

IN THE HIGH COURT OF JUSTICE

Claim No: [HQ04K00862

QUEEN'S BENCH DIVISION

Before: Honourable Mr Justice Holland

BETWEEN

- (1) THE BOC GROUP PLC
- (2) WARREN ROCKETT for and on behalf of the Employees of the First Claimant and its subsidiaries and the Protected Persons pursuant to CPR 19.6
- (3) BOC LIMITED
- (4) GIST LIMITED
- (5) THE BRITISH OXYGEN COMPANY LIMITED

Proposed Claimants

-and-

- (1) STOP HUNTINGDON ANIMAL CRUELTY (SHAC) (for and on behalf of its members and all protestors conducting activities against the Claimants pursuant to CPR. Part 19.6)
- (2) ANIMAL LIBERATION FRONT
- (3) ANIMAL RIGHTS MILITIA
- (4) GREG AVERY
- (5) NATASHA AVERY (aka Dellamagne)
- (6) HEATHER JAMES (aka Avery)

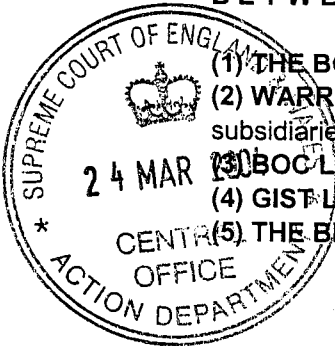
Proposed Defendants

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR HAVE YOUR ASSETS SEIZED OR YOU MAY BE FOUND GUILTY OF A CRIMINAL OFFENCE FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR HAVE THEIR ASSETS SEIZED OR YOU MAY BE FOUND GUILTY OF A CRIMINAL OFFENCE FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH



IMPORTANT NOTICE TO THE DEFENDANTS

1. This Order prohibits you from doing, and obliges you to do, the acts respectively set out in this Order. You should read it carefully. You are advised to consult a solicitor as soon as possible.
2. If you disobey this Order you may be found guilty of Contempt of Court and may be sent to prison or fined and/or your assets may be seized or you may be found guilty of a criminal offence for which you may be imprisoned or fined or both.

The Court heard the application and read the Witness Statements listed in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this Order.

Definitions

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

1. That the Second Claimant, Warren Rockett, do represent the interests of all the First Claimant's and its subsidiaries', employees and all Protected Persons pursuant to Civil Procedure Rules 1998 (CPR) 19.6.
2. In this Order, "harass" has the same meaning as in the Protection from Harassment Act 1997 and references to "he", "him" or "his" shall be taken as meaning "she", "her" or "hers" where appropriate.
3. In this Order "Exclusion Zone" shall mean any area within 100 yards of the boundaries of land or premises identified in Schedule 3 to this Order.
4. In this Order "Protestor" or "Protestors" shall mean:
 - 4.1 the Defendants whether by themselves their servants or agents or otherwise; and
 - 4.2 any other person who is acting in concert with any of the named Defendants to do any act prohibited by this Order and who has notice of the terms of this Order whether by himself, his servants or agents or otherwise; and
 - 4.3 any other person who has been given notice in writing of the terms of this Order whether by himself, his servants, agents or otherwise.
5. In this Order "Protected Persons" shall mean the Claimants, the First Claimant's and its subsidiaries' employees, the families, servants or agents of the First Claimant's and its subsidiaries, employees, and any person seeking to visit the Claimants' premises (as defined in this Order) or any premises referred to in this Order, or any premises or home belonging to or occupied by any of the Protected Persons.

The Order

IT IS ORDERED THAT:-

1. Until the conclusion of the hearing on the 5th April 2004 ("the Return Date") or further order of the court the Protesters shall be restrained from entering onto or

remaining on the land or premises of the Claimants identified in Schedule 3 to this Order.

2. Until the conclusion of the hearing on the Return Date or further order of the court the Protestors be restrained from pursuing a course of conduct which amounts to harassment of Protected Persons contrary to the Protection from Harassment Act 1997.
3. In particular until the conclusion of the hearing on the Return Date or further order of the court the the Protestors be restrained under the terms of the Protection from Harassment Act 1997, from:
 - 3.1.1 assaulting, molesting, harassing, threatening, pestering or otherwise interfering with Protected Persons by doing acts which cause harassment, intimidation or harm whether directly or indirectly to Protected Persons by any means whatsoever including:
 - (a) photographing Protected Persons or their vehicles, which activities are prohibited in their entirety;
 - (b) using any instruments whatsoever which may or may not be designed for the making of artificial or musical noise.
 - 3.1.2 making any direct abusive or threatening communication whether in writing, by facsimile or otherwise or orally whether by telephone or electronic transfers (e-mail) or otherwise however to Protected Persons save that the Protestors may communicate through their solicitors.
 - 3.1.3 save as permitted in paragraph 3.1.4 below, coming within or remaining within any Exclusion Zone.
 - 3.1.4 conducting any demonstration, or protest, or other activities within an Exclusion Zone save that demonstrations may be conducted once every 7 days at the Guildford site (The Priestley Centre, Surrey Research Park, Guildford, Surrey GU2 7XY) on the following terms namely:
 - (a) that the number of Protestors present at such demonstrations shall not exceed 6 individuals;
 - (b) that the maximum duration for such protest/demonstration shall not exceed 2 hours and shall not take place outside the period 10.00 am to 4.00 pm;
 - (c) demonstrations may only occur in designated areas marked with hatching and circled on the plan attached at Schedule 4 hereto;
 - (d) the Protestors may breach the Exclusion Zone for the sole purpose of gaining access to the said designated areas provided that the Protestors fully comply with the terms of this sub-paragraph;
 - (e) the Protestors shall not drive or park any vehicles within half a mile of the Claimants' premises;

- (f) it is a condition precedent to the application of the proviso to this sub-paragraph permitting demonstrations that the Protestors shall have first notified the Divisional Commander at Guildford in the case of demonstrations at The Priestley Centre, Surrey Research Park, Guildford, Surrey GU2 7XY site aforesaid.
- 3.1.5 publishing names, addresses, telephone numbers, fax numbers, electronic-mail addresses, car or other vehicle registration numbers or any other material designed to make Protected Persons known to any Protestor or other person.
- 3.1.6 publishing and delivering by website, e-mail or in any form whatsoever any material, whether defamatory or otherwise, identifying any Protected Person, or concerning or describing any activities perpetrated by any Protestors against any Protected Person.
- 3.1.7 inciting, compelling or otherwise seeking to persuade any Protected Person against their will from:
 - (a) doing something that he is entitled or required to do; or
 - (b) doing something that he is not under any obligation to do.

IT IS FURTHER ORDERED THAT:

- 4. The Claimants have permission to enforce the Order herein as against members of SHAC and the Protestors, as defined in this Order pursuant to CPR 19.6(4)(b) and to the Protection from Harassment Act 1997.
- 5. The First Defendant is ordered:
 - 5.1 forthwith to post a copy of this Order on its website www.shac.net and/or on any other website it publishes, and/or on any website it may in future publish, and to maintain a copy of this Order on such websites until the conclusion of the hearing on the Return Date;
 - 5.2 to take all steps necessary to bring the same to the attention of its members or to the protestors referred to in this order.
- 6. The Second Defendant is ordered:
 - 6.1 Forthwith to post a copy of this Order on its websites www.animalliberation.net, www.alfsup.org.uk, www.animalliberationfront.com, www.animal-liberation.com and/or on any other website it publishes, and/or on any website it may in future publish, and until the conclusion of the hearing on the Return Date or further order of the court to maintain a copy of this Order on such websites;
 - 6.2 to take all steps necessary to bring the same to the attention of its members or to the protestors referred to in this order.
- 6.3 The Third Defendant is ordered:
 - 6.4 forthwith to post a copy of this Order on its websites www.animalliberation.net, www.animalliberationfront.com, www.animal-liberation.com and/or or any other website it publishes, and/or on any website it may in future publish and until the

conclusion of the hearing on the Return Date or further order of the court to maintain a copy of this Order on such websites;

6.5 to take all steps necessary to bring the same to the attention of its members or to the protestors referred to in this order.

7. There service of this Order and of the Claim Form and Application Notice herein by any of the following alternative methods:

7.1 On the First Defendant by sending the same to the First Defendant at info@shac.net, or sending the same by facsimile to 0845 458 0630.

7.2 On the Fourth, Fifth and Sixth Defendants by sending the same to SHAC at info@shac.net or sending the same by facsimile to 0845 458 0630 or by first class post at 6 Boat Lane, Evesham, Worcs W11 4BP with a request that it be forwarded to the aforesaid Defendants.

and on all Defendants by the following methods:

7.3 By exhibiting the same on posts around the Boundaries of the Exclusion Zones.

7.4 By posting a copy of the same on the First Defendant's website www.shac.net, pursuant to the terms of paragraph 5 of this Order.

7.5 By posting a copy of the same on the Second Defendant's website www.alfsup.org.uk, pursuant to the terms of paragraph 6 of this Order

8. Liberty to the Claimants to apply on notice to extend the Exclusion Zones referred to in this Order.

9. That the Defendants and any party affected by this Order may apply to the Court at any time to vary or discharge this Order but if they wish to do so they must first inform the Claimants solicitors in writing at least 24 hours beforehand.

10. Costs be reserved.

GUIDANCE NOTES

The Effect of this Order

1. A Defendant or a Protestor 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 instruction or his encouragement.
2. A Defendant or a Protestor 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 in any other way.

Variation of Discharge of this Order

The Defendant (or anyone 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 anyone wishing to do so must first inform the Claimants legal representatives, in writing at least 24 hours beforehand.

Interpretation of this Order

1. In this Order, where there is more than one Defendant (unless otherwise stated) references to "the Defendant" means both or all of them.
2. 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.
3. An Order requiring "the Defendant" to do or not to do anything applies to all Defendants.

SCHEDULE 1

Evidence

The Court read the Witness Statements of:

1. Warren Rockett
2. Superintendent Pearl

before making this order.

SCHEDULE 2

Undertakings given to the court by the Claimant

3. If the Court later finds that this Order has caused loss to the Defendants or any of them and decides that the Defendants or any of them should be compensated for that loss, the Claimants will comply with any order the Court may make.
4. As soon as practicable the Claimants will issue and serve a claim form claiming the appropriate relief.
5. The Claimants will cause statement of Superintendent Pearl to be signed and filed substantially in the terms of the draft statement produced to the court.
6. The Claimants will serve on the Defendants as soon as practicable:
 - 6.1 Copies of the statements and exhibits containing the evidence relied upon by the Claimants and any other documents provided to the court on the making of the application.
 - 6.2 The claim form;
 - 6.3 An application notice for continuation of the order.

Dated this 23rd day of March 2004.

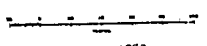
SCHEDULE 3

PROPERTY ADDRESS	REGISTERED OWNER	PROPERTY
Chertsey Road Windlesham Surrey GU20 6HJ	The BOC Group Plc	The Freehold land shown and edged with red on the plan and registered at HM Land Registry under title number SY518348
The Priestley Centre Surrey Research Park Guildford Surrey GU2 7XY	BOC Limited	The leasehold land shown edged red on the plan and registered at HM Land Registry under title number SY543999.
Fleming Way Crawley RH10 2NH	BOC Limited	The Freehold land shown edged with red on the plan and registered at HM Land Registry under title number WSX226199
Manor Royal Crawley West Sussex RH10 2LW	BOC Limited	The Freehold Land shown edged with red on the plan and registered at HM Land Registry under title number WSX96086.
Vicarage Farm Road Peterborough PE1 5TP	BOC Limited	The Freehold land shown edged with red on the plan of the above title filed registered at HM Land Registry under title number CB66951.
Priestley Road Worsley M28 2UT	BOC Limited	The Leasehold Land more particularly delineated on the plan marked A annexed to this Lease and thereon edged in red
Hadleigh Road Ipswich IP2 OEX	BOC Limited	The Freehold Land shown edged red on the plan and registered at HM Land Registry under Title number SK52281
Land and Buildings on the North East and South West side of Chinnor Road, Thame, Oxon OX9 3NX	BOC Limited	The Freehold Land shown edged with red on the plan and registered at HM Land Registry under Title Number ON150609
Land on the North East Side of Chinnor Road, Thame, Oxon, OX9 3NX	The British Oxygen Company Limited	The Freehold Land shown edged red on the plan and registered at HM Land Registry under Title No ON32248
Lower Walsall Street	BOC Limited	The Freehold Land shown edged with red on the plan and registered at HM Land

Wolverhampton WV1 2EP		Registry under Title Number WM769 643
20 Burrell Way Thetford IP24 6RW	BOC Limited	The Freehold Land shown edged with red on the plan and registered at HM Land Registry under Title No NK97270
First Floor, Suite A Second Floor, Suite B Second Floor Rosewood Crockford Lane Chineham Business Park Hampshire RG24 8UB	Gist Limited	The Leasehold Land demised in three separate leases dated 12 April 2002 shown edged red on the plans attached to the Leases together with car parking spaces shown on the plans

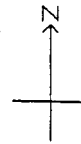


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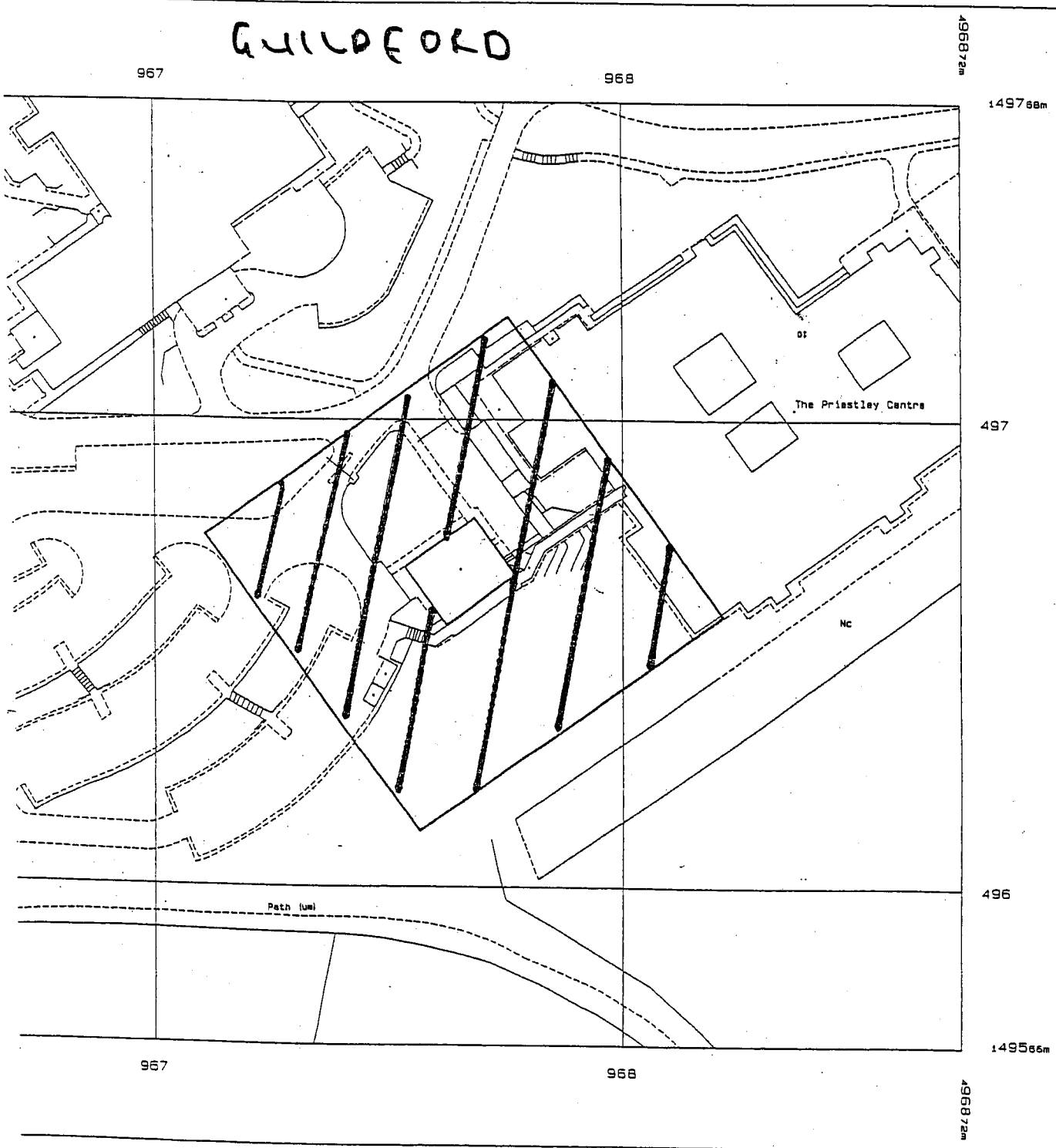


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Notes on the map: The Ordnance Survey map is a reproduction of the original map. It is not a substitute for the original map. The map is a reproduction of the original map. It is not a substitute for the original map.

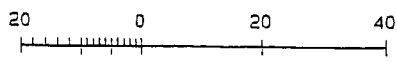


Option 1
Site-centred



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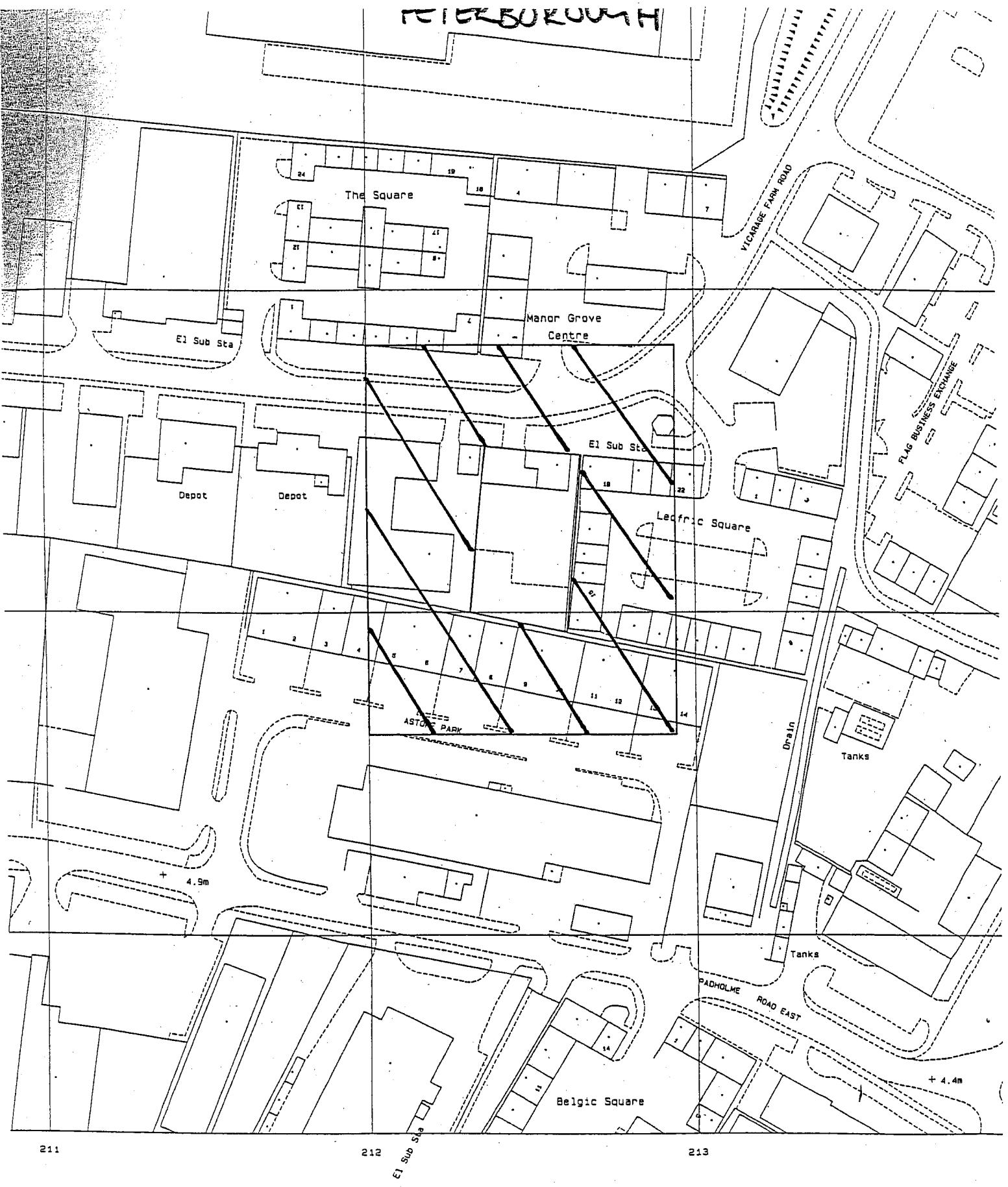
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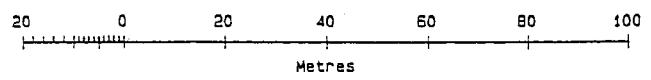
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Wardley Industrial Estate

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Processing Point

Wardley Industrial Estate

Wardley Industrial Estate

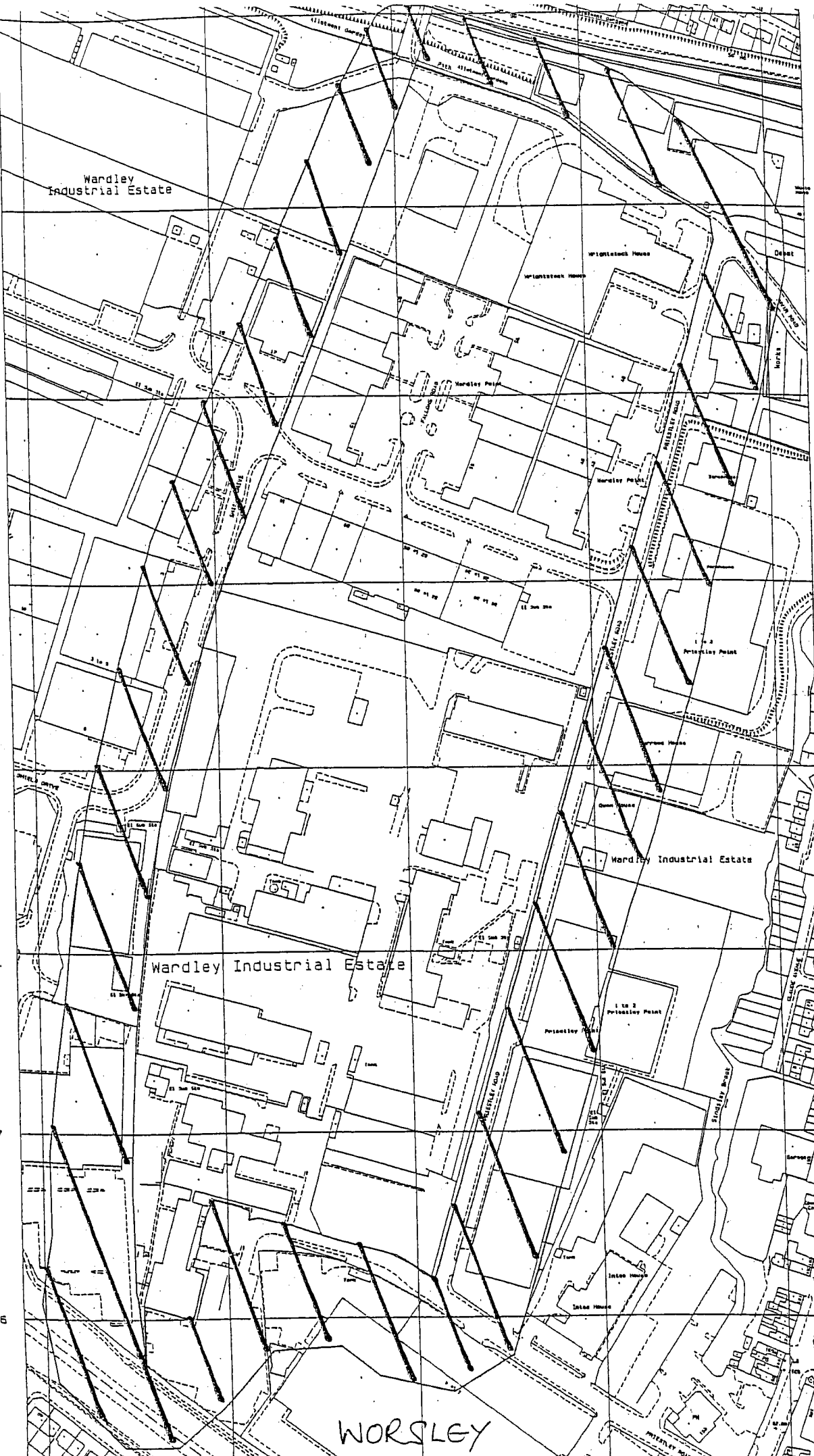
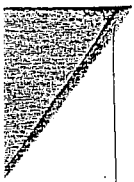
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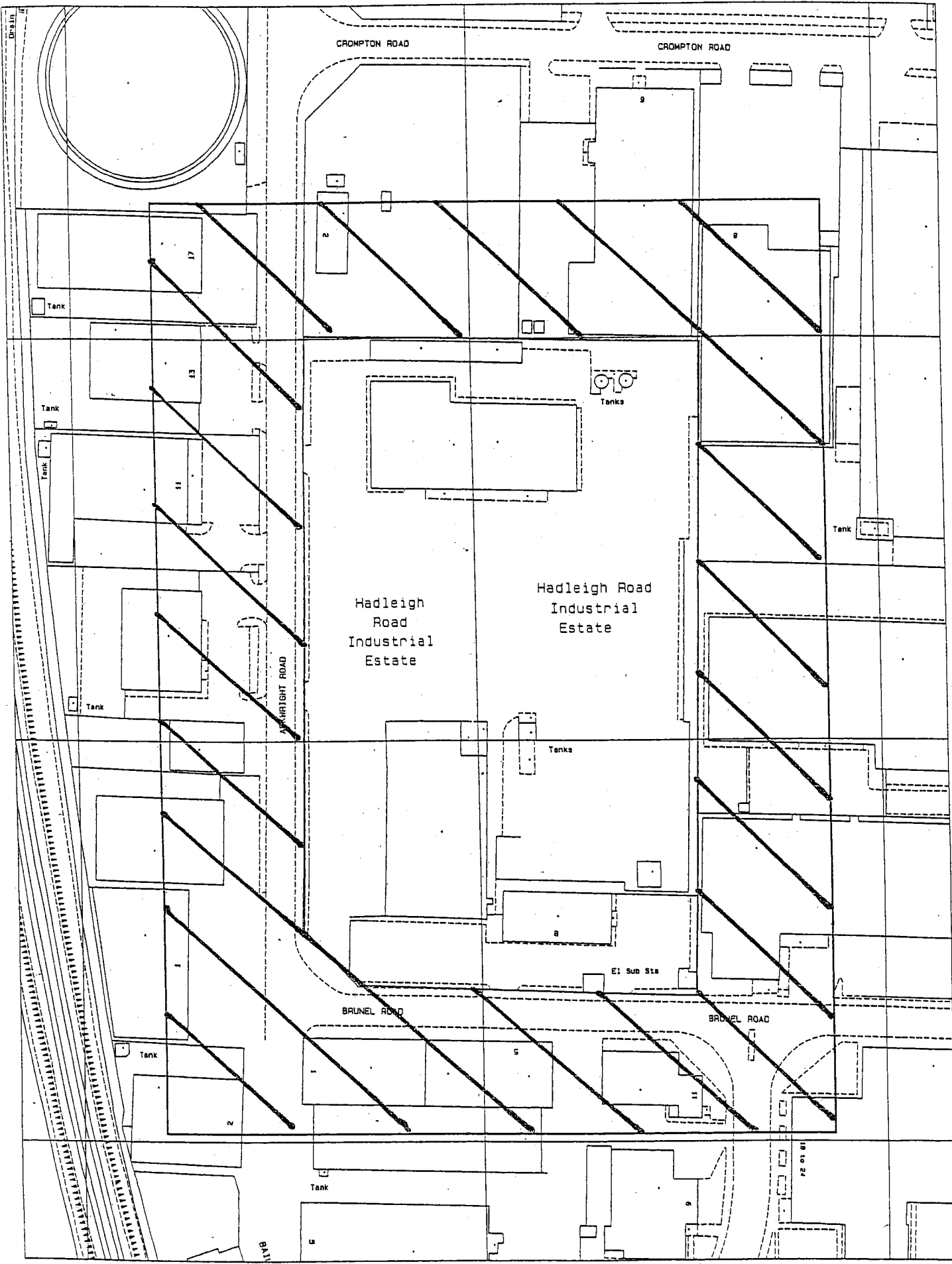
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CROMPTON ROAD

CROMPTON ROAD

Hadleigh Road Industrial Estate

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ASHPIGHT ROAD

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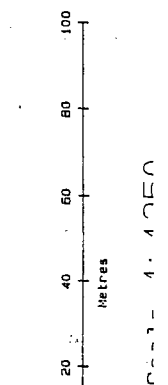
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THAME (NORTH EAST AND SOUTH WEST OF CHINNOR ROAD)

TITLE NO : ON150609



Part or all of this Superplan is enlarged from mapping produced at other marks of the following scales: 1:1250, 1:2500 & 1:10000
 National Grid sheet reference at centre of this Superplan: 507204

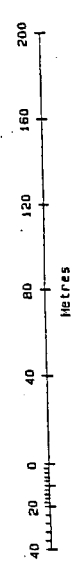
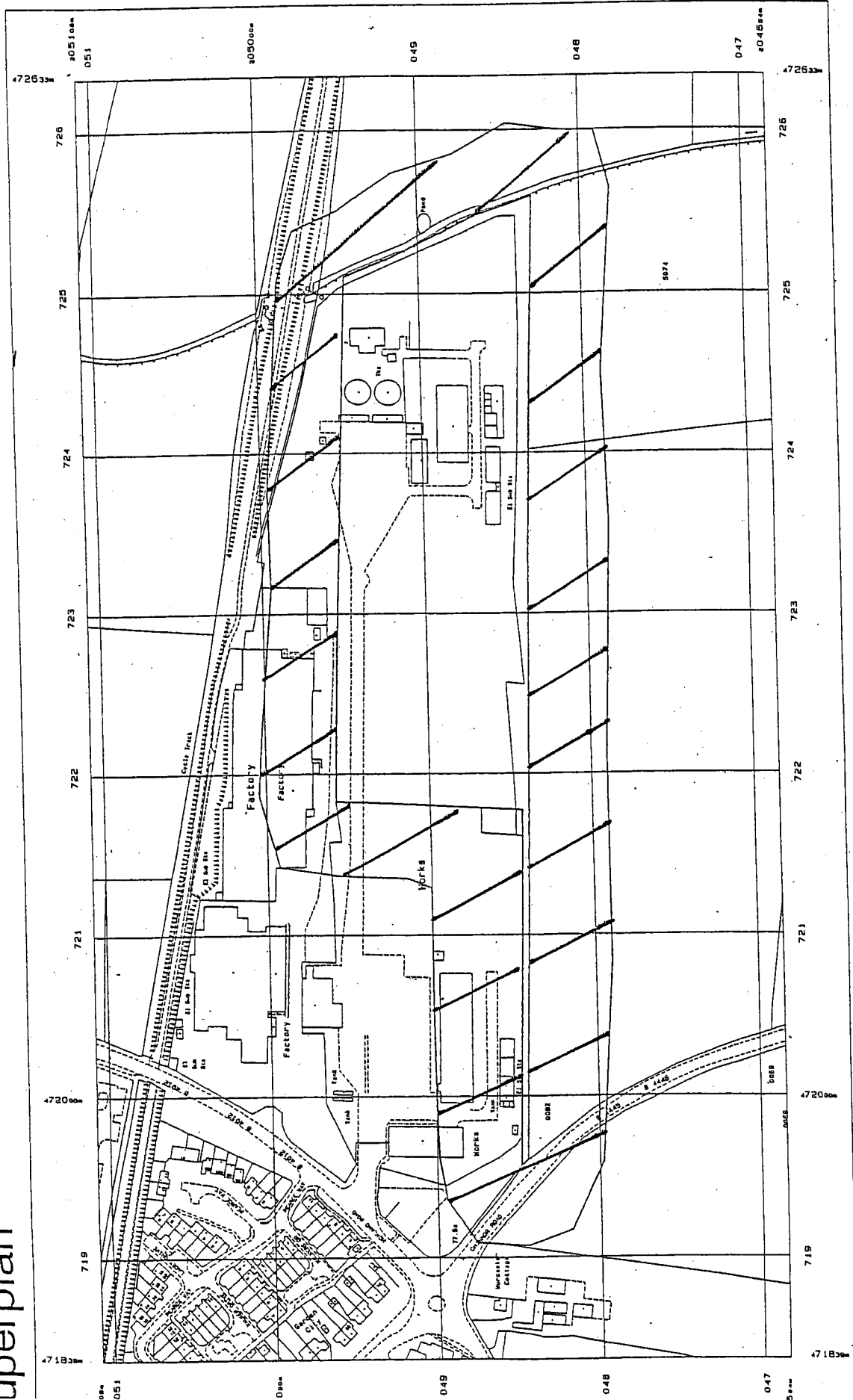


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THAME (NORTH EAST OF CHINNOR ROAD)

TITLE NO: ON32248

Option 1
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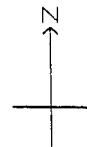
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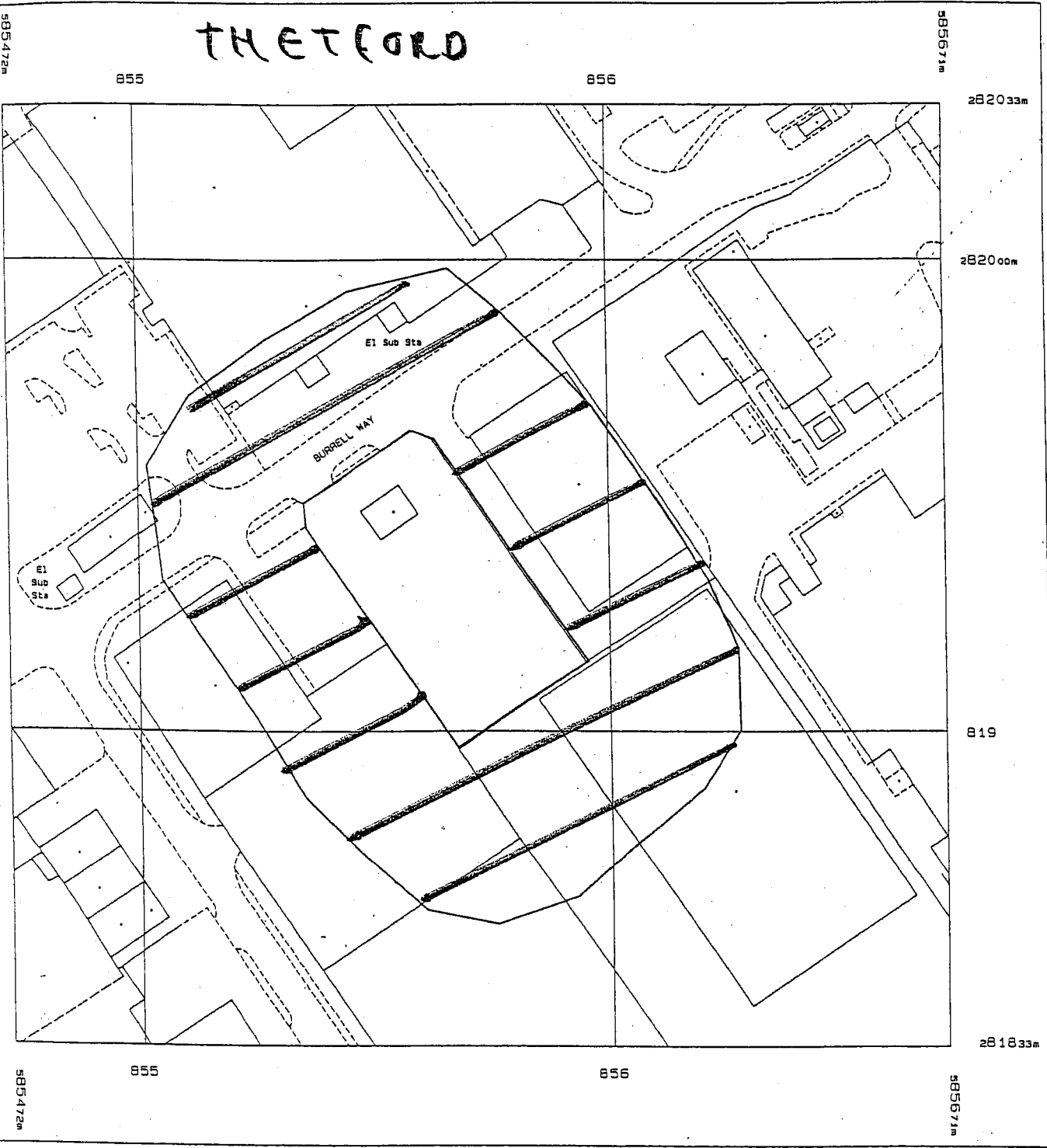
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Option 1
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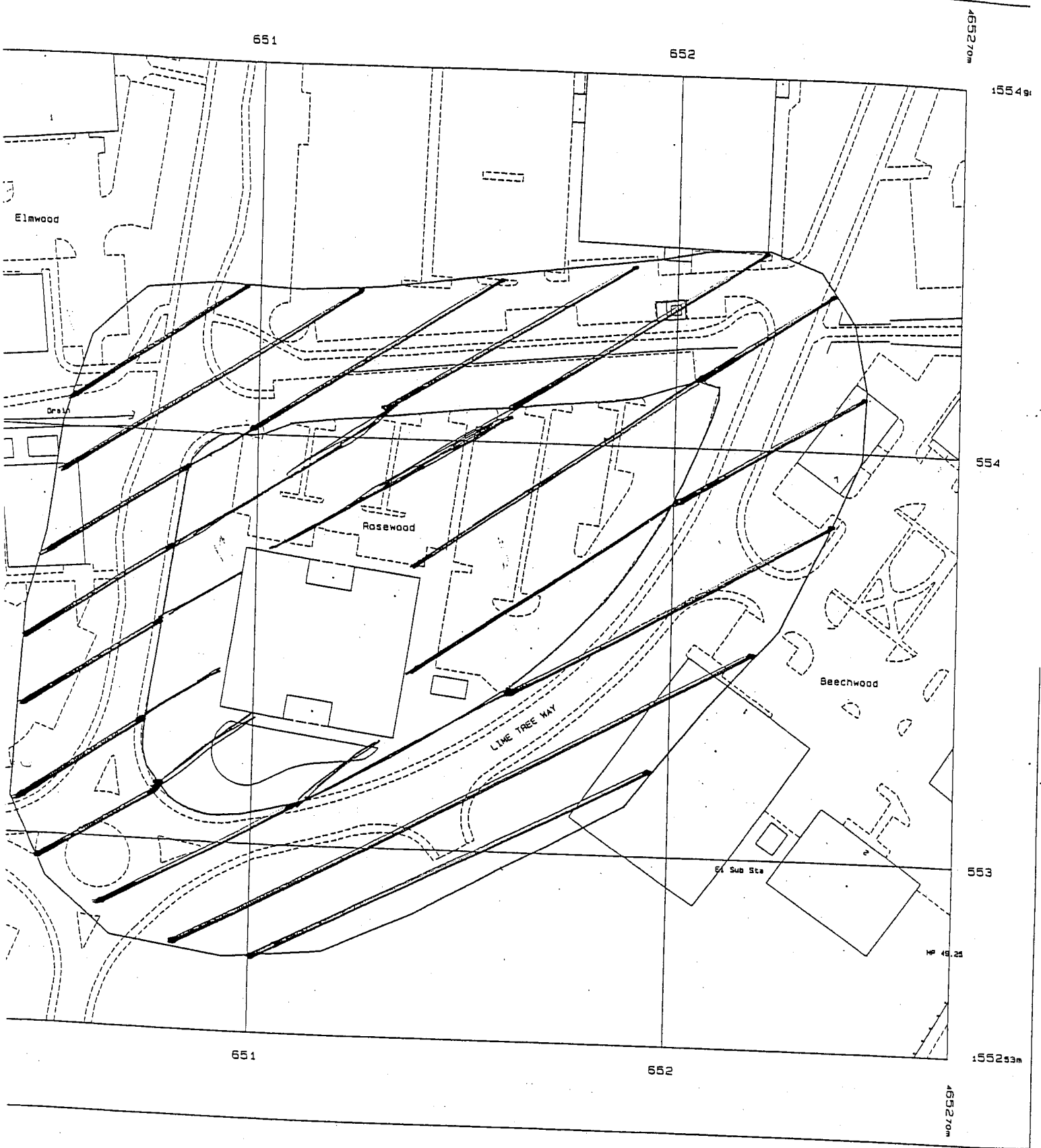
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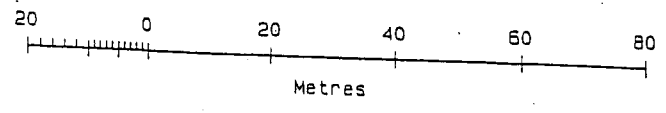
The representation of a road, track or
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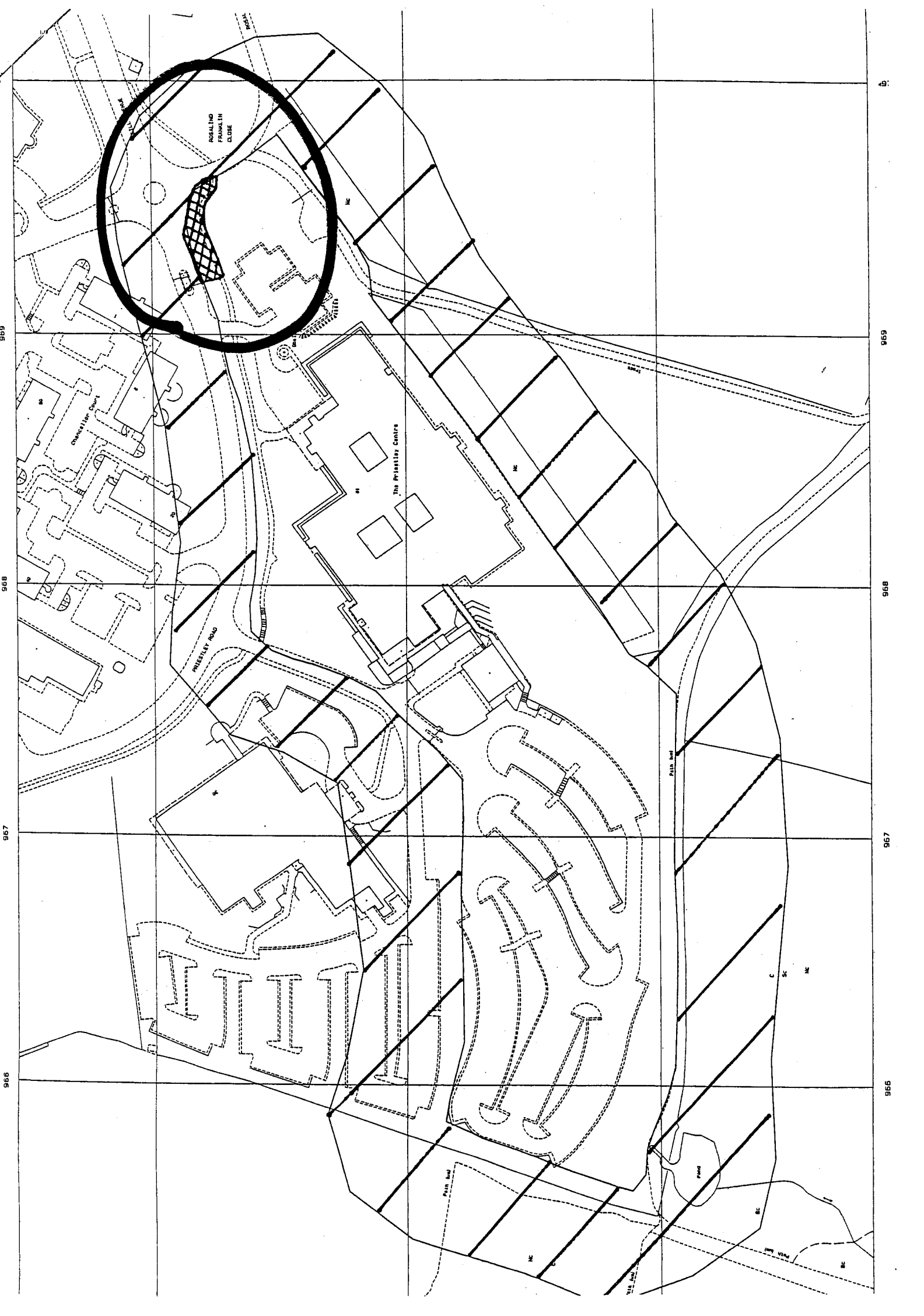
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SCHEDULE 4



Claim No.

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

B E T W E E N

- (1) THE BOC GROUP PLC**
- (2) WARREN ROCKETT** (for and on behalf of the Employees of the First Claimant and the Protected Persons pursuant to CPR 19.6)
- (3) BOC LIMITED**
- (4) GIST LIMITED**
- (5) THE BRITISH OXYGEN COMPANY LIMITED**

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-and-

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- (6) HEATHER JAMES** (aka Avery)

Proposed Defendants

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GU20 6HJ