

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

Claim No.: QB-2020-000033

Master Sullivan

15.04.2021

BETWEEN

1. HXO (A Child Suing By Mother And Litigation
Friend CXO), 2. CXO Protected Party

- and -

1. Kingston Hospital NHS Foundation Trust



QB-2020-000033

ORDER

UPON the Court noting the Defendant's neutral stance in relation to the First Claimant's application for anonymity.

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

AND UPON it appearing that non-disclosure of the identity of the First Claimant, the Litigation Friend and First Claimant's father is necessary in order to protect the interests of the First 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 First Claimant, Litigation Friend, and First Claimant's Father not be disclosed.
2. That the First Claimant, Litigation Friend, and First Claimant's Father 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 "HXO", "CXO" and "JXO" respectively.
3. That the address of the First Claimant, Litigation Friend, and First Claimant's Father be stated in all statements of case and other documents to be filed or served in the proceedings as the address of the First Claimant's solicitors.

4. That in so far as necessary, any statement of case or other document disclosing the First Claimant, Litigation Friend, and First Claimant's Father's name or address 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 disclosing the name or address of the First Claimant, Litigation Friend, and First Claimant's Father is to be placed on the Court file marked "confidential: 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 First 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 First Claimant, Litigation Friend, and First Claimant's Father. The publication of the name and address of the First Claimant or of any member of the First Claimant's immediate family is prohibited.
8. The provisions of this Order shall not apply:-
 - (i) 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;
 - (ii) 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
 - (iii) 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 the Defendant may apply under rule 23.10 to have this Order set aside or varied.
10. That any non-party affected by this Order may apply on notice to all parties to have this Order set aside or varied.
11. A copy of this order shall be published on the website of the Judiciary of England and Wales (which may be found at www.judiciary.uk) pursuant to the provisions of CPR r.39.2 and in that copy the Claimant shall be referred to as "HXO" and his litigation friend as 2CXO".