

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

Claim No.: QB-2021-000968

Before Master Sullivan

13 April 2021

BETWEEN

1. TXM (a Child, By His Mother and Litigation Friend,
NZB)

- and -

1. Kingston Hospital NHS Foundation Trust



QB-2021-000968

ORDER

UPON the Claimant's Application Notice issued on 31 March 2021

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

AND UPON IT APPEARING that the case is likely to attract publicity and that revealing the identity of the Claimant is likely to unfairly damage the interests of the Claimant and that, accordingly, non-disclosure of the identity of the Claimant is necessary in order to protect the interests of the Claimant

AND PURSUANT to s11 Contempt of Court Act 1981 and CPR Rule 5.4A to 5.4D and CPR Rule 39.2(4) and the inherent jurisdiction of the Court

IT IS ORDERED that: -

- 1 That the identity of the Claimant, his Litigation Friend and his father and brother be not disclosed.
- 2 There be substituted for all purposes of this case, in place of references to the Claimant, and whether orally or in writing, references to the letters "TXM".
- 3 There be substituted for all purposes of this case, in place of references to the Claimant's Litigation Friend, and whether orally or in writing, references to the letters "NZB".

- 4 There be substituted for all purposes of this case, in place of references to the Claimant's Father, who will be a key witness in this claim, and whether orally or in writing, reference to the letters "GZM".
- 5 There be substituted for all purposes of this case, in place of references to the Claimant's older brother, who will be a key witness in this claim, and whether orally or in writing, reference to the letters "BXM".
- 6 To the extent necessary to protect the Claimant's identity, any other references, whether to persons or places or otherwise, be adjusted appropriately, with permission to the parties to apply in default of agreement as to the manner of such adjustments.
- 7 So far as the Claim Form, or any Judgement or Order, or any other document to which anyone might have access pursuant to CPR Rule 5.4A-D at anytime does not comply with the above, the Claimant's solicitor has leave to file with the Court copies of such document adjusted so as to comply therein. Such copies are to be treated for all purposes as being in substitution for the relevant originals; and the originals are then to be retained by the Court and/or on HMCTS e-filing service system and marked: "confidential: not to be opened or accessed without the permission of a Judge or Master of the Queen's Bench Division".
- 8 A non-party may not obtain any copy statement of case or other document from the court file unless it has been edited (anonymised) in accordance with this direction.
- 9 Reporting restrictions apply as to the disclosing of any information that may lead to the subsequent identification of the claimant, his litigation friend, father or brother.
- 10 The Claimant has permission to issue the Claim Form giving the address of his solicitors in place of his residential address. A copy of the Claim Form with the Claimant's full name and address is to be placed on file and/or HMCTS e-filing system marked: "confidential: not to be opened or accessed without the permission of a Judge or Master of the Queen's Bench Division".
- 11 Any party affected by this order may apply on notice without restriction of time for an order varying or setting aside this order.
- 12 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 TXM and his litigation friend as NZB.
- 13 Costs in the case.

DATED this 13th day of April 2021

SERVICE OF THE ORDER

The Court has sent sealed copies of this order to:

Bolt Burdon Kemp, Providence House, Providence Place, London, N1 0NT
DX 122238 Upper Islington
53007.1