

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

Claim No.: QB-2018-001614

Master Cook

18th December 2020

BETWEEN

1. SXH
(A protected party suing through her litigation
friend NXA)

- and -

1. East Lancashire Hospitals NHS Trust



ORDER

UPON the Claimant's Application Notice issued on

AND UPON reading the draft order submitted by the Claimant

UPON consideration of the Claimant's Article 8 right to respect for private and family life and the Article 10 right to freedom of expression.

AND UPON IT APPEARING that non-disclosure of the identity of the Claimant is necessary in order to protect the interests of the Claimant.

AND PURSUANT to rule 39.2(4) of the Civil Procedure Rules and Section II of the Contempt of Court Act 1981 and rules 5.4C and 5.4D of the Civil Procedure Rules.

IT IS ORDERED:-

1. That the identity of the Claimant, her Litigation Friend, her brother and her mother and any details which may lead to the identification of the Claimant be not disclosed.
2. That the Claimant be described in all statements of case and other documents to be filed or served in the proceedings and in any judgment or order in the proceedings and in any report of the proceedings by the press or otherwise as "SXH" for the Claimant and "NXA" for the litigation friend, SXF for the Claimant's brother and "NAP" for the Claimant's mother. The Claimant's children and

siblings shall also not be referred to by name.

3. That the address of the Claimant, the Litigation Friend and the Claimant's brother and the Claimant's mother be stated in all statements of case and other documents to be filed or served in the proceedings as the address of the Claimant's solicitors.
4. That in so far as necessary, any statement of case or other document disclosing the Claimant's name or address of the name or address of the Claimant's litigation friend and brother and mother already filed in the proceedings be replaced by a document describing such name or address in anonymised form as above.
5. That the original of any such document enclosing the name or address of the Claimant is to be placed on the Court file in a sealed envelope marked "not to be opened without the permission of a Judge, Master or District Judge of the Queen's Bench Division".
6. That a non-party may not inspect or obtain a copy of any document on or from the Court file (other than this order duly anonymised as directed) without the permission of a Master or District Judge. Any application for such permission must be made on notice to the Claimant and the Court will effect service. The file is to be retained by the Court and marked "Anonymised".
7. That reporting restrictions apply as to the disclosing of any information that may lead to the subsequent identification of the Claimant. The publication of the name and address of the Claimant or any member of the Claimant's immediate family is prohibited.
8. The provisions of this Order shall not apply:-
 - a. To communications between the Court Funds Office and the anonymised party or Litigation Friend in relation to the payment of money into the Court Funds Office for the benefit of the anonymised party or the investment or treatment of payment out of such money;
 - b. To communications between the Court Funds Office and/or the

anonymised party or Litigation Friend and any financial institution concerned as to the receipt or investment of such money; or

- c. To records kept by the Court Funds Office or the anonymised party or Litigation Friend or any such financial institution in relation to such money.

- 9. That any non-party affected by this Order may apply on notice to all parties to have this Order set aside or varied.
- 10. Costs in the assessment of damages.
- 11. Claimant to serve sealed Order

SERVICE OF THE ORDER

The Court has sent sealed copies of this order to:

Tozers LLP, Broadwalk House, Southernhay, West Sussex Exeter, EX1 1UA
SFM/H01539-2