

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

**Claim No.HQ12X03716**

**BEFORE THE HONOURABLE MR. JUSTICE EDER**

**BETWEEN:-**

**THE SECRETARY OF STATE FOR THE ENVIRONMENT, FOOD AND RURAL  
AFFAIRS**

*The Claimant*

**-and-**

**[REDACTED]**  
**(Owner of website www.badger-killers.co.uk)**

*The Defendant*

**-and-**

**MEMBERS OF BADGER KILLERS  
ALSO KNOWN AS THE COALITION OF BADGER ACTION GROUPS**

*The Second Defendant*

**-and-**

**[REDACTED]**

*The Third Defendant*

**-and-**

**PERSONS UNKNOWN**

*The Fourth Defendants*



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**ORDER FOR AN INJUNCTION**

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**IMPORTANT: NOTICE TO THE DEFENDANTS**

*This Order prohibits you, the Defendants, from doing certain acts and obliges you, the Defendants, to do certain other acts. You should read it carefully. You are advised to consult a Solicitor as soon as possible.*

**PENAL NOTICE**

*If you, the Defendants, disobey paragraphs (1) of this Order or if you, the Defendants, neglect to obey paragraphs (2) and (3) of this Order you may be found guilty of contempt of Court and may be sent to prison or fined or your assets may be seized. Any other person who knows of this Order and who does anything which helps or permits the*

*Defendant to breach this Order and/or who otherwise undermines or frustrates the effectiveness of this Order or any of the said undertakings may also be found guilty of contempt of Court and may be sent to prison or fined or their assets may be seized.*

**UPON** an urgent application to the Judge being made on 7 September 2012 for an interim injunction pursuant to Part 25 of the Civil Procedure Rules (prior to proceedings being issued by way of a Claim Form) the Secretary of State for Department of Environment, Food and Rural Affairs ("the Claimant")

**AND UPON** a Claim Form having been issued and served on 10 September 2012

**AND UPON** the Judge reading the materials relied upon by the Claimant in support of the application referred to in Schedule 1 to this Order ("the Supporting Materials")

**AND UPON** hearing Counsel for the Claimant, the Defendants not attending or being represented

**AND UPON** the Judge accepting the Claimant's undertakings set out in Schedule 2 to this Order

**IT IS ORDERED** that:

**Removal from Website**

- (1) The Defendants maintain the removal (whether by themselves, their servants or agents or otherwise howsoever) OF the personal contact details of [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED] from the website [www.badger-killers.co.uk](http://www.badger-killers.co.uk)

**Prohibited acts**

- (2) The First, Second and Fourth Defendants be restrained (whether by themselves, their servants or agents or otherwise howsoever) until further order from publishing or disclosing or communicating (or instructing or encouraging or causing or permitting any other person to publish or disclose or communicate) whether anywhere in the world and by whatever means:
- (a) the personal or work contact details of [REDACTED] and [REDACTED]
  - (b) any information (including, but not limited to internet hyperlinks) which could be used to identify any address or personal contact details falling within (a) above.
- (3) The First, Second and Fourth Defendants be restrained (whether by themselves, their servants or agents or otherwise howsoever) until further order from publishing or disclosing or communicating (or doing or instructing or encouraging or causing or permitting any other person to publish or disclose or communicate) whether anywhere in the world and by whatever means the personal or work contact details of any person connected with the organisation of or implementation of the badger culls pursuant to the Secretary of State for Environment, Food and Rural Affairs policy dated 14 December 2011. For the avoidance of doubt, this does not apply to the contact information of members of Badger Killers, but does include (although not limited to):
- (a) Employees of, members of the board and Ministers in the Claimant Department;
  - (b) Employees and members of the board of Natural England;

- (c) Employees and members of the board(s) of National Farmers Union;
- (d) All officers, employees and contractors carrying out the actual culling;
- (e) Land owners or occupiers in and around the cull area;
- (f) Legal advisors for all the above (a) – (e)

If the First, Second or Fourth Defendants are in any further doubt about which persons are included, they should obtain the express written consent of persons before publishing, disclosing or communicating personal or work contact information.

- (4) For the purposes of this claim, "persons unknown" means any persons who seek to undertake any of the acts prohibited by this Order.

#### **Further directions**

- (5) The Claimant has permission to serve this Order on the First and Second Defendants by email transmission to [REDACTED]. The Third Defendant shall be served at its registered company address and by email transmission to [REDACTED].
- (6) The application notice and witness statement in support of this application pursuant to CPR 25 and the contents thereof shall not be disclosed or communicated to any third parties.

#### **Liberty to apply**

- (7) The Defendants have the right to apply to have this Order set aside or varied in accordance with Part 23.10 of the Civil Procedure Rules 1998.

#### **Costs**

- (8) The First and Second Defendants shall by 5pm on 11 October 2012 pay the costs of and incidental to the hearing on the return date, such costs being summarily assessed in the sum of £4,000. The costs of the original application for an injunction shall be costs in the case.

#### **SCHEDULE 1**

The Supporting Materials comprise: Application Notice under CPR Part 23, Witness Statement in support of the application, letter to the Defendants seeking removal of the personal details; and print-outs (dated 7 September 2012) of the following pages on the website [www.badger-killers.co.uk](http://www.badger-killers.co.uk):

- A) <http://badger-killers.co.uk/this-weeks-leaks/>
- B) <http://badger-killers.co.uk/who/>
- C) <http://badger-killers.co.uk/owen-paterson-cant-make-the-call/>
- D) <http://badger-killers.co.uk/got-an-email-from-the-government/>

- E) Email from Treasury Solicitor to 2<sup>nd</sup> Defendant ( [REDACTED] )  
17:23 7 September 2012
- F) Email from 2<sup>nd</sup> Defendant to Claimant 18:08 7 September 2012
- G) Email from Claimant to 2<sup>nd</sup> Defendant 19:27 7 September 2012
- H) Email from 2<sup>nd</sup> Defendant to Claimant 19:37 7 September 2012
- I) Email from Treasury Solicitor to [REDACTED] 18:18 7 September  
2012
- J) Threat letter 22 August 2012
- K) Witness statement and Exhibits dated 12 September 2012

## **SCHEDULE 2**

### **Undertakings given to the Court by the Claimant:**

- (i) 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 Claimant will comply with any Order the Court may make.
- (ii) The Claimant will serve the Defendant with copies of this Order together with the application notice and evidence in support of this application forthwith by email transmission to [REDACTED] for the First and Second Defendant's and to the registered company address for the Third Defendant.
- (iii) When complying with (ii) above, the Claimant is permitted to serve anonymised versions of the Application Notice and Witness statement to protect the identity of Claimant's representatives.

**DATED 13 September 2012**