

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION

CLAIM NO

BETWEEN:

UNIVERSITY OF SUSSEX

Claimant

And

PERSONS (INCLUDING STUDENTS OF THE
UNIVERSITY OF SUSSEX) ENTERING OR
REMAINING ON THE CAMPUS AND BUILDINGS
OF THE UNIVERSITY OF SUSSEX FOR THE
PURPOSE OF PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF SUSSEX)

Defendants

ORDER

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 HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

An Application was made on 25.03.13 by Leading Counsel for the Claimant to the Judge. The Judge heard the Application and read the Witness Statement listed in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this Order.

IT IS ORDERED that:

THE INJUNCTION

1. Until the earlier of trial or 25 September 2013 or further order the Defendants shall not, without the prior written consent of the Claimant enter or remain upon land comprising the Claimant's campus and buildings of the campus and buildings of the University of Sussex, Falmer Hill, Falmer, Brighton, BN1 9RH which is registered at HM Land Registry under title numbers SX110974 and SS110875 as shown edged in red on Plan 1 annexed hereto ("the Campus") for the purpose of any occupational or other protest action.

COSTS OF THE APPLICATION

2. The costs of this application be reserved.

SERVICE

3. Pursuant to Rule 6.15 of the Civil Procedure Rules 1998, service of the Claim Form in this action, this Order and the Witness Statement and exhibits containing the evidence relied upon by the Claimants by fixing the documents securely in conspicuous places around the Campus.
4. The said documents shall be deemed to be served on the date of such affixation at the Campus, such date to be verified by the completion and filing of a certificate of service, and the periods for (i) filing an acknowledgement of service (ii) filing an admission or (iii) filing a defence shall be 14 days after such service.

VARIATION OR DISCHARGE OF THIS ORDER

5. A Defendant may apply to the Court at any time to vary or discharge this Order but if he wishes to do so he must first inform the Claimant's Solicitors in writing at least 24 hours beforehand.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

6. The Claimant's Solicitors are Pinsent Masons LLP, 30 Crown Place, London EC2R 4ES (Ref: MT04/506745.07285) Tel No 020 7490 4000. Out of hours telephone number

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. 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.
11. 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

12. All communications to the Court about this Order should be sent to the Chancery Associates, Rolls Building 5th Floor, 7 Rolls Building, Fetter Lane, London EC4A 1NL quoting the case number. The office is open between 10 am and 4.30 pm Monday to Friday. The telephone number is 020 7947 6754.

SCHEDULE 1

Witness Statements

The Judge read the following Witness Statements before making this Order:

Witness Statement of John Lee Duffy dated 25.03.13.

SCHEDULE 2

Undertaking given to the Court by the Claimants

1. 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.
2. If any Defendant who identifies himself by name requests a copy of this Order, the Claimants will use best endeavours to serve upon them, together with this Order, copies of the Witness Statements and exhibits containing the evidence relied upon by the Claimant and the Claim Form.
3. To issue the Claim Form as soon as reasonably practicable.

Dated 25.03.13

CLAIM NO:

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

BETWEEN:

UNIVERSITY OF SUSSEX

Claimant

and

PERSONS (INCLUDING STUDENTS OF THE
UNIVERSITY OF SUSSEX) ENTERING OR REMAINING
ON THE CAMPUS AND BUILDINGS OF THE
UNIVERSITY OF SUSSEX FOR THE PURPOSE OF
PROTEST ACTION (WITHOUT THE CONSENT OF THE
UNIVERSITY OF SUSSEX)

Defendants

~~DRAFT~~ ORDER

UPON THE APPLICATION of the Claimant

AND UPON HEARING Counsel for the Claimant

IT IS ORDERED THAT:

1. The time for service of the possession proceedings in respect of the premises known as the campus and buildings of the University of Sussex, Falmer Hill, Falmer, Brighton, BN1 9RH ("the Campus") shall be abridged, ~~to not less than~~ ^{in order} [] hours with the effect that the hearing of the claim for a possession order shall take place in the Applications List at 10.30am on ~~Tuesday 26~~ ^{Wednesday 27th} March 2013 at 7 Rolls Building, London EC4A 1NL, ^{on terms that service is effected by 12¹⁰ midday on 26th March 2013.}
2. Service of the Claim Form, Application Notice, the Witness Statement of John Leo Duffy and this Order be permitted by affixing the documents securely to conspicuous places in and around the Campus ^{in accordance with the requirements of CPR Part 55.6(4).}

Dated :

SP
25 03 2013.

SP

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION

CLAIM NO



MRD JUSTICE PROUDMAN DATED: MONDAY THE 25th DAY OF MARCH 2013

BETWEEN:

UNIVERSITY OF SUSSEX

Claimant

And



Defendants

PERSONS (INCLUDING STUDENTS OF THE
UNIVERSITY OF SUSSEX) ENTERING OR
REMAINING ON THE CAMPUS AND BUILDINGS
OF THE UNIVERSITY OF SUSSEX FOR THE
PURPOSE OF PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF SUSSEX)

ORDER

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 HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

An Application was made on 25.03.13 by Leading Counsel for the Claimant to the Judge. The Judge heard the Application and read the Witness Statement listed in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this Order.

IT IS ORDERED that:

THE INJUNCTION

- SP
1. Until the earlier of trial or 25 September 2013 or further order the Defendants shall not, without the prior written consent of the Claimant enter ~~upon~~ upon land comprising the Claimant's campus and buildings of the campus and buildings of the University of Sussex, Falmer Hill, Falmer, Brighton, BN1 9RH which is registered at HM Land Registry under title numbers SX110974 and SS110875 as shown edged in red on Plan 1 annexed hereto ("the Campus") for the purpose of any occupational or other protest action.

COSTS OF THE APPLICATION

2. The costs of this application be reserved.

SERVICE

- SP
3. Pursuant to Rule 6.15 of the Civil Procedure Rules 1998, service of the ^{Applicant's Notice} Claim Form in this action, this Order and the Witness Statement and exhibits containing the evidence relied upon by the Claimants by fixing the documents securely in conspicuous places around the Campus.

4. The said documents shall be deemed to be served on the date of such affixation at the Campus, such date to be verified by the completion and filing of a certificate of service, and the periods for (i) filing an acknowledgement of service (ii) filing an admission or (iii) filing a defence shall be 14 days after such service.

VARIATION OR DISCHARGE OF THIS ORDER

- SP
5. A Defendant may apply to the Court at any time to vary or discharge this Order but if he wishes to do so he must first inform the Claimant's Solicitors in writing ~~at least 24~~ ^{at least 24} ~~hours~~ beforehand.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

- SP
6. The Claimant's Solicitors are Pinsent Masons LLP, 30 Crown Place, London EC2R 4ES (Ref: MT04/506745.07285) Tel No 020 7490 4000. Out of hours telephone number 02022 1345814

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;

CLAIM NO:

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

BETWEEN:

Mr Justice Prosser

25 MARCH 2013

UNIVERSITY OF SUSSEX

Claimant

and

PERSONS (INCLUDING STUDENTS OF
THE UNIVERSITY OF SUSSEX) ENTERING
OR REMAINING ON THE CAMPUS AND
BUILDINGS OF THE UNIVERSITY OF
SUSSEX FOR THE PURPOSE OF
PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF
SUSSEX)

Defendants

~~DRAFT~~ ORDER

THE COURT SENT THIS ORDER + SEALED COPIES FOR SERVICE CO.

Pinsent Masons LLP
30 Crown Place
London
EC2A 4ES

Tel: 020 7490 4000
Fax: 020 7490 2545
Ref : MT04/506745.07285

Solicitors for the Claimant

ENTERED: AS POUTER / CHANCERY / 0207-747-6258



Claim Form

In the High Court of Justice
Chancery Division

	for court use only
Claim No.	
Issue date	

Claimant(s) name(s) and address(es) including postcode
University of Sussex of Falmer Hill, Falmer, Brighton BN1 9RH

SEAL

Defendant(s) name and address(es) including postcode
Persons (including students of the University of Sussex) entering or remaining upon the campus and buildings of the University of Sussex for the purpose of protest action (without the consent of the University of Sussex).

Brief details of claim

The Claimant's claim is for an order that the Defendants shall not without the prior written consent of the Claimant enter or remain upon any of the land comprising the Claimant's campus and buildings at The University of Sussex, Falmer Hill, Falmer, Brighton BN1 9RH and which is registered at HM Land Registry under title nos. SX110974 and SX110975 and shown edged red on Plan 1 annexed hereto ("the Campus") for the purposes of any occupational or other protest action.

Value

You must indicate your preferred court for hearings here (see notes for guidance)

Defendant's
name and
address for
service
including
postcode

Persons (including students of the University of Sussex) entering or remaining upon the campus and buildings of the University of Sussex for the purpose of protest action (without the consent of the University of Sussex).

	£
Amount claimed	
Court fee	465.00
Solicitor's costs	
Total amount	465.00

When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

Claim No.	
-----------	--

Does, or will, your claim include any issues under the Human Rights Act 1998? ☐ Yes ☒ No

Particulars of Claim ~~XXXXXXXXXXXXXXXXXXXX~~

1. The Claimant's claim is for an order that the Defendants shall not without the prior written consent of the Claimants enter or remain upon the Campus for the purposes of any occupational or other protest action.
2. The Claimant is the registered leasehold proprietor of the land shown edged red on Plan 1 and which is registered at HM Land Registry under title nos. SX110974 and SX110975 ("the Campus").
3. On 25 March 2013 the Defendants entered upon the Campus and, without the permission or consent of the Claimant, remained upon parts of the said property by way of a 'sit in' occupational protest and other parts by way of a general protest thereby committing a trespass.
4. Further, the Defendants have encouraged further persons unknown to participate in the ongoing trespass at Bramber House and the Campus.
5. The Defendants and further persons unknown threaten to commit acts of trespass upon the Campus unless restrained by the Court.

Statement of Truth

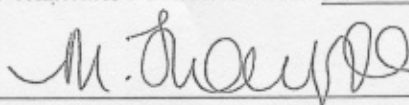
~~XXXXXXXXXXXXXXXXXXXX~~ (The Claimant believes) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement

Full name Melissa Elizabeth Thompson

Name of claimant's solicitor's firm Pinsent Masons LLP

signed



position or office held Senior Associate

~~XXXXXXXXXXXXXXXXXXXX~~ (Claimant's solicitor)

(if signing on behalf of firm or company)

*delete as appropriate

Pinsent Masons LLP

30 Crown Place
London
EC2A 4ES

157620 Broadgate 3
020 7418 7050

MT04/506745.07285/44480110

Claimant's or claimant's solicitor's address to which documents or payments should be sent if different from overleaf including (if appropriate) details of DX, fax or e-mail.

H. M. LAND REGISTRY

ORIGINAL SITE PLAN TQ 3409
 1:25000 Scale 1:25000

Scale 1:25000



NOTE:-
 THE LAND IN THE CATCH BASIN IS
 NOT INCLUDED IN THIS TITLE

This official copy issued on 3-4-1961 shows the state of this site plan
 as of 10.1.1961. It is admissible in evidence in the
 courts as the original (see Land Registration Act 1925).
 The site plan shows the general position, not the exact line, of the boundaries. It may be
 subject to alterations in order.
 Measurements called from this plan may not match measurements between the same points
 on the ground. See Land Registry Public Guide 12 - Title Plans and Boundaries.
 This title is dealt with by Land Registry, Portsmouth Office.
 © Crown Copyright. Produced by Land Registry. Reproduction in whole or part is prohibited
 without the prior written permission of Ordnance Survey. License number 100023100.

TITLE No. SX 110974

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court High Court of Justice Chancery Division	
Claim no.	
Warrant no. (if applicable)	
Claimant's name (including ref.)	University Of Sussex
Defendant's name (including ref.)	Persons (including students of the University of Sussex) entering or remaining on the campus and buildings of the University of Sussex for the purpose of protest action (without the consent of the University of Sussex)
Date	

1. What is your name or, if you are a solicitor, the name of your firm?

Pinsent Masons LLP

2. Are you a ☐ Claimant ☐ Defendant ☒ Solicitor

☐ Other (please specify)

If you are a solicitor whom do you represent?

The Claimant

3. What order are you asking the court to make and why?

We are asking the court to make an order in the terms of the attached draft order because the Defendants are already trespassing on the Claimant's Campus (as defined in the Order) as part of a protest and there is a substantial risk that further protestors (whose identity is currently unknown) will trespass upon the Claimant's Campus in order to participate in such a protest.

4. Have you attached a draft of the order you are applying for?

☒ Yes

☐ No

5. How do you want to have this application dealt with?

☒ at a hearing

☐ without a hearing

☐ at a telephone hearing

6. How long do you think the hearing will last?

☐ Hours

Minutes

Is this time estimate agreed by all parties?

☐ Yes

☒ No

7. Give details of any fixed trial date or period

N/A

8. What level of Judge does your hearing need?

Judge

9. Who should be served with this application?

N/A

10. What information will you be relying on, in support of your application?

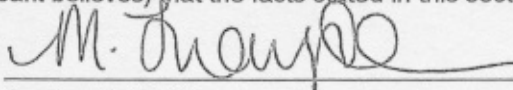
- ☒ the attached witness statement
☐ the statement of case
☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.

Statement of Truth

(The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed



Dated

25/3/13

Applicant's Solicitor

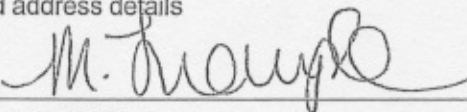
Full name Melissa Elizabeth Thompson

Name of applicant's solicitor's firm Pinsent Masons LLP

Position or office held Senior Associate
(if signing on behalf of firm or company)

11. Signature and address details

Signed

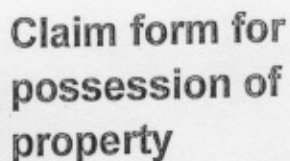


Dated

25/3/13

Applicant's Solicitor

Position or office held Senior Associate
(if signing on behalf of firm or company)



Chancery Division

Claim No.

BN1 9RH

Laserform International 8/05

Claim No.	
-----------	--

The claim for possession is made on the following ground(s):

- Anti-social behaviour**
The claimant is alleging:

- Is the claimant claiming demotion of tenancy?

Is the claimant claiming an order suspending the right to buy?

See full details in the attached particulars of claim

Does, or will, the claim include any issues under the Human Rights Act 1998?

☐ Yes ☒ No

Statement of Truth
~~XXXXXX~~ (The claimant believes) that the facts stated in this claim form are true.
 *I am duly authorised by the claimant to sign this statement.

*I am duly authorised by the claimant to sign this statement.

signed M. Mungai date 25 March 2013

signed Ch. Miller date 20 Mar 2001

*delete as appropriate

Full name Melissa Elizabeth Thompson

Name of claimant's solicitor's firm Pinsent Masons LLP

Position or office held Senior Associate
(if signing on behalf of firm or company)

Pinsent Masons LLP
30 Crown Place
London

Postcode EC2A 4ES

if applicable

Ref. no.	MT04/506745.07285/44471975.1
----------	------------------------------

fax no.	020 7418 7050
---------	---------------

Dx no.	157620 Broadgate 3
--------	--------------------

e-mail

Tel. no.	020 7418 7050
----------	---------------

**Particulars of claim
for possession**
(trespassers)

In the High Court Of Justice

Claim No. _____

Chancery Division

University of Sussex

Ref: MT04/506745.07285/44472012.1

Claimant _____

Persons (including students of the University of Sussex)
entering or remaining upon the campus and buildings of
the University of Sussex for the purpose of protest action
(without the consent of the University of Sussex)

Defendant(s) _____

1. The claimant has a right to possession of:

The campus and buildings of the University of Sussex
Falmer Hill
Falmer
Brighton
BN1 9RH
("the Campus")

which is occupied by the defendant(s) who entered or ~~XXX~~ (have) remained on the land without the claimant's consent or licence.

2. The defendant(s) ~~XXX~~ (have) never been a tenant or sub-tenant of the land.

3. The land mentioned at paragraph 1 does (not) include residential property.

4. The claimant's interest in the land (or the basis of the claimant's right to claim possession) is
Give details:

The Claimant is the registered leasehold proprietor of the Campus which is registered at HM Land Registry under title no. SX110974 and SX110975 and shown edged red on the attached plan.

5. The circumstances in which the land has been occupied are

Give details:

Please refer to the Witness Statement of John Leo Duffy dated 25 March 2013.

position or office held Senior Associate
(if signing on behalf of firm or company)