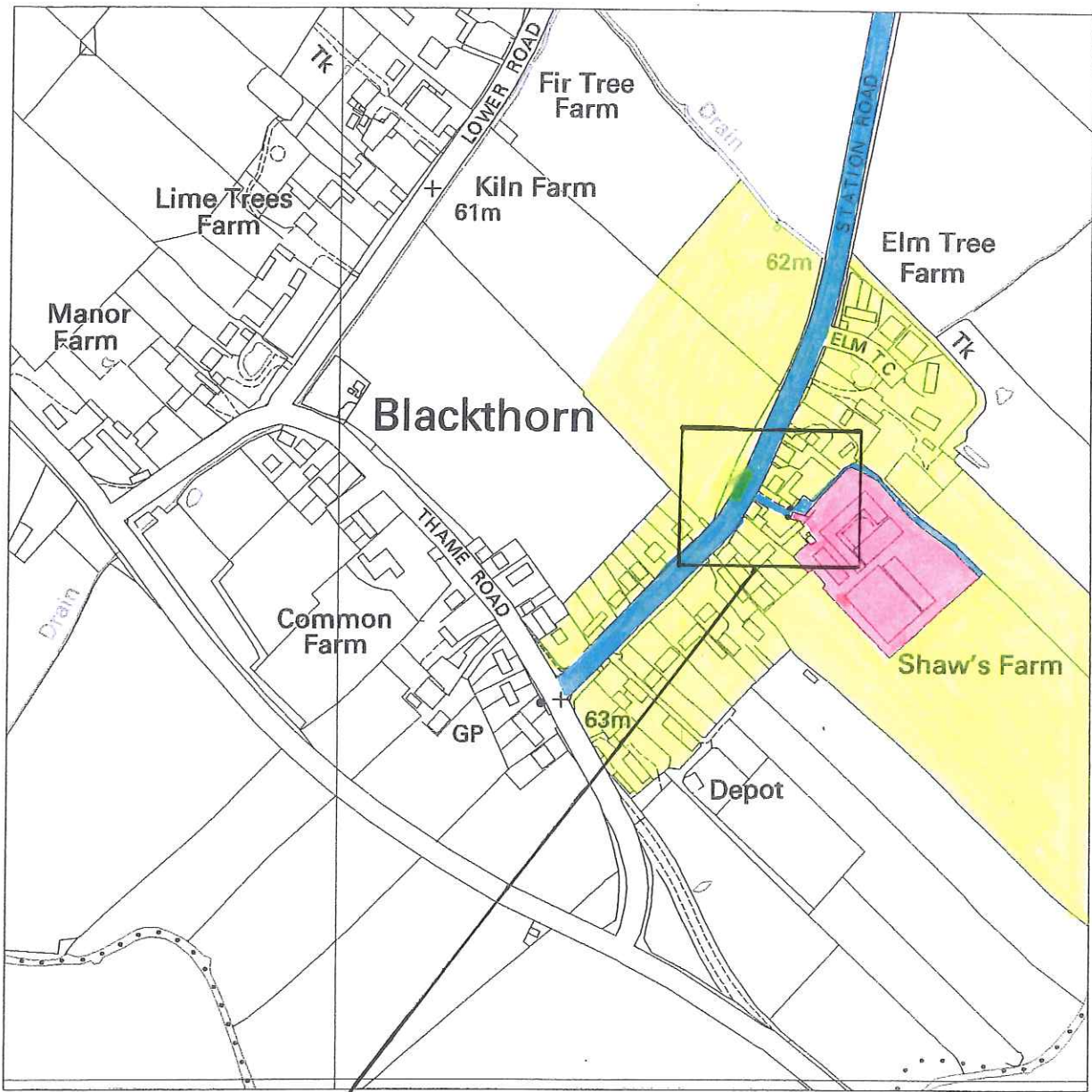
Claimants Premises	
Public Land/Road	
Private Land/Road	
Designated Protest Area	



Harlan Wyton,  
Sawtry Way,  
Wyton,  
Cambridgeshire  
PE28 2DX

Leafletting zones

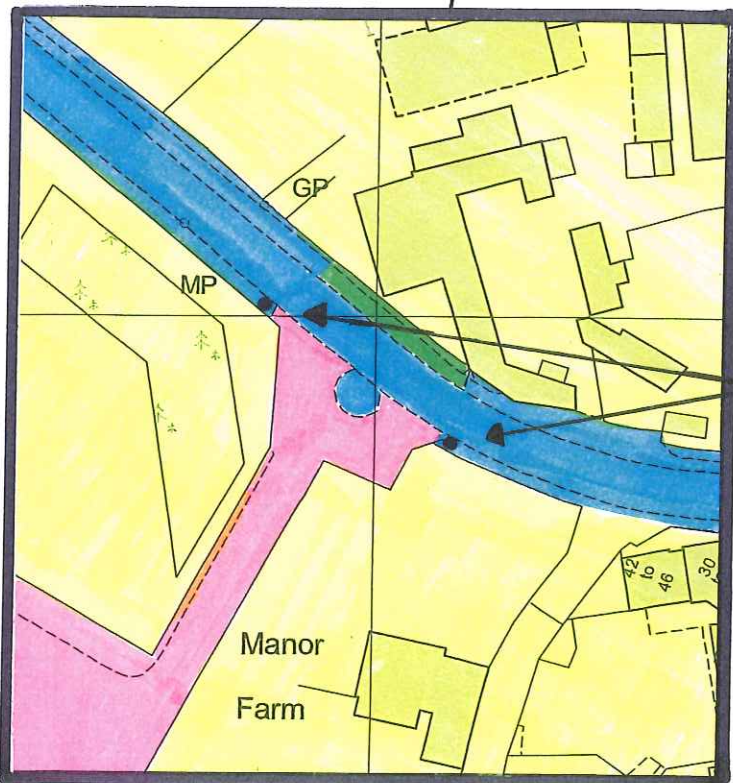
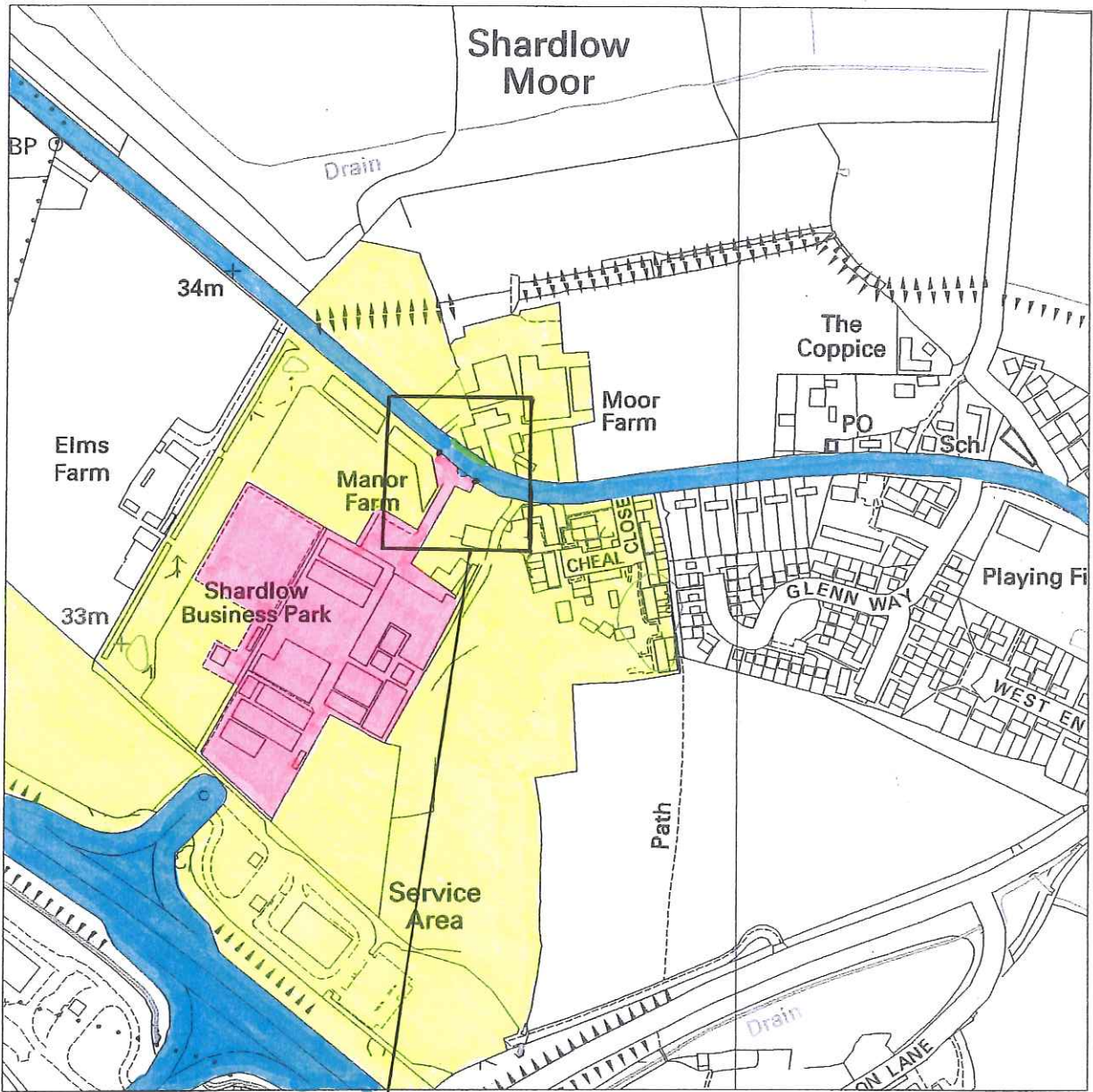
Claimants premises	
Public Land/Road	
Private Land/Road	
Designated Protest Area	



Harlan Blackthorn,  
Station Road,  
Blackthorn,  
Oxfordshire,  
OX25 1TP




Leafletting zones

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



Harlan Shardlow,  
London Road,  
Shardlow,  
Derbyshire,  
DE7 2GD

Leafletting zones

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