

1. Claimant
2. Mr G. S. Richards
3. First
4. GSR1
5. 24.11.11

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO 1BM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF
BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS
No. 2 LODGE PRITCHATTS ROAD, BIRMINGHAM AT THE UNIVERSITY OF
BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

EXHIBIT "GSR4"

This is the exhibit "GSR4" to the First Witness Statement of Gordon Stuart Richards dated 24 November 2011.

Martyn Ruscoe

From:

Subject: FW: legally privileged and confidential - re occupation

From: Bryan Eden

Sent: Thursday, November 24, 2011 12:28 PM

To: Stuart Richards

Cc: Heather Paver; David Harrison (HR)

Subject: Student Occupation of Pritchatts Road No 2 Lodge.

I have to report that on Thursday 24th November 2011 at 1030 hours following a request from Stuart Richards, Director of Hospitality and Accommodation Services, I carried out a fire safety inspection of the unoccupied gate house opposite number 2 Lodge Pritchatts Road, Edgbaston.

The building inspected has an identical layout to number 2 Lodge Pritchatts Road which was being occupied by a large number of students, thus preventing an inspection of the actual building concerned.

I was told that there were possibly as many as twenty seven students occupying this building and was asked for my professional opinion regarding the safety of the occupants in this type of building.

On entering the adjacent building via the front door, I passed through an entrance lobby with an inner door leading to a corridor off which were the remainder of the rooms for this building.

It was noted that there was a domestic smoke alarm fitted to the ceiling of the corridor with one other domestic smoke detector being fitted to the ceiling of the lounge.

The building comprised of a lounge, kitchen, bathroom, separate toilet and three bedrooms.

The remaining rooms were not fitted with smoke detection nor the kitchen fitted with heat detection.

All of these areas would require hard wired detection to British Standard 5839 part 1 to a L.1. standard, to allow its use as student sleeping accommodation.

Additionally the building had no emergency lighting fitted which is required under British Standard 5588 for student sleeping accommodation.

None of the doors within the property were fire doors meeting the required FD30S standard for sleeping accommodation indicating that there would be no fire protection to the only means of escape along the corridor of the property.

There was no fire fighting equipment in the property.
For sleeping accommodation at least one dry powder extinguisher and one fire blanket should be available.

Both the front and rear doors were opposite one another and were fitted with several locking devices which would require a key to open them.
To comply with the regulations for sleeping accommodation the exit doors should have no more than one locking device fitted to them which can easily be opened without the use of a key.

These buildings are suitable for occupation as private domestic dwellings as this type of building is not covered by fire regulations, they are clearly not suitable to be used as occupied student

accommodation.

It is my professional opinion that whilst this building is being occupied by students the university is clearly in contravention of the Regulatory Fire Safety Order 2006 exposing the university to possible prosecution under this legislation for numerous breaches of the order.

Additionally the occupation of a domestic building by twenty seven students is clearly well in excess of that which would be expected for this type and design of building.

Bryan Eden

***Fire Safety Advisor
University of Birmingham
54 Pritchatts Road
Edgbaston
B15 2TT***

***T: 0121 414 9052
F: 0121 414 3309
E: b.eden@bham.ac.uk***

The contents of this email may be privileged and confidential. It may not be disclosed to or used by anyone other than the addressee, nor copied in any way. If received in error please notify the sender then delete it from your system. Should you communicate with me by email, you consent to the University of Birmingham monitoring and reading any such correspondence.

1. Claimant
2. Mr G. S. Richards
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5. 24.11.11

**IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY**

CLAIM NO 1BM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

**PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF
BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS
No. 2 LODGE PRITCHATTS ROAD, BIRMINGHAM AT THE UNIVERSITY OF
BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF BIRMINGHAM)**

Defendants

EXHIBIT "GSR5"

This is the exhibit "GSR5" to the First Witness Statement of Gordon Stuart Richards dated 24 November 2011.



UNIVERSITY OF
BIRMINGHAM

Hospitality and
Accommodation Services

Our Ref: CMP/LV

24 November 2011

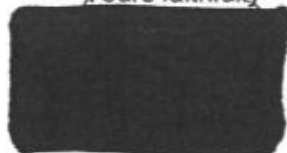
To the Occupiers of
No 2 Lodge
Pritchatts Road
Edgbaston
B15 2SB

The University has concerns in relation to the Health and Safety and Fire Regulations Compliance aspects of your occupation of the domestic residential property known as No 2 Lodge, Pritchatts Road ("the Property"). In particular we have concerns that it would appear that in excess of 27 people remained in the Property overnight last night and are still in unlawful possession. Accordingly we have requested the University's Fire Officer to consider plans of the building, the current fire precautions and to inspect the mirror image property next door. The inspection was undertaken in the presence of Mark Harrop, President of the Guild of Students.

The advice the University has received is that the house is fully compliant with appropriate Fire Regulations for occupation by a domestic family. However, it does not comply with any of the regulations appropriate for occupation by a group of students. In particular we asked the Fire Officer to indicate the number of students that it would be appropriate to remain in the premises overnight. He indicated to the University that in his view if the occupiers were multiples of students, it was not safe to have any residing overnight.

In the light of this advice the University considers that the premises must be vacated by 3pm. You will appreciate that the University must take appropriate action to protect its position, and this will include an application to the Court for an order for possession of the Property.

Yours faithfully



Stuart Richards
Director of Hospitality and Accommodation Services



1. Claimant
2. Mr G. S. Richards
3. First
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5. 24.11.11

IN THE HIGH COURT OF JUSTICE
CLAIM NO 1BM 30637
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

PERSONS UNKNOWN (INCLUDING STUDENTS OF
THE UNIVERSITY OF BIRMINGHAM) ENTERING OR
REMAINING UPON THE BUILDINGS KNOWN AS No. 2
LODGE PRITCHATTS ROAD, BIRMINGHAM AT THE
UNIVERSITY OF BIRMINGHAM FOR THE PURPOSE
OF PROTEST ACTION (WITHOUT THE CONSENT OF
THE UNIVERSITY OF BIRMINGHAM)

Defendants

WITNESS STATEMENT OF MR GORDON STUART
RICHARDS

Martineau
No 1 Colmore Square,
Birmingham
B4 6AA

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court High Court Of Justice Chancery Division Birmingham District Registry	
Claim no.	18M30637
Warrant no. (if applicable)	
Claimant's name (including ref.)	University of Birmingham MKG/MJE/UN4002461
Defendant's name (including ref.)	Persons Unknown (including students of the University of Birmingham) entering and remaining upon the buildings known as the No. 2 Lodge, Pritchatts Road, Birmingham for the purpose of protest action (without the consent of the University of Birmingham)
Date	24 November 2011

1. What is your name or, if you are a solicitor, the name of your firm?

Martineau

2. Are you a ☐ Claimant ☐ Defendant ☒ Solicitor
☐ Other (please specify)

If you are a solicitor whom do you represent?

the Claimant

3. What order are you asking the court to make and why?

The Claimant is seeking an injunction order in the form of the attached Order because the Defendant is already trespassing on the Claimant's Land (as defined in the Order) as part of a protest and there is a substantial risk that further protestors (whose identity is currently unknown) will trespass upon the Claimant's Land in order to participate in such a protest.

4. Have you attached a draft of the order you are applying for?

☒ Yes ☐ No

5. How do you want to have this application dealt with?

☒ at a hearing ☐ without a hearing
☐ at a telephone hearing

6. How long do you think the hearing will last?

Hours Minutes

Is this time estimate agreed by all parties?

☐ Yes ☒ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

10. What information will you be relying on, in support of your application?

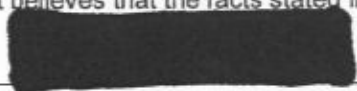
- ☒ the ~~attached~~ witness statement *to follow*
- ☐ the statement of case
- ☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.

Statement of Truth

The applicant believes that the facts stated in this section (and any continuation sheets) are true.

Signed


Applicant's Solicitor

Dated *24/11/11*

Full name

MARTINEAU SAME FORWARD

Name of applicant's solicitor's firm *Martineau*

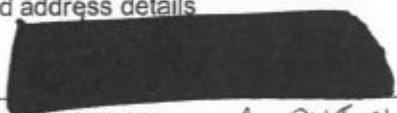
Position or office held

(if signing on behalf of firm or company)

PARTNER

11. Signature and address details

Signed


Applicants Solicitor

Dated *24 November 2011*

Position or office held

(if signing on behalf of firm or company)

PARTNER

Applicant's address to which documents about this application should be sent

Martineau No 1 Colmore Square, Birmingham <div style="text-align: right;">Postcode</div> <div style="display: flex; border: 1px solid black; width: 100px; height: 1.2em; margin: 0 auto;"> B 4 6 A A </div>		If applicable	
		Phone no.	0870 763 2000
		Fax no.	0870 763 2001
		DX no.	721090 Birmingham 43
		Ref no.	MKG/MJE/UN4002461 (CDM 356670-1)
E-mail address	N/A		

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF
BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS
No. 2 LODGE PRITCHATTS ROAD, BIRMINGHAM AT THE UNIVERSITY OF
BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

DRAFT ORDER

IMPORTANT:-

PENAL NOTICE

- (1) This Order prohibits you from doing and obliges you to do the acts set out in this Order. You should read it all carefully. You are advised to consult a Solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.
- (2) If you disobey this Order you may be found guilty of Contempt of Court and any of you may be sent to prison or fined.

An Application was made on 24 November 2011 by Counsel for the Claimant to the Judge. The Judge heard the Application and accepted the undertakings in Schedule 1 at the end of this Order.

IT IS ORDERED that:

THE INJUNCTION

1. Until trial or further order in the meantime the Defendants shall not, without the prior written consent of the Claimant enter or remain upon land comprising the Claimant's campus and buildings at the University of Birmingham as shown edged in red on the Plan annexed hereto ("the Claimant's Land") for the purpose of any occupational protest action.

COSTS OF THE APPLICATION

2. The costs of this application be reserved.

SERVICE

3. Pursuant to Rule 6.8 of the Civil Procedure Rules 1998, service of the Claim Form in this action, this Order and any Witness Statement and exhibits containing the evidence relied upon by the Claimant by fixing the documents securely to posts in conspicuous places around the Ground Floor of No.2 Lodge Pritchatts Road, Birmingham.
4. The said documents shall be deemed to be served on the date of such affixation at the Land, such date to be verified by the completion of a certificate of service.

VARIATION OR DISCHARGE OF THIS ORDER

5. A Defendant may apply to the Court at any time to vary or discharge this Order but if he wishes to do so he must first inform the Claimant's Solicitors in writing at least 12 hours beforehand.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

6. The Claimant's Solicitors are Martineau, 1 Colmore Square, Birmingham B4 6AA (Ref: MKG/MJE/UN4002461) Tel No 0870 763 2000.

INTERPRETATION OF THIS ORDER

7. In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
8. Where there are two or more Defendants then (unless the contrary appears)
 - (a) References to "the Defendant" mean both or all of them;

- (b) An Order requiring "the Defendant" to do or not to do anything requires each Defendant to do or not to do it;

THE EFFECT OF THIS ORDER

9. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
10. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.
11. 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.

COMMUNICATIONS WITH THE COURT

12. All communications to the Court about this Order should be sent to Birmingham Civil Justice Centre, Priory Courts, 33 Bull Street, Birmingham B4 6DS quoting the case number. The office is open between 10 am and 4.30 pm Monday to Friday. The telephone number is 0207 947 6754.

SCHEDULE 1

Undertaking given to the Court by the Claimants

1. Anybody notified of this order will be given a copy of it as soon as is reasonably practicable.
2. If this order ceases to have effect the Claimant will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this order, or he has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.
3. To issue the Claim Form and the Application Notice forthwith.
4. To file and serve a witness statement in support of the application for this Order as soon as reasonably practicable.
5. Once the Claimant has ascertained the identity of the Defendants and if the Claimant intends to seek further relief, to use their best endeavours to serve upon them together with this Order
 - (i) Copies of the witness statements and exhibits containing the evidence relied upon by the Claimant, and any documents provided to the Court on the making of the application

- (ii) The Claim Form
 - (iii) A note of the hearing of 24 November 2011
6. If the Court later finds that this Order has caused loss to the Defendants up to £25,000 and decides that the Defendants should be compensated for that loss, the Claimant will comply with any Order the Court may make.

Dated **24th November 2011**

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court High Court Of Justice Chancery Division Birmingham District Registry	
Claim no.	18M30637
Warrant no. (if applicable)	
Claimant's name (including ref.)	University of Birmingham MKG/MJE/UN4002461
Defendant's name (including ref.)	Persons Unknown (including students of the University of Birmingham) entering or remaining upon the buildings known as the No.2 Lodge, Pritchatts Road, Birmingham for the purpose of protest action (without the consent of the University of Birmingham)
Date	24 November 2011

1. What is your name or, if you are a solicitor, the name of your firm?

Martineau

2. Are you a ☐ Claimant ☐ Defendant ☒ Solicitor
☐ Other (please specify)

If you are a solicitor whom do you represent?

the Claimant

3. What order are you asking the court to make and why?

(1) The time for service of the proceedings herein be abridged to 2 hours;
 (2) Service of the Order herein be permitted by affixing the documents securely to conspicuous places around the ground floor of No.2 Lodge Pritchatts Road at the University of Birmingham.

4. Have you attached a draft of the order you are applying for? ☒ Yes ☐ No
 5. How do you want to have this application dealt with? ☒ at a hearing ☐ without a hearing
☐ at a telephone hearing

6. How long do you think the hearing will last?

Hours Minutes

Is this time estimate agreed by all parties?

Yes No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

High Court Judge or Section 9

9. Who should be served with this application?

10. What information will you be relying on, in support of your application?

☒ the ~~attached~~ witness statement to follow *mk*

☐ the statement of case

☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.

Statement of Truth

The applicant believes that the facts stated in this section (and any continuation sheets) are true.

Signed

Applicant's Solicitor

Dated

24/11/11

Full name

MARIN JAMES EDWARDS

Name of applicant's solicitor's firm

MARTINEAU

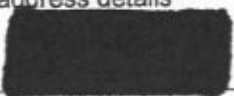
Position or office held

PARTNER

(if signing on behalf of firm or company)

11. Signature and address details

Signed



Dated 24 November 2011

Applicant's Solicitor

MARTINEAU, FERNAND

Position or office held

PARTNER

(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

Martineau	
Postcode	
<input type="text"/>	<input type="text"/>

If applicable	
Phone no.	0870 763 2000
Fax no.	0870 763 2001
DX no.	721090 Birmingham 43
Ref no.	MKG/MJE/UN4002461

E-mail address	
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IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF
BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS
No.2 LODGE, PRITCHATTS ROAD, BIRMINGHAM FOR THE PURPOSE OF
PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF
BIRMINGHAM)

Defendants

ORDER

BEFORE His Honour Judge Cooke

UPON HEARING Counsel for the Claimant

IT IS ORDERED THAT:-

1. The time for service of the possession proceedings be abridged to 2 hours to enable the possession hearing to take place at 24th November 2011
2. Service of the Claim Form, Application Notice and this Order be permitted by affixing the documents securely to conspicuous places on the ground floor of No.2 Lodge, Pritchatts Road, Birmingham.

Dated 24th November 2011

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO 1BM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

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PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF
BIRMINGHAM)

Defendants

ORDER

BEFORE His Honour Judge Cooke

UPON HEARING Counsel for the Claimant

IT IS ORDERED THAT:-

1. The time for service of the possession proceedings be abridged to 2 hours to enable the possession hearing to take place at 12 Noon on Friday 25th November 2011 at the Birmingham Civil Justice Centre, 33 Bull Street, Birmingham B4 6DS
2. Service of the Claim Form, Application Notice and this Order be permitted by affixing the documents securely to conspicuous places on the ground floor of No.2 Lodge, Pritchatts Road, Birmingham.

HHJ David Cooke

Dated 24th November 2011



IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO 1BM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

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BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

ORDER

IMPORTANT:-

PENAL NOTICE



- (1) This Order prohibits you from doing and obliges you to do the acts set out in this Order. You should read it all carefully. You are advised to consult a Solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.
- (2) If you disobey this Order you may be found guilty of Contempt of Court and any of you may be sent to prison or fined.

An Application was made on 24 November 2011 by Counsel for the Claimant to the Judge. The Judge heard the Application and accepted the undertakings in Schedule 1 at the end of this Order.

IT IS ORDERED that:

THE INJUNCTION

1. Until trial or further order in the meantime the Defendants shall not, without the prior written consent of the Claimant enter or remain upon land comprising the Claimant's campus and buildings at the University of Birmingham as shown edged in red on the Plan annexed hereto ("the Claimant's Land") for the purpose of any occupational protest action.

COSTS OF THE APPLICATION

2. The costs of this application be reserved.

SERVICE

3. Pursuant to Rule 6.8 of the Civil Procedure Rules 1998, service of the Claim Form in this action, this Order and any Witness Statement and exhibits containing the evidence relied upon by the Claimant by fixing the documents securely to posts in conspicuous places around the Ground Floor of No.2 Lodge Pritchatts Road, Birmingham.
4. The said documents shall be deemed to be served on the date of such affixation at the Land, such date to be verified by the completion of a certificate of service.

VARIATION OR DISCHARGE OF THIS ORDER

5. A Defendant may apply to the Court at any time to vary or discharge this Order but if he wishes to do so he must first inform the Claimant's Solicitors in writing at least 12 hours beforehand.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

6. The Claimant's Solicitors are Martineau, 1 Colmore Square, Birmingham B4 6AA (Ref: MKG/MJE/UN4002461) Tel No 0870 763 2000.

INTERPRETATION OF THIS ORDER

7. In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
8. Where there are two or more Defendants then (unless the contrary appears)
 - (a) References to "the Defendant" mean both or all of them;

- (b) An Order requiring "the Defendant" to do or not to do anything requires each Defendant to do or not to do it;

THE EFFECT OF THIS ORDER

9. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
10. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.
11. 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.

COMMUNICATIONS WITH THE COURT

12. All communications to the Court about this Order should be sent to Birmingham Civil Justice Centre, Priory Courts, 33 Bull Street, Birmingham B4 6DS quoting the case number. The office is open between 10 am and 4.30 pm Monday to Friday. The telephone number is 0207 947 6754.
13. The Court will consider the matter further at a hearing at 12 noon on 25 November 2011 at Birmingham Civil Justice Centre.

SCHEDULE 1

Undertaking given to the Court by the Claimants

1. Anybody notified of this order will be given a copy of it as soon as is reasonably practicable.
2. If this order ceases to have effect the Claimant will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this order, or he has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.
3. To file a certificate of reasons for bringing a possession claim in the High Court forthwith.
4. To file and serve a witness statement in support of the application for this Order as soon as reasonably practicable.
5. To serve this Order with a copy of the Claim Form, Application Notices, and Order abridging time and giving notice of hearing as soon as practicable in the manner set out in paragraph 3 above.

6. Once the Claimant has ascertained the identity of the Defendants and if the Claimant intends to seek further relief, to use their best endeavours to serve upon them together with this Order
 - (i) Copies of the witness statements and exhibits containing the evidence relied upon by the Claimant, and any documents provided to the Court on the making of the application
 - (ii) The Claim Form
 - (iii) A note of the hearing of 24 November 2011
7. If the Court later finds that this Order has caused loss to the Defendants up to £25,000 and decides that the Defendants should be compensated for that loss, the Claimant will comply with any Order the Court may make.

HHJ David Cooke

Dated 24th November 2011





• The lodge

THE ESTATES OFFICE
 Estates West Building
 South-West Campus
 THE UNIVERSITY OF BRISBANE
 St. Lawrence, St. Lawrence QLD 4072
 Tel: (07) 3361 1111

NAME: _____
 STREET: _____
 CITY: _____
 STATE: _____
 ZIP: _____

1. Claimant
2. Mr Martin James Edwards
3. First
4. MJE1
5. 25.11.11

**IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY**

CLAIM NO : 1BM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

**PERSONS UNKNOWN (INCLUDING STUDENTS OF UNIVERSITY OF
BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS
No 2 LODGE, PRITCHATTS ROAD, BIRMINGHAM FOR THE PURPOSE OF
PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF
BIRMINGHAM)**

Defendants

WITNESS STATEMENT OF MR MARTIN JAMES EDWARDS

**I, MR MARTIN JAMES EDWARDS, Solicitor and Partner in the firm of Martineau of No
1 Colmore Square, Birmingham, B4 6AA will state as follows:-**

1. I am a solicitor and a Partner in the firm of Martineau, being the Claimant's solicitors in this matter. I have overall responsibility for the conduct of this litigation on behalf of the Claimant. I make this witness statement in support of the Claimant's application for a possession order and an injunction.
2. I attach to this witness statement (at Exhibit MJE1) copies of internet postings by the Defendants in this action. Following their vacation of No 2 Lodge at around 9.00pm

yesterday following service of the Orders dated 24 November 2011, the later internet posting clearly appears to be a "call to arms" for protesters to gather at 9.30am today.

3. I notified the police at 9.15am today about this and indicated to them that it would be a breach of our Court order which prevents anyone named or otherwise from holding any occupational protest. The police called me back at 9.40am (Inspector Hickman) to confirm they are attending the North gate and they will monitor the situation.
4. I was informed by my client that, as at 9.45 am today, about 6 students had started to assemble. In liaising with our client today, we have been told that they are imposing a lock down on all its buildings and access to the campus, but that it is virtually impossible to enforce this as students are still being given access for their studies. The University's head of security is in direct contact with the police.
5. We have since been told by the Claimant's Director of Legal Services that around 6 or 7 protesters have been running around the Claimant's campus, gaining access to buildings, that one member of this group was wearing a mask, and that a further member of this group was carrying a video camera.
6. My instructions are that the Claimant is concerned to ensure the safety of its students and visitors to its campus, and to avoid disruption to its business and services.

I believe that the facts stated in this Witness Statement are true.

Signed:



Martin James Edwards

Position: Partner

Dated 25 November 2011

1. Claimant
2. Martin James Edwards
3. First
4. MJE1
5. 25.11.11

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO 1BM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-


PERSONS UNKNOWN (INCLUDING STUDENTS OF UNIVERSITY OF BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS No 2 LODGE, PRITCHATTS ROAD, BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

EXHIBIT "MJE1"

This is the exhibit "MJE1" to the Witness Statement of Martin James Edwards dated 25 November 2011.

Signed :


Martin James Edwards

Dated:

25 November 2011

Defend Birmingham

NOVEMBER 24, 2011 · 3:07 AM

Rough night for Birmingham occupiers

At 23:30 as the occupiers were settling down for the night, university security began harassing the students. Simon Furse a second year International relations student said "It was disgraceful, I have never seen like it university security are just hired thugs who seem to enjoy violence and causing distress with no regard to the law. I was at the window that we use as an entrance to the occupation. The security guard tried to drag someone out of the window. We peacefully resisted and got the person inside at which point the security guard kept the window open and punched me three times in the face. The security then adopted a policy of open harassment ringing the doorbell for long periods of time, knocking on all the windows, pointing lights and cameras into the toilet and shouting insults and abuse."

University security harassed the occupiers further, John Holland a 3rd year chemistry student said "they were constantly ringing the door bell, banging on the windows and laughing despite being told to leave us alone, by the police."

After midnight, university security attempted to gain access the occupation breaking open the front window, damaging the window frame in the process. After failing to gain entry the a standoff between occupiers and security developed. University security backed off after a large group of supporters rallied outside the occupation at 1am after running to the occupation from halls and houses in nearby Selly Oak. As security backed off to deal with the new protest outside the occupiers managed to fix the damaged window and have now re-locked it. John Holland said "people power really works, our supporters started linking arms around the occupation to protect us, as security dealt with this we were able to fix the window".

The occupiers remain determined to carry with their protest to defend public education.

We believe the university is not acting against us because we are being unreasonable or because we are disrupting its functions but because they have a mafia mentality that makes them meet any sign of dissent with disproportionate force. The only way we can resist to their threats is by a show of strength not by capitulation. We wanted to consult widely with the student body in order to come up with a series of goals and demands but for obvious reasons this has not been possible. We therefore issued the following statement to the university. We will vacate the premises of this building if the university signs the VC pledge...

- 1. To publicly condemn the White Paper and call for it to be withdrawn***
- 2. To guarantee no course closures***
- 3. To guarantee no job cuts and no adverse changes to staff terms and conditions***
- 4. To provide bursaries for all students who need them – not fee waivers***
- 5. To guarantee no cuts to library, student support or learning resources***
- 6. To guarantee no cuts to access schemes or foundation courses***
- 7. To guarantee that the university will remain public, and a not-for-profit body.***
- 8. And does not victimise those who have taken part in the occupation.***

The university can afford to pay for all these things however it is choosing to invest in pointless prettification of the campus instead of defending education.

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6 Responses to *Rough night for Birmingham occupiers*

bilus

November 24, 2011 at 9:02 am



Dreadful, but really well done for facing them off. Presumably this kind of hooligan behaviour on the part of the hired heavies is fully supported by the University administration itself? It would be interesting to find out...

Keep going guys – you have more supporters than you know out here!

Reply

Kath

November 24, 2011 at 10:44 am



Solidarity from Occupy Warwick. We're watching your updates keenly and have you in our thoughts!

Reply

gustav

November 24, 2011 at 10:44 am



Keep going guys, they are obviously getting desperate to resort to these bullying tactics. You will win if you stay strong and united.
Best wishes

Reply

Ben Timberley

November 24, 2011 at 10:59 am



Has anyone contacted the Guardian with this? This is a story that they would love to hear...

Protest-Net Ben.

Reply

Pingback: Statement on University of Birmingham occupation — National Campaign Against Fees and Cuts

Sean Rillo Raczka

November 24, 2011 at 7:50 pm



Solidarity from University of London Union, and Birkbeck College Students' Union. Both have strong policy supporting occupations, for free education and the right to protest. We are with you in struggle and are disgusted at the harassment and violence you are facing. Solidarity comrades.

Defend Birmingham

NOVEMBER 24, 2011 · 4:02 PM

Analysis of the white paper from the occupation

The government's white paper outlines the proposed changes to the structure of higher education. Currently there is a quota of 406,000 university places. Under the proposed changes, 85,000 of these places will be opened up to competition. Of these 85,000 20,000 places will be competed for by universities charging £7,500, 65,000 will be for students who achieved AAB or above at A-level. This will lead to a two-tiered system, with a small number of elite universities and a lower pool of universities offering poorly funded, badly taught programs. These will be mainly provided by for-profit companies who'll be given access to government-backed

The government has asserted that this is to provide students with more choice and to 'put students at the heart of the system'. However, the actions of students in the last year, as well as our presence here today, shows that students have chosen to have a public education system.

What the white paper really means is giving the private sector almost complete control over higher education and knowledge production. In the case of universities, it's essential that we have independent, reflective institutions that aren't tethered to the short-term interests of profit but genuinely seek to safeguard human welfare. It has been shown time and time and time again that the interests of private companies conflict with the long term interests of the public at large. Companies like Enron, News Corp and RBS cannot be allowed to dictate what is studied and researched at universities.

The white paper will not save the government money either in the short or long term. By 2015 the debt from student loans will have more than tripled from 24 billion to 75 billion. By 2047 conservative estimates predict that student loan debt will have reached £192 billion. Currently student loans increase only with inflation. Under the new system loans will increase at market rates meaning that students will be doubly screwed by an average of £40,000 personal debt plus the higher taxes implicated by the £192 billion of public debt.

Private for-profit companies are being helped into the higher education system. When the white paper goes through non-teaching bodies-like edexcel- and further education colleges will be given degree awarding powers. The entrance of these new providers combined with the cap on student numbers mean that many traditional universities will go bust. These will be given free of charge to the private sector in return for assuming their liabilities. In effect the government is deliberately giving away its infrastructure free to the rich. At present all the surplus from universities is reinvested into the system. The government's extension of the student loan system to private companies means that huge amounts of public money will be creamed off as profit.

This creates a system like what happens in the US. A small number of elite universities that are totally closed to 95% of the population combined with a large number of badly funded expensive sub-prime institutions. American Universities spend a ridiculous 35% of their budget on advertising. This is not a system we want to emulate.

Our generation is being completely fucked over by a generation that were paid for going to University. We will have to pay back the cost of subsidising the rich, pay off our huge personal debts and deal with the social costs of a University system for the benefit of the elite. Once the white paper goes through and the wolves are through the door there is no turning back. We need to act now before it's too late. Students need to get out in support of their lecturers on November 30th, unions on campus are fighting hard to defend against threats posed by the white paper proposals.

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3 Responses to *Analysis of the white paper from the occupation*

ukipboy

November 24, 2011 at 4:45 pm

guys get over yourself companies have always paid unis to research stuff, drug companies pay unis to devlope new medicines, engineering companies for new engineering principals without this money unis could not survive, if they relied solely on government money, as you seen to want, they could be hold hostage to what the governemnt thinks/wants researched, the more different sources of income coming into a organisation the more independant it can be as one donated cant have cmlplete say of the organisation

Reply

I 1 Timberley

November 24, 2011 at 6:25 pm



Hello UKIP boy.

First off, way to choose a swivel-eyed, right wing mentalist party associated name. Secondly, your grammar and spelling are atrocious. Go back to school and get it right.

Third, you CLEARLY don't know what you're dribbling on about as you can't even tell the difference between research grants and tuition fees. Way to make UKIP look even sillier. The for-profit, debt-based monetary system and all of the entities that exist because of it are inherently corrupt with little to no 'moral imperative'. Introducing this stupefyingly moronic system into universities beggars belief, and shows a contempt for enlightened thinking everywhere.

Go tell it to Lord Rannoch, and Nigel 'Porn in the Garage' Farage.

Reply

ukipboy

November 24, 2011 at 7:01 pm

I wont response to the rest of the your post because its bordering on the offensive, good way to make friend for your cause BTW, the UKIP name doesnt come from my supporting that party, it comes from a nickname some once gave me

Reply

Defend Birmingham

NOVEMBER 24, 2011 · 6:21 PM

Dear Occupation, Solidarity

We have received this open letter:

To the occupiers,

are sorry to see the way the university has reacted to your peaceful occupation; we are ashamed of our university's actions. On a day when over 10 universities all across the country went into occupation it was only the University of Birmingham that decided it would crack down on peaceful protest. The attack on the occupation last night and the blockade that they have enforced on you is entirely disproportionate. Especially considering that your occupation, even according to the university, has not been disruptive.

We believe, like you, that people should be treated as human beings and the university should be run for the public good, not as a business. The cuts to pay and pensions of support staff already on poverty pay is morally abhorrent, especially while high paid university managers take pay rises of as much as 11%. We stand with you in your opposition to the cuts to staff pensions, which are the main cause of the strike on November 30th; we also want to offer solidarity to staff unions. We like you, think it is important we support the strike on November 30th because if we want to retain the brightest and best academics in the UK as our teachers, then we must give our lecturers fair pensions. We would like to point to the university that the Guild of Students itself fully supports the strike on November 30th, this is clearly not the belief of a minority.

The university seeks to portray you as a minority opinion on campus. This is not true: we are elected representatives from all across campus and we support you wholeheartedly. We would be in occupation with you if it were not for the blockade the university has put on the occupation and for fear of the threat of disciplinary actions that university is using to smother dissent.

Very strong if the university take action against you, we will be there to defend you.

Solidarity

Edward Bauer VP Education

Kelly Rodgers Women's Officer Guild of Students

Leander Jones Community Action Officer Guild of Students

Ben Aylott Chair Postgraduate and Mature Students Association, University Senator

Susanne Kluber Chair International students Association, Guild Councillor

Daniel Harrison, Chair, Birmingham Labour Students, Guild Councillor

Mma Yeebo-Agoe – Ethnic Minorities Guild Councilor

Alice Swift Chair of People & Planet, Campaigning & Political Mini-Forum Guild Councillor and Ethical & Environmental Committee member.

Sean Farmelo – Philosophy, Theology and Religion Guild Councilor and Ethical and Environmental Committee member.

Clare Lister – DAMSA Chair, Guild Councilor

Follow

<http://brumoccupation.wordpress.com/2011/11/24/dear-occupation-solidarity/>

Bryn Gough Political Science Guild Councillor

Nazakit Mohammed- Civ Eng Guild Councillor

Carmern Castrillon – Culture, Arts and Languages Guild Councillor

Yusri Hamidi- Computer Eng Guild Councillor

Anwar Sattar- Post Grad Guild Councillor

Usamah Khalid- Open Place Guild Councillor

Zain Ali- Open Place Guild Councillor

Muneeb Akhtar- Chem Eng Guild Councillor

Alan Lavie Oxfam Co-chair

Rosie Pinsent Chair of Art Soc

Sebastian Egerton-Read Secretary Student Broad Left

Laura hamilton, 2nd year geology student rep & lapsoc VP

Amanda Moorghen, 2nd Year Philosophy SH Student Rep

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One Response to *Dear Occupation, Solidarity*

Comment by

November 24, 2011 at 8:07 pm



Well said all of you and thank you for your bravery. The people of Syria, Egypt, Yemen, Tunisia, Libya all know, the people of Poland, Slovakia, Czech Republic, Latvia all knew, all you need to lose is your fear. This is a worldwide movement of change for the better and it's inspiring to see amazing people like you taking such a stand in solidarity with similarly amazing people taking their stand. Support the occupation of the university of Birmingham and occupations everywhere. Amazing times, stay strong, you're doing this for all of us. 😊

Reply

Defend Birmingham

NOVEMBER 24, 2011 · 10:57 PM

New Occupation Tomorrow

We left the occupation at 9pm due to the university getting an immediate interim possession order against us in the High Court in London. They must have spent tens of thousands of pounds to get that through such a high court so quickly, that kind of thing usually takes several days. However thanks to some brilliant diversion maneuvers from the 30 or so solidarity campers outside and some very inept security guards all the occupiers managed to get out of the occupation and leg it without security catching a single one (they tried to get photos of all of us and get our IDs). Special thanks to the mystery getaway driver who got four of the occupiers jumping out of a window into their car and drove off within seconds, security had no idea what was happening before it was too late.

There's going to be another occupation tomorrow. Everyone who wants to be involved meet at 9:30 tomorrow morning outside the No Gate (don't be late!) and be prepared to run run run!!!

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1. Claimant
2. Mr Michael Kevin Green
3. First
4. MKG1
5. 25.11.11

**IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY**

CLAIM NO : IBM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

**PERSONS UNKNOWN (INCLUDING STUDENTS OF UNIVERSITY OF
BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS
NO. 2 LODGE, PRITCHATTS ROAD AS FOR THE PURPOSE OF PROTEST ACTION
(WITHOUT THE CONSENT OF THE UNIVERSITY OF BIRMINGHAM)**

Defendants

WITNESS STATEMENT OF MR MICHAEL KEVIN GREEN

I, MR MICHAEL KEVIN GREEN, Senior Associate Solicitor in the employ of Martineau of No 1 Colmore Square, Birmingham, B4 6AA will state as follows:-

1. I am a Senior Associate Solicitor in the employ of Martineau, being the Claimant's solicitors in this matter. I have been involved in the day to day running of this litigation over the past few days. I make this witness statement in support of the Claimant's application for a Possession Order and an Injunction. I am duly authorised to make this statement on behalf of the Claimant.
2. Shortly before the hearing at Court yesterday afternoon, I spoke with Ms Tessa Gregory of Public Interest Lawyers ("PIL") who indicated that she acted for some but not all of the occupiers of No. 2 Lodge, Pritchatts Road, Birmingham. I confirmed to her briefly the nature of the Order being sought at Court. She indicated that there were less

students in occupation of the property than the Claimants thought. I asked how many students were in the property, however, she indicated she was not at liberty to say. She confirmed that the Claimants letters of 24 November 2011 had only been received by PIL at around 2.00 pm and when she spoke to her clients at around 2.30 pm they had still not received a copy despite the fact that this letter required them to vacate by 3.00 pm. Ms Gregory mentioned that we should tell the Court that we have not given full notice to them of the action we are taking, and if we mention this telephone conversation we should say that they want to defend the claim on Human Rights grounds.

3. Following the hearing I had a several further conversations with Ms Gregory of PIL. I sent to her by email copies of the Claim Form and two applications made in this action, together with copies of the two Orders which had been made by the Court on the afternoon of 24 November 2011.
4. From my conversations with Ms Gregory I formed the view that she was conversant with the facts of this case and she indicated that she was in contact with several of the Defendants.
5. I tried to contact Ms Gregory again at around 9.00 am this morning and left a message for her to call me urgently. She returned my call shortly afterwards and left a message on my voicemail asking me to call her. I called her again at around 9.20 am today and I explained the University's concern regarding the possible further protest disruption which our client had read about on the "brumoccupation" website. During this conversation Ms Gregory confirmed she had no instructions in relation to the hearing listed for 12 noon today. I asked whether PIL would be attending the hearing, to which she replied that they would not. She indicated again that PIL do not act for all of the Defendants. I asked Ms Gregory to confirm who she acted for. She said she was not at liberty to say.
6. I refer to the witness statement of Martin James Edwards dated 25 November 2011 which notes that the protestors did vacate No. 2 Lodge at 9.00 pm yesterday. In view of this, I consider that the method of service set forward in the Injunction Order made on 24 November 2011 will now be ineffectual.
7. Plainly there is a line of communication between PIL and some of the Defendants. We propose service of documents on the Defendants by an alternative method of sending such documents to PIL by fax and/or email.

8. It is because of the above communications with Ms Gregory, and her evident line of communication with a number of the Defendants, that I believe documents sent by fax and/or email to Ms Gregory are likely to reach all of the Defendants given the nature of this matter.
9. I should also add that Dr Chris Twine (the Claimant's Director of Student Services) tells me that he saw two people whom he believes to be representatives of PIL speaking with the Defendants through one of the windows of No 2 Lodge on the morning of 24 November 2011.
10. On behalf of the Claimant, I would seek an Order that the following documents be served upon the Defendants by sending them by fax and/or email to PIL:-
- Any Order made today;
 - This witness statement; and
 - The witness statement of Martin James Edwards dated 25 November 2011.
11. I would further seek confirmation from the Court that the documents already served on PIL by fax and/or email have been validly served on the Defendants.

I believe that the facts stated in this Witness Statement are true.

Signed:



Michael Kevin Green

Position: Senior Associate Solicitor

Dated 25 November 2011

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO IBM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF
BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS
No. 2 LODGE PRITCHATTS ROAD, BIRMINGHAM AT THE UNIVERSITY OF
BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

ORDER

BEFORE HIS HONOUR JUDGE DAVID GRANT sitting in Birmingham on 25th November
2011 as a Judge of the High Court

UPON HEARING Counsel for the Claimant

AND UPON READING

1. The documents already on the court file being
 - a. The Claim Form with Particulars;
 - b. The two Orders dated 24th November 2011;
 - c. The two Application Notices for the above Orders
2. The witness statement dated 24th November 2011 of Mr Gordon Stuart Richards
3. The witness statements dated 25th November 2011 of
 - a. Mr Martin James Edwards
 - b. Mr Michael Kevin Green
4. The Certificate of Reasons for bringing the Possession Claim in the High Court
5. The solicitors Attendance Note of Hearing before His Honour Judge David Cooke on 24th November 2011
6. An extract from the Claimant's Regulations section 8

AND UPON COUNSEL for the Claimant referring to the Claimant's Code of Practice on
Freedom of Speech on Campus and a final agreed draft of Protocol on Managing Student Protests

IT IS ORDERED that:

INJUNCTION

1. Paragraph 1 of the injunction granted on 24th November 2011 ("the Injunction") shall be amended so as to read as follows:

"The Defendants shall not, without the prior written consent of the Claimant enter or remain upon land comprising the Claimant's campus and buildings at the University of Birmingham as shown edged in red on the Plan annexed hereto ("the Claimant's Land") for the purpose of any occupational protest action."

2. A new paragraph 2 (with consequential re-numbering) shall be inserted into the Injunction so as to provide that it shall remain in force for 12 months.
3. An amended version of the Injunction shall be served on the defendants in the manner appearing below.

POSSESSION

4. The Defendants do forthwith give the Claimants possession of No.2 Lodge, Pritchatts Road, Birmingham ("No2 Lodge").

SERVICE

5. Pursuant to Civil Procedure Rules ("CPR") r 6.15(1) the claimant is permitted to serve
 - a. This Order
 - b. The amended Injunction
 - c. The witness statement of Martin James Edwards
 - d. The witness statement of Michael Kevin Green
 - e. The Note of the Hearing of 24th November 2011
 - f. A Note of the judgment of His Honour Judge David Grant on 25th November 2011

by the following means:

- i. By serving by fax and/ or email on Public Interest Lawyers of eight Hylton Street, Jewellery Quarter, Birmingham B18 6HN
 - ii. By posting copies thereof on the Claimant's website;
 - iii. By taking all reasonable steps to procure the posting of copies on the website of the University of Birmingham's Guild of Students
6. Pursuant to CPR 6.15(2) the steps already taken to bring the witness statement of Gordon Stuart Richards to the attention of the defendants namely by
 - a. affixing copies to a post outside No2 Lodge
 - b. affixing copies to the doors of and gates to no2 Lodge
 - c. posting further copies through the letterbox

constitute good serve of the witness statement

7. That witness statement and also the documents listed in paragraph 5 of Schedule 1 to the Injunction are to remain so affixed for a period of 7 days.

Dated **25th November 2011**



the Lodge

UNIVERSITY OF
BIRMINGHAM

THE ESTATES OFFICE
Bentley House, 1st Floor
The University of Birmingham
Edgbaston, Birmingham, B15 2TT
Tel: 0121 359 3333

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO IBM 30637

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF
BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS
No. 2 LODGE PRITCHATTS ROAD, BIRMINGHAM AT THE UNIVERSITY OF
BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE
CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

ORDER

IMPORTANT:-

PENAL NOTICE

- (1) This Order prohibits you from doing and obliges you to do the acts set out in this Order. You should read it all carefully. You are advised to consult a Solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.
- (2) If you disobey this Order you may be found guilty of Contempt of Court and any of you may be sent to prison or fined.

BEFORE HIS HONOUR JUDGE DAVID GRANT sitting in Birmingham on 25th November 2011 as a Judge of the High Court

UPON amending the terms of the Injunction dated 24th November 2011 made by His Honour Judge David Cooke

AND UPON HEARING Counsel for the Claimant

AND UPON READING

1. The documents already on the court file being
 - a. The Claim Form with Particulars;
 - b. The two Orders dated 24th November 2011;
 - c. The two Application Notices for the above Orders
2. The witness statement dated 24th November 2011 of Mr Gordon Stuart Richards
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6. An extract from the Claimant's Regulations section 8

AND UPON COUNSEL for the Claimant referring to the Claimant's Code of Practice on Freedom of Speech on Campus and a final agreed draft of Protocol on Managing Student Protests Claimant

IT IS ORDERED that:

INJUNCTION

1. The Defendants shall not, without the prior written consent of the Claimant enter or remain upon land comprising the Claimant's campus and buildings at the University of Birmingham as shown edged in red on the Plan annexed hereto ("the Claimant's Land") for the purpose of any occupational protest action.
2. This Injunction shall remain in force for 12 months from the date hereof.

SERVICE

3. Pursuant to Rule 6.8 of the Civil Procedure Rules 1998, service of the Claim Form in this action, this Order and any Witness Statement and exhibits containing the evidence relied upon by the Claimant by fixing the documents securely to posts in conspicuous places around the Ground Floor of No.2 Lodge Pritchatts Road, Birmingham.
4. The said documents shall be deemed to be served on the date of such affixation at the Land, such date to be verified by the completion of a certificate of service.

VARIATION OR DISCHARGE OF THIS ORDER

5. A Defendant may apply to the Court at any time to vary or discharge this Order but if he wishes to do so he must first inform the Claimant's Solicitors in writing at least 12 hours beforehand.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

6. The Claimant's Solicitors are Martineau, 1 Colmore Square, Birmingham B4 6AA (Ref: MKG/MJE/UN4002461) Tel No 0870 763 2000.

INTERPRETATION OF THIS ORDER

7. In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
8. Where there are two or more Defendants then (unless the contrary appears)
 - (a) References to "the Defendant" mean both or all of them;
 - (b) An Order requiring "the Defendant" to do or not to do anything requires each Defendant to do or not to do it;

THE EFFECT OF THIS ORDER

9. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
10. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.
11. 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.

COMMUNICATIONS WITH THE COURT

12. All communications to the Court about this Order should be sent to Birmingham Civil Justice Centre, Priory Courts, 33 Bull Street, Birmingham B4 6DS quoting the case number. The office is open between 10 am and 4.30 pm Monday to Friday. The telephone number is 0207 947 6754.

SCHEDULE 1

Undertaking given to the Court by the Claimants

1. Anybody notified of this order will be given a copy of it as soon as is reasonably practicable.
2. If this order ceases to have effect the Claimant will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this order, or he has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.

3. To file a certificate of reasons for bringing a possession claim in the High Court forthwith.
4. To file and serve a witness statement in support of the application for this Order as soon as reasonably practicable.
5. To serve this Order with a copy of the Claim Form, Application Notices, and Order abridging time and giving notice of hearing as soon as practicable in the manner set out in paragraph 3 above.
6. Once the Claimant has ascertained the identity of the Defendants and if the Claimant intends to seek further relief, to use their best endeavours to serve upon them together with this Order
 - (i) Copies of the witness statements and exhibits containing the evidence relied upon by the Claimant, and any documents provided to the Court on the making of the application
 - (ii) The Claim Form
 - (iii) A note of the hearing of 24 November 2011
7. If the Court later finds that this Order has caused loss to the Defendants up to £25,000 and decides that the Defendants should be compensated for that loss, the Claimant will comply with any Order the Court may make.

Dated 24th November 2011 as amended 25th November 2011

UNIVERSITY OF
BIRMINGHAM

THE ESTATES OFFICE
 Essex House Building,
 South View Campus,
 THE UNIVERSITY OF BRISTOL
 Edgewood, BRISTOL BS1 3TT
 Tel: 0117 927 1100