

IN THE HIGH COURT OF JUSTICE

Case No. HQ04X00803

QUEEN'S BENCH DIVISION

BETWEEN:

(1) JEFF CONWAY

(for and on behalf of the directors and employees of State Street Corporation and all companies the ultimate parent company of which is State Street Corporation ("State Street") other than the directors and employees of the Global Advisors Division of State Street, pursuant to CPR Part 19.6)

(2) NIGEL WIGHTMAN

(for and on behalf of the directors and employees of the Global Advisors Division of State Street pursuant to CPR Part 19.6)

Claimants

-and-

(1) GREG AVERY

(2) NATASHA AVERY

(3) HEATHER JAMES

(4) LYNN SAWYER

(5) STOP HUNTINGDON ANIMAL CRUELTY (SHAC)

(6) ANIMAL LIBERATION FRONT (ALF)

(7) ANIMAL RIGHTS MILITIA (ARM)

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 TO BE 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 ANY OF THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED FINED OR HAVE THEIR ASSETS SEIZED OF MAY BE FOUND GUILTY OF A CRIMINAL OFFENCE FOR WHICH THEY MAY BE IMPRISONED OR FINED OR BOTH

THE ORDER:

1. This is an injunction made against Greg Avery, Natasha Avery, Heather James, Lynn Sawyer, Stop Huntingdon Animal Cruelty (SHAC), the Animal Liberation Front (ALF) and the Animal Rights Militia (ARM) (the “**Defendants**”) on Friday 26 March 2004 by Mr. Justice Newman on the application of Jeff Conway and Nigel Wightman (the “**Claimants**”). The Judge read the witness statements listed in Schedule A and accepted the undertaking set out in Schedule B at the end of this Order.

2. This application was made at a hearing on notice to the Defendants by application notice dated 16 March 2004.
3. The Defendants have the right to apply to vary or discharge this order – see paragraph 24 below. Unless varied or discharged this order will remain in force until after final judgment at the trial of this claim.

INTERPRETATION OF THIS ORDER

4. In this order “**Protected Persons**” means the following persons and all and any of them:

- (1) the Claimants;

- (2) the directors and employees of State Street (the “**Employees**”);

- (3) the families servants and agents of the Employees;

- (4) all persons seeking to visit the business premises of the State Street; and

- (5) all persons seeking to visit any home belonging to or occupied by any of the Employees.

5. In this order the “**State Street**” means:

- (1) State Street Corporation;

- (2) State Street London Limited, State Street Investment Manager Solutions Europe Limited, Switch Nominees Limited, State Street Unit Trust Management Limited, State Street Trustees Limited, and State Street Nominees Limited;
- (3) any other company the ultimate parent company of which is State Street Corporation.

6. In this order “**Protestors**” means:

- (1) the Defendants whether by themselves their servants or agents or otherwise;
 - (2) any person 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 or agents or otherwise; and
 - (3) any other person who has been given notice in writing of the terms of this Order whether by himself his servants or agents or otherwise.
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7. In this order “**Exclusion Zones**” means the areas coloured pink and coloured blue on the plans attached to this Order.

8. In this order “**harass**” has the same meaning as in the Protection from Harassment Act 1997 and “**harassing**” and “**harassment**” have corresponding meanings.

9. In this order the masculine includes the feminine and neuter where appropriate.

10. In this Order:

- (1) references to “the Defendants” and “the Protestors” mean all or one or more of them; and
- (2) this Order is effective against any of the Defendants upon whom it is served or who is given notice of it;
- (3) a requirement that “the Defendants” or “the Protestors” do or do not do something applies to all them.

11. In this order:

- (1) Defendants or Protestors who are ordered not to do something must not do so themselves or in any other way and in particular must not do so through others acting on their behalf or on their instructions or with their encouragement; and
- (2) Defendants or Protestors who are corporations who are ordered not to do something must not do so by themselves or by their directors, officers or agents or in any other way.

THE INJUNCTION

12. The Protestors be restrained from assaulting, molesting, harassing, threatening, pestering or otherwise engaging in any conduct which is calculated to cause or which they know or ought to know may directly or indirectly cause distress or alarm or

otherwise amount to harassment of the Protected Persons by any means whatsoever including:

- (1) using any sound creating instruments whatsoever (whether or not designed for the making of artificial or musical noise) or any instruments which amplify sound;
- (2) photographing the Protected Persons or their vehicles;
- (3) making any direct, abusive or threatening communication whether in writing or orally (including by fax, telephone and e-mail) or otherwise howsoever to the Protected Persons provided that the Protestors may communicate directly with the State Street Group (but not in an abusive or threatening manner) by the following means:
 - (a) by its solicitors;
 - (b) by letter sent by post to Simon Hacall at State Street Corporation, One

Canada Square, London E14 5AF;
 - (c) by using the following telephone number 020 7416 2628;
 - (d) by using the following e-mail address shacall@statestreet-injunction.info;
 - (e) by fax to the following telephone number 020 7152 2103;

(4) picketing demonstrating or loitering within any of the Exclusion Zones save that demonstrations may be conducted at each of the premises shown on the plans attached to the Order marked A, B, C and D (but not at any other premises) on the following conditions only:

(a) no demonstration at any of the said premises shall take place unless at least 30 days has elapsed since the previous demonstration at such premises;

(b) the number of protestors present at each such demonstration shall not exceed 12;

(c) the maximum duration of each such demonstration shall not exceed 6 hours;

(d) the demonstrators must remain within the areas coloured blue on the said plans and shall not enter the area coloured pink on the said plans save for gaining access to the areas coloured blue;

(e) at least 48 hours before any demonstration takes place at Chineham Business Park, Crockford Lane, Chineham, Basingstoke, Hampshire RG24 8AL the Protestors must notify the Hampshire and Isle of Wight Constabulary in writing addressed to The Duty Inspector, Hampshire and Isle of Wight Constabulary, Basingstoke Police Station, London Road, Basingstoke, Hampshire RG21 4AD of the intended date and time when the demonstration will commence;

- (f) at least 48 hours before any demonstration takes place at One Canada Square, London E14 5AF the Protestors must notify the Metropolitan Police in writing addressed to The Events Office, Metropolitan Police, Limehouse Police Station, 29 West India Dock Road, London E14 8EZ of the intended date and time when the demonstration will commence;
 - (g) at least 48 hours before any demonstration takes place at One Royal Exchange, London EC3V 3LL the Protestors must notify the City of London Police in writing addressed to Sgt M Warner, Operational Planning, City of London Police, 37 Wood Street, London EC2P 2NQ of the intended date and time when the demonstration will commence;
 - (h) at least 48 hours before any demonstration takes place at 21 St James's Square, London SW1Y 4SS the Protestors must notify the Metropolitan Police in writing addressed to The Special Events Office, Metropolitan Police, West End Central Police Station, 27 Saville Row, London W1X 2DU of the intended date and time when the demonstration will commence.
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- (5) knowingly entering the homes or gardens of any of the Protected Persons or picketing, demonstrating or loitering within 100 yards of such homes or gardens;
- (6) knowingly entering the business premises of the State Street Group (save for the purpose of the demonstrations and subject to the conditions mentioned in paragraph 12(4) above);

- (7) publishing or communicating to any person in any manner the names, addresses, telephone numbers, fax numbers, e-mail addresses, vehicle registration numbers or otherwise identifying any of the Protected Persons;
- (8) inciting, compelling or otherwise seeking to persuade the Protected Persons against their will from:
 - (a) doing something that they are entitled to or required to do; or
 - (b) doing something that they are not entitled or not required to do.

SUPPLEMENTARY ORDERS

13. It is ordered that the First Claimant, Jeff Conway, do represent all directors and employees of each company within State Street other than the Global Advisors Division of State Street pursuant to CPR 19.6.
14. It is ordered that the Second Claimant, Nigel Wightman, do represent all directors and employees of the Global Advisors Division of State Street pursuant to CPR 19.6.
15. It is ordered that the Claimants have permission to enforce this Order against the members of Stop Huntingdon Animal Cruelty (SHAC), Animal Liberation Front (ALF), Animal Rights Militia (ARM) and the Protestors pursuant to CPR 19.6(4)(b).

16. Pursuant to CPR 6.8 the Claimants be permitted to effect service of this Order by sending it together with a copy of Jeff Conway's second witness statement by pre-paid ordinary first class post in sealed envelopes as follows:

- (1) on Greg Avery, Natasha Avery and Heather James by letters addressed to them c/o Messrs. Birnberg Pierce, 14 Inverness Street, London NW1;
- (2) on Lynn Sawyer by letters addressed to her at 6 Boat Lane, Evesham, Worcestershire WR11 4BP;
- (3) on Stop Huntingdon Animal Cruelty (SHAC) by a letter addressed to Lynn Sawyer at 6 Boat Lane, Evesham, Worcestershire WR11 4BP;
- (4) on Animal Liberation Front (ALF) and Animal Rights Militia (ARM) by letters addressed to Robin Webb at 25 Portland Terrace, Whaley Thorns, Mansfield, Derbyshire.

~~17. Pursuant to CPR 6.8 the Claimants be permitted to effect service of this Order on the~~
Protestors:

- (1) by exhibiting the same on posts around the boundaries of the Exclusion Zones;
and
- (2) by maintaining a copy of the order on the website www.statestreet-injunction.info.

18. It is ordered that Stop Huntingdon Animal Cruelty (SHAC) do procure that the words set out in Schedule C at the end of this order appear on the home page of www.shac.net together with a hyperlink to www.statestreet-injunction.info;
19. It is ordered that Animal Liberation Front (ALF) do procure that the words set out in Schedule C at the end of this order appear on the home page of www.animalliberation.net together with a hyperlink to www.statestreet-injunction.info.
20. It is ordered that Animal Rights Militia do procure that the words set out in Schedule C at the end of this order appear on the home page of www.animalliberation.net together with a hyperlink to www.statestreet-injunction.info.
21. The Claimants have liberty to apply on notice to extend the Exclusion Zones.
22. The time for service of the Particulars of Claim be extended to 4pm on 29 April 2004.
23. The costs of this application are reserved to the judge hearing the trial.
24. The Defendants and any person served with or 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, Clifford Chance, 10 Upper Bank Street, London E14 5JJ ref: C6373/00018 in writing at least 24 hours beforehand. If any evidence is to be relied upon in support of the application, the substance of it must be communicated in writing to the Claimants' solicitors in advance.

SCHEDULE A

The Court read the following witness statements before making the Order:

First and Second Witness Statements of Jeff Conway

First Witness Statement of Nigel Wightman

First Witness Statement of Superintendent Steve Pearl

SCHEDULE B

Undertakings given to the Court by the Claimants:-

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.

SCHEDULE C

The High Court of England and Wales has made an order prohibiting all harassing activities against State Street Corporation and its subsidiaries. This order protects their directors, their employees and their families and agents both at their workplaces, their homes and elsewhere. We ask all activists strictly to comply with this order. [Click here to see the full terms of the order.](#)



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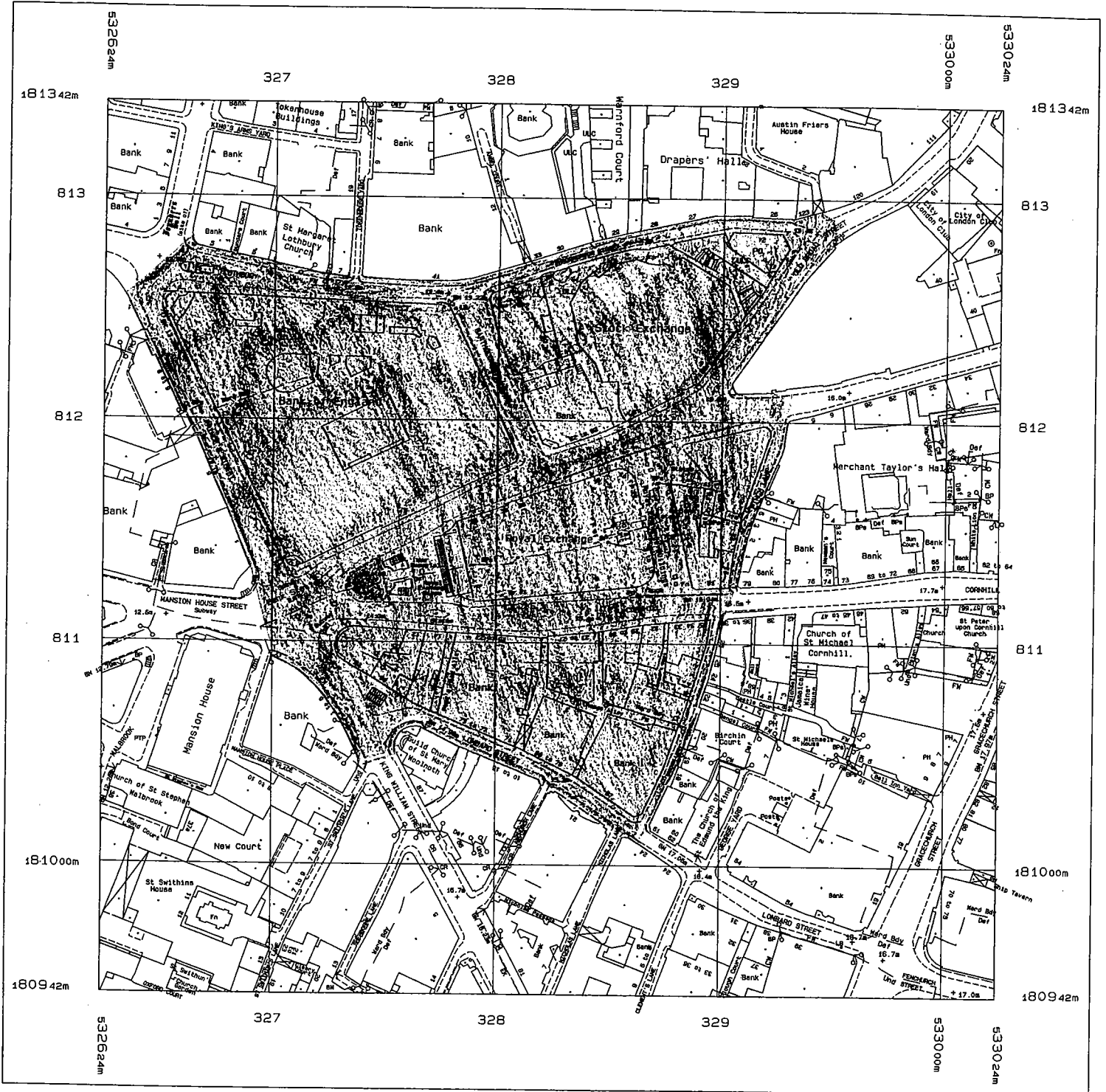
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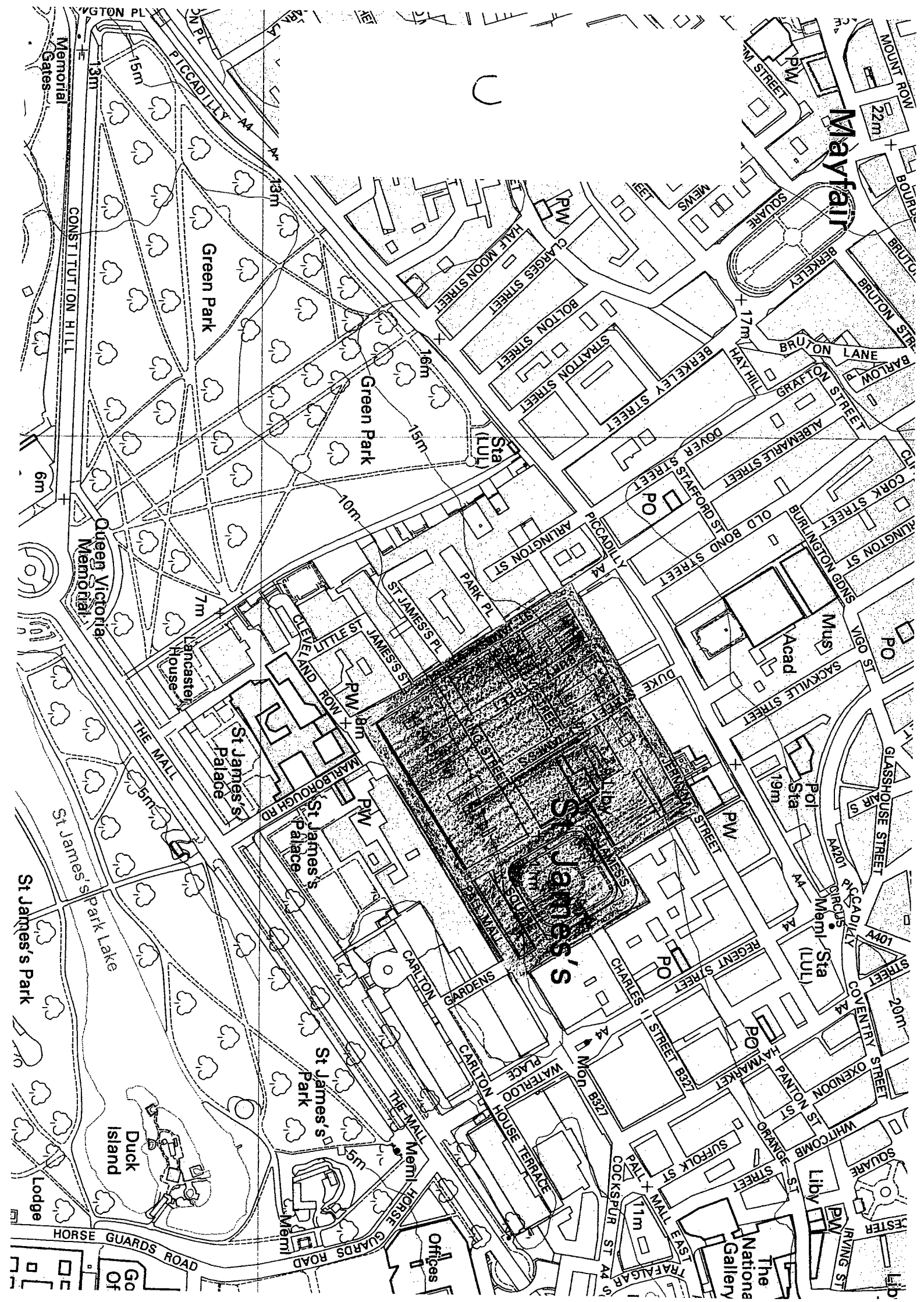
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Mayfair

Green Park

Green Park

Queen Victoria Memorial

St James's Palace

St James's Palace

St James's

St James's Park

Duck Island

St James's Park

The National Gallery

Offices

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QUEEN'S BENCH DIVISION
ROYAL COURTS OF JUSTICE

Claim No: HQ04X00803

B E T W E E N:

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Claimants

-and-

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(SHAC)

(2) GREG AVERY

(3) NATASHA AVERY

(4) HEATHER JAMES

(5) LYNN SAWYER

(6) THE ANIMAL LIBERATION FRONT (ALF)

(7) THE ANIMAL RIGHTS MILITIA (ARM)

Defendants

ORDER

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