

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**MEDIA AND COMMUNICATIONS LIST**

**BEFORE THE HON MR JUSTICE MURRAY**

**26 MAY 2022**

**B E T W E E N :-**

**(1) GJE**

**(2) FJV**

**Applicants/Claimants**

**-and-**

**SLE**

**Respondent/Defendant**

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**ORDER**

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**PENAL NOTICE**

IF YOU, THE DEFENDANT, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR HAVE YOUR ASSETS SEIZED.

ANY PERSON WHO KNOWS OF THIS ORDER AND DISOBEYS THIS ORDER OR DOES ANYTHING WHICH HELPS OR PERMITS ANY PERSON TO WHOM THIS ORDER APPLIES TO BREACH THE TERMS OF THIS ORDER MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

**Notice to Anyone who Knows of this Order**

You should read the terms of the Order and Practice Guidance (Interim Non-disclosure Orders) [2012] 1 WLR 1003 very carefully. You are advised to consult a solicitor as soon as possible. This Order prohibits you from doing the acts set out in paragraphs 6 and 9 of the Order and obliges you to do the acts set out in paragraphs 7 and 8 of the Order. You have the right to ask the Court to vary or discharge the Order. If you disobey this Order you may be found guilty of contempt of court and you may be sent to prison or fined or your assets may be seized.

UPON the Claimants through counsel giving the undertakings set out in Schedule A

### **This order**

1. This is an Injunction, with other orders as set out below, made against the Defendant on 26 May 2022 by the Judge identified above (“the Judge”) on the application (“the Application”) of the Claimants. The Judge:
  - a) read the witness statement referred to in Confidential Schedule 1 at the end of this Order;
  - b) accepted the undertakings set out in Schedule A at the end of this Order; and
  - c) considered the provisions of the Human Rights Act 1998 (“HRA”), section 12.
2. This Order was made at a hearing without notice to those affected by it, the Court having considered section 12(2) HRA and being satisfied that there are compelling reasons for notice not being given, namely that were the Defendant to be notified of the Application, he might take steps to defeat the Order’s purpose. The Defendant (and anyone served with or notified of this Order) has a right to apply to the Court to vary or discharge the Order (or so much of it as affects them): see paragraph 16 below. **This matter shall be listed for further consideration on 16 June 2022 (“the Return Date”) with a time estimate of 2 hours.**

### **Anonymity**

3. Pursuant to section 6, HRA, and/or CPR r 39.2 the Judge, being satisfied that it is strictly necessary, ordered that:
  - a) the Claimants be permitted to issue these proceedings naming the Claimants, who are identified in Confidential Schedule 3, as GJE and FJV, respectively, and giving an address c/o the Claimants’ solicitors;
  - b) the Claimants be permitted to issue these proceedings naming the Defendant, who is identified at Confidential Schedule 3, as SLE and giving an address c/o the Claimants’ solicitors;
  - c) there be substituted for all purposes in these proceedings in place of references to the Claimants by name, and whether orally or in writing, references to the letters GJE and FJV; and
  - d) there be substituted for all purposes in these proceedings in place of references to the Defendant by name, and whether orally or in writing, references to the letters SLE.

### **Access to Documents**

4. Upon the Judge being satisfied that it is strictly necessary:
  - a) (i) no copies of the statements of case; and (ii) no copies of the Confidential Witness Statement of the Claimants or the Confidential Exhibits thereto, and the Application, will be provided to a non-party without further order of the Court;
  - b) any non-party other than a person notified or served with this Order seeking access to, or copies of the abovementioned documents, must make an application to the Court, proper notice of which must be given to the other parties.

## **Service of claim form and related matters**

### **5.**

- a) This Order and the documents which were before the Court on the Application:
  - i) should be served as soon as reasonably practicable and in any event by 6 pm on Friday, 27 May 2022, save that there shall be liberty for the Claimants to apply to the Court in the event that an extension is necessary; and
  - ii) may be served by email to the defendant's email address set out in Confidential Schedule 4; and
  - iii) are permitted to be served by alternative method, namely by means of text messages and/or WhatsApp to the Defendant's mobile phone and email addresses set out in Confidential Schedule 4, pursuant to CPR 6.15 and 6.27.
- b) The Claimants' address shall be retained on a document in a confidential document on the Court file and no copy of that document will be provided to a party or non-party without further order of the Court.

## **Injunction**

### **6.** Until the Return Date on **16 June 2022** or further Order of the Court, the Defendant must not:

- a) contact or communicate by any means with the Claimants, or any member of their families, including but not limited to FJV's wife and GJE's long- time partner, or their friends, acquaintances or business associates, by WhatsApp, email, telephone, social media or otherwise howsoever, or make, or cause any other person to make, demands for money of the Claimants, or otherwise pursue a course of conduct which amounts to harassment of the Claimants contrary to the Protection from Harassment Act 1997, except that nothing in this Order prevents the Defendant from contacting the Claimants' solicitors;
- b) use, publish or communicate or disclose to any other person (other than (i) by way of disclosure to legal advisers instructed in relation to these proceedings ("the Defendant's legal advisers") for the purpose of obtaining legal advice in relation to these proceedings or (ii) for the purpose of carrying this Order into effect) all or any part of the information referred to in Confidential Schedule 2 to this Order ("the Information");
- c) publish any information which is liable to or might identify the Claimants as parties to the proceedings and/or as the subject of the Information or which otherwise contains material (including but not limited to the profession, business interests, or age of the Claimants) which is liable to, or might lead to, the Claimants' identification in any such respect, provided that nothing in this Order shall prevent the publication, disclosure or communication of any information which is contained in this Order other than in the Confidential

Schedules or in any public judgments of the Court.

**Information to be Disclosed**

7. The Defendant shall within 7 days of service of this Order disclose to the Claimants' solicitors the following:

Details of disclosure of the Information

- (a) the identity of each and every third party to whom the Defendant has disclosed all or any part of the Information;
- (b) the date upon which such disclosure took place and the nature of the information disclosed; and

Copies of the Information

- (c) full copies of the images and videos referred to at paragraph 3 of Confidential Schedule 2.

8. The Defendant shall confirm the information supplied in paragraph 7 above, if any, in a witness statement containing a statement of truth within seven days of complying with paragraph 7, and serve the same on the Claimants' solicitors.

**Protection of Hearing Papers**

9. The Defendant must not publish or communicate or disclose or copy or cause to be published or communicated or disclosed or copied any unredacted copy of the Claimants' Witness Statement and any confidential exhibits thereto and information contained therein that are made, or may subsequently be made, in support of the Application or the Claimants' solicitors' notes of the hearing of the Application ("the Hearing Papers"), provided that the Defendant shall be permitted to copy, disclose and deliver the Hearing Papers to the Defendant's legal advisers for the purpose of these proceedings.

10. The Hearing Papers must be preserved in a secure place by the Defendant's legal advisers on the Defendant's behalf.

11. The Defendant shall be permitted to use the Hearing Papers for the purpose of these proceedings provided that the Defendant's legal advisers shall first inform anyone, to whom the said documents are disclosed, of the terms of this Order and, so far as is practicable, obtain their written confirmation that they understand and accept that they are bound by the same.

**Provision of Documents and Information to Third Parties**

12. The Claimants shall be required to provide the legal advisers of any third party, where unrepresented, the third party, served with advance notice of the application, or a copy of this Order promptly upon request, and receipt of their written irrevocable undertaking to the Court to use those documents and the information contained in those documents only for the purpose of these proceedings:

- a) a copy of any material read by the Judge, including material read after the hearing at the direction of the Judge or in compliance with this Order save for the witness statements referred to in Confidential Schedule 1 at the end of this Order; and/or
- b) a copy of the Hearing Papers.

### **Hearing in Private**

13. The Judge considered that it was strictly necessary, pursuant to CPR r 39.2(3)(a),(c),(e), and (g), to order that the hearing of the Application be in private and there shall be no reporting of the same.

### **Public Domain**

14. For the avoidance of doubt, nothing in this Order shall prevent the Defendant from publishing, communicating or disclosing such of the Information, or any part thereof, as was already in, or that thereafter comes into, the public domain in England and Wales as a result of publication in the national media (other than as a result of breach of this Order or a breach of confidence or privacy).

### **Costs**

15. The costs of and occasioned by the Application are reserved.

### **Variation or Discharge of this Order**

16. The parties or anyone affected by any of the restrictions in 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 they must first give at least 24 hours' written notice to the Claimants' solicitors. 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. The Defendant may agree with the Claimants' solicitors and any other person who is, or may be bound by this Order, that this Order should be varied or discharged, but any agreement must be in writing.

### **Interpretation of this Order**

17. A Defendant who is an individual who is ordered not to do something must not do it herself or in any other way. She must not do it through others acting on her behalf or on her instructions or with her encouragement.
18. A Defendant which is not an individual which is ordered not to do something must not do it itself or by its directors, officers, partners, employees or agents or in any other way.

### **Persons Outside England and Wales**

19. (1) Except as provided in paragraph (2) below, the terms of this Order do not affect or concern anyone outside the jurisdiction of this Court.
- (2) The terms of this Order will affect the following persons in a country or state outside

the jurisdiction of this Court—

- a) the Defendant or his agent;
- b) any person who— (i) is subject to the jurisdiction of this Court; (ii) has been given written notice of this Order at his residence or place of business within the jurisdiction of this Court; and (iii) is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this Order; and
- c) any other person, only to the extent that this Order is declared enforceable by or is enforced by a court in that country or state.

### **Parties Other than the Claimants and the Defendant**

#### **20. *Effect of this Order***

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.

#### **Name and address of the claimants' legal representatives**

- 21.** The Claimants' solicitors are Cohen Davis Solicitors, of Warlies Park House, Horseshoe Hill, Upshire, Essex, EN9 3SL, email: [helpline@cohendavis.com](mailto:helpline@cohendavis.com), 020 7183 4123.

#### **Communications with the court**

- 22.** All communications to the Court about this Order should be sent to:

Room E03, Royal Courts of Justice, Strand, London, WC2A 2LL, quoting the case number. The telephone number is 020 3936 8957.

The offices are open between 10 am and 4 pm, Monday to Friday.

**Pursuant to CPR 40.7(1) this order takes effect from the time and date on which it was made. This order was made at 18:05 (6.05 PM) on 26 May 2022.**

## **Schedule A**

### *Undertakings given to the court by the Claimants*

- (1) If the Court later finds that this Order has caused loss to the Defendant, and decides that the Defendant should be compensated for that loss, the Claimants will comply with any order the Court may make.
- (2) If the Court later finds that this Order has caused loss to any person or company (other than the Defendant) to whom the Claimants has given notice of this Order, and decides that such person should be compensated for that loss, the Claimants will comply with any Order the Court may make.
- (3) By 4pm on Monday, 6 June 2022 the Claimants will issue an Application Notice for a return date for the continuation of this Order.
- (4) By 4pm on Wednesday, 1 June 2022, the Claimants will serve on the Defendant:
  - (a) the Claim Form; and
  - (b) a note of the hearing before Mr Justice Murray on 26 May 2022.
- (5) By 4pm on Monday, 6 June 2022, the Claimants will serve on the Defendant their Application Notice for the return date.
- (6) On the return date the Claimants will inform the Court of the identity of all third parties that have been notified of this Order. The Claimants will use all reasonable endeavours to keep such third parties informed of the progress of the action insofar as it may affect them, including, but not limited to, advance notice of any applications, the outcome of which may affect the status of the Order.
- (7) If this Order ceases to have effect or is varied, the Claimants will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this Order, or whom they have reasonable grounds for supposing may act upon this Order, that it has ceased to have effect in this form