

Chancery Division
Birmingham District Registry

Claim No. 3em30550

The University of Birmingham
Edgbaston
Birmingham
B15 2TT



2. Further, the Claimant seeks an order that 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 red on the Plan B annexed hereto ("the Campus") for the purpose of any occupational protest action.

[illegible]

am/pm

at

- The court will consider whether or not you must leave the property and, if so, when.
- It will take into account information the claimant provides and any you provide.

(1) Simon Furse (2) Hattie Craig
(3) Persons Unknown
of
Aston Webb Building
Edgbaston
Birmingham
B15 2TT

Court fee	£	465.00
Solicitor's costs	£	
Total amount	£	465.00

Issue date	
------------	--

Claim No. **3BN30590**

Does, or will

What you should do

- Get help and advice immediately from a solicitor or an advice agency.
- Help yourself and the court by **filling in the defence form** and **coming to the hearing** to make sure the court knows all the facts.

Grounds for possession

The claim for possession is made on the following ground(s):

- ☐ rent arrears
- ☐ other breach of tenancy
- ☐ forfeiture of the lease
- ☐ mortgage arrears
- ☐ other breach of the mortgage
- ☒ trespass
- ☐ other (*please specify*)

Anti-social behaviour

The claimant is alleging:

- ☐ actual or threatened anti-social behaviour
- ☐ actual or threatened use of the property for unlawful purposes

Is the claimant claiming demotion of tenancy?

☐ Yes ☒ No

Is the claimant claiming an order suspending the right to buy?

☐ Yes ☒ No

See full details in the attached particulars of claim

30
Claim No. 3BM30590

Does, or will, the claim include any issues under the Human Rights Act 1998?

☐ Yes ☒ No

Statement of Truth

~~XXXXXXXXXX~~ (The claimant believes) that the facts stated in this claim form are true.

*I am duly authorised by the claimant to sign this statement.

signed  date 22 November 2013

*(Claimant) ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

*delete as appropriate

Full name James Edward Roger Fownes

Name of claimant's solicitor's firm SGH Martineau LLP

Position or office held Associate

(if signing on behalf of firm or company)

Claimant's or
claimant's solicitor's
address to which
documents or payments
should be sent if
different from overleaf.

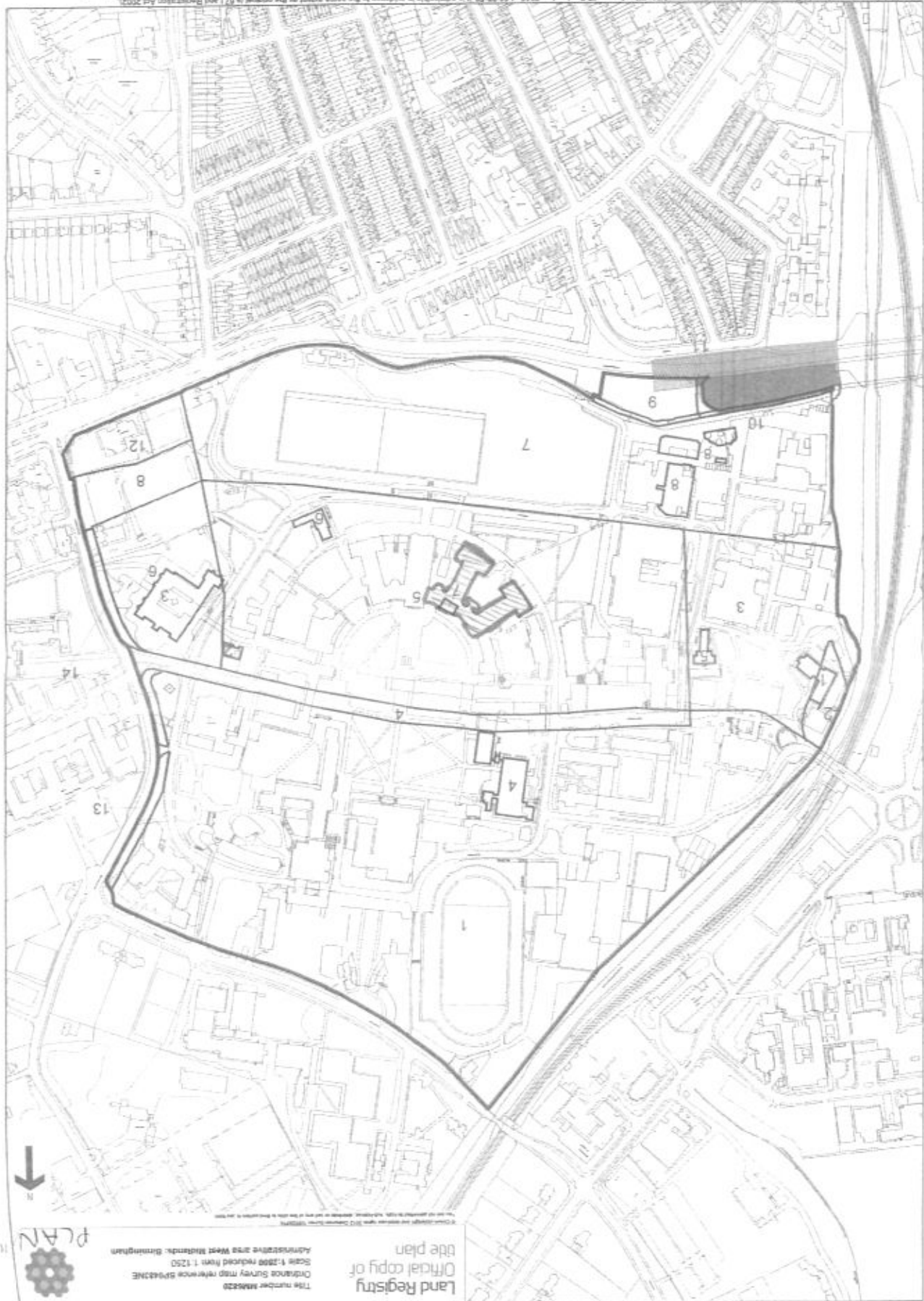
SGH Martineau LLP
No. 1 Colmore Square
Birmingham

Postcode B4 6AA

if applicable

Ref. no.	JEF/MJE/UN4002612 (cdm: 404231)
fax no.	0800 763 1001
DX no.	721090 Birmingham 43
e-mail	N/A
Tel. no.	0800 763 1000

This official copy based on 17 September 2012 at 10:23:56. It is submitted in evidence to the court as the original in the Land Registry Act 2002. This plan shows the general position, not the exact line, of the boundaries. It may be subject to alterations in scale. Measurements scaled from this plan may not match measurements taken on the ground. This plan is filed with the Land Registry, County Office.



Title number M0020
 Ordnance Survey map reference SP0432NE
 Scale 1:2500 reduced from 1:1250
 Administrative area West Midlands, Birmingham

Official copy of
 the plan

PLAN "A"

AN R



UNIVERSITY OF
BIRMINGHAM

THE ESTATES OFFICE
Edwin Hill Building,
South West Campus,
The University of Birmingham
Edgbaston, Birmingham, B15 2TT
Tel: 0121 359 3000

NAME: _____

ADDRESS: _____
Birmingham Business Centre

DATE: _____

BY: _____

5. The circumstances in which the land has been occupied are
Give details:

On 20 November 2013, the Defendants entered Blocks A and B in the Aston Webb Building at Edgbaston, Birmingham, B15 2TT, without the permission or consent of Claimant and remained upon the said property by way of a "sit-in" occupational protest, thereby committing a trespass.

The Defendants also threaten to commit ongoing acts of trespass upon the Claimant's land unless restrained by the Court.

Full details of the circumstances upon which the land is being occupied are as set out in the attached witness statement of Brendan Casey dated 22 November 2013.

6. The claimant does not know the name(s) of (all) the defendant(s).

7. The claimant asks the court to order that the defendant(s):

(a) give the claimant possession of the land;

[illegible]

(b) 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 red on the Plan A annexed hereto ("the Campus") for the purpose of any occupational protest action.

Statement of Truth

~~XXXXXXXXXXXXXXXXXXXX~~ that the facts stated in these particulars of claim are true.

*I am duly authorised by the claimant to sign this statement.

signed _____ date 22 November 2017

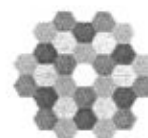
[illegible]

*delete as appropriate

Full name James Edward Roger Fownes

Name of claimant's solicitor's firm SGH Martineau LLP

position or office held Associate
(if signing on behalf of firm or company)



Official copy of register of title

Title number MM6820

Edition date 14.11.2012

- This official copy shows the entries in the register of title on 12 December 2012 at 08:49:23.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 12 December 2012.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1 - *A guide to the information we keep and how you can obtain it.*
- This title is dealt with by Land Registry Coventry Office.

A: Property register

This register describes the land and estate comprised in the title.

WEST MIDLANDS : BIRMINGHAM

- 1 (13.07.2012) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being University Of Birmingham, Edgbaston, Birmingham (B15 2TT).
- 2 (13.07.2012) The land has the benefit of the rights reserved by a Transfer of the land tinted brown and tinted pink on the title plan and other land dated 16 December 2004 made between (1) The University of Birmingham and (2) Birmingham City Council.

NOTE: Copy filed under WMS49672.

- 3 (13.07.2012) The land has the benefit of the rights granted by a Deed dated 16 February 2010 made between (1) Network Rail Infrastructure Limited and (2) The University Of Birmingham for a term of 99 years from 16 February 2010.

NOTE: Copy filed.

- 4 (13.07.2012) The land edged and numbered 14 in blue on the title plan has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 24 March 2011 referred to in the Charges Register.
- 5 (13.07.2012) The Transfer dated 24 March 2011 referred to in the Charges Register contains a provision excluding the operation of section 62 of the Law of Property Act 1925 as therein mentioned.
- 6 (13.07.2012) The land edged and numbered 13 in blue on the title plan has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 27 May 2011 referred to in the Charges Register.

A: Property register continued

7 (13.07.2012) The Transfer dated 27 May 2011 referred to in the Charges Register contains a provision excluding the operation of section 62 of the Law of Property Act 1925 as therein mentioned.

8 (13.07.2012) The land tinted yellow on the title plan has the benefit of the rights granted by but is subject to the rights reserved by and contained in a Transfer thereof and other land dated 11 June 2012 made between (1) Birmingham City Council and (2) Victoria Hall Limited.

NOTE 1: The rights are included in the registration only so far as the Transferor has the power to grant the same.

NOTE 2:-Copy filed under MM5629.

9 (13.07.2012) The Transfer dated 11 June 2012 made between (1) Birmingham City Council and (2) Victoria Hall Limited referred to above contains a provision as to light and air, a provision as to boundary structures and a provision excluding the operation of section 62 of the Law of Property Act 1925 as therein mentioned.

10 (13.07.2012) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of land adjoining the southern and eastern boundaries of the land edged and numbered 9 in blue on the title plan and other land dated 11 June 2012 made between (1) Victoria Hall Limited and (2) Birmingham City Council.

NOTE:-Copy filed under MM5711.

11 (17.09.2012) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 19 July 2012 referred to in the Charges Register.

12 (17.09.2012) The Transfer dated 19 July 2012 referred to above contains provisions as to light or air and boundary structures.

13 (17.09.2012) A Transfer of the land edged and numbered 9 in blue on the title plan and other land dated 25 July 2012 made between (1) Gallagher Bournbrook Limited and (2) The University of Birmingham contains a provision as to light or air.

NOTE: Copy filed MM7045.

14 (17.09.2012) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land on the title plan dated 25 July 2012 made between (1) The University of Birmingham and (2) Gallagher Bournbrook Limited.

NOTE: Copy filed under MM9061.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (13.07.2012) PROPRIETOR: THE UNIVERSITY OF BIRMINGHAM care of Registrar & Secretary, Registrar & Secretary's Office, The University Of Birmingham, Edgbaston, Birmingham B15 2TT and care of Director of Estates, Estates

B: Proprietorship register continued

Office, The University Of Birmingham, Edgbaston, Birmingham B15 2TT and of legalservices@contacts.bham.ac.uk.

- 2 (13.07.2012) The Transfer dated 25 July 2012 referred to in the Property Register made between (1) Gallagher Bournbrook Limited and (2) The University of Birmingham and contains purchaser's personal covenants.

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 (13.07.2012) A Conveyance of the land edged and numbered 5 in blue on the title plan dated 1 October 1900 made between (1) The Right Honorable Augustus Cholmondeley Baron Calthorpe (2) The Right Honorable Maud Augusta Louisa Baroness Calthorpe (3) Walter Gough Calthorpe and (4) The University Of Birmingham contains restrictive covenants.

NOTE: Copy filed.

- 2 (13.07.2012) The land is subject to the rights granted by an Indenture dated 6 December 1901 made between (1) The University Of Birmingham and (2) The Mayor Aldermen And Citizens Of The City Of Birmingham. The land is further subject to the rights granted by a supplemental grant dated 5 June 1902 between the same parties.

NOTE:-Copies filed.

- 3 (13.07.2012) A Conveyance of the land edged and numbered 9, 10 and 11 in blue on the title plan and other land dated 30 September 1902 made between (1) Cycle Components Manufacturing Company Limited (Old Company) (2) Joseph Seddon (Liquidator) and (3) Components Limited (New Company) contains the following covenants:-

"COVENANT by the New Company for themselves their successors and assigns and to the intent and so that the covenants thereafter contained should be binding on the lands and premises thereby conveyed into whosoever hands the same might come with the Old Company and the Liquidator that the New Company their successors and assigns and all owners or occupiers for the time being of the land hereditaments and premises thereby conveyed and each and every part thereof should not nor would at any time thereafter carry on or permit the land hereditaments and premises or any part thereof to be used for a publichouse Inn tavern or beershop or otherwise for the manufacture warehousing or storage for sale of ale beer porter stout malt liquors wines or spirituous liquors either wholesale retail or in any other form whatsoever."

- 4 (13.07.2012) A Conveyance of the land edged and numbered 7 in blue on the title plan dated 7 January 1908 made between (1) The Right Honourable Augustus Cholmondeley Baron Calthorpe and (2) The University Of Birmingham contains restrictive covenants.

NOTE: Copy filed.

- 5 (13.07.2012) A Conveyance of the land edged and numbered 3 in blue on the title plan dated 30 April 1925 made between (1) The Honourable Rachel Anstruther Gough Calthorpe (2) Ralph Tichborne Hincks and Cresswell Augustus Cresswell and (3) The University Of Birmingham contains restrictive covenants.

NOTE: Copy filed.

C: Charges register continued

- 6 (13.07.2012) A Conveyance of the land edged and numbered 6 in blue on the title plan dated 29 September 1927 made between (1) The Honourable Rachel Anstruther Gough Calthorpe (2) Ralph Tichborne Hinckes and Cresswell Augustus Cresswell and (3) The University Of Birmingham contains restrictive covenants.

NOTE: Copy filed.

- 7 (13.07.2012) A Conveyance of the land edged and numbered 1 in blue on the title plan dated 24 August 1928 made between (1) The Honourable Rachel Anstruther Gough Calthorpe and (2) The University Of Birmingham contains restrictive covenants.

NOTE: Copy filed.

- 8 (13.07.2012) A Conveyance of the land edged and numbered 2 in blue on the title plan dated 1 December 1933 made between (1) The Honourable Dame Rachel Anstruther Gough Calthorpe (2) The Honourable Sir Somerset Arthur Gough Calthorpe and The Honourable Ian St John Lawson Johnston and (3) The University Of Birmingham contains restrictive covenants.

NOTE: Copy filed.

- 9 (13.07.2012) The land is subject to the rights granted by a Deed dated 22 February 1934 made between (1) The Honourable Dame Rachel Anstruther Gough Calthorpe (2) Mithchells & Butlers Limited and (3) The Lord Mayor Aldermen And Citizens Of The City Of Birmingham.

NOTE: Copy filed under WK134126.

- 10 (13.07.2012) A Conveyance of the land tinted yellow and mauve on the title plan and other land dated 25 March 1946 made between (1) Boxfoldia Limited (Vendors) and (2) The Wright Saddle Company Limited (Purchasers) contains the following covenants:-

"The Purchasers further covenant with the Vendors with intent to bind the premises hereby conveyed into whosoever hands the same may come that neither the Purchasers nor their successors in title will at any time hereafter carry on any dangerous or hazardous trade business or manufacture upon the premises hereby conveyed."

- 11 (13.07.2012) A Conveyance of the land edged and numbered 8 in blue on the title plan dated 18 September 1959 made between (1) Mitchells & Butlers Limited and (2) The University Of Birmingham contains restrictive covenants.

NOTE: Copy filed.

- 12 (13.07.2012) The land is subject to the rights granted by a Deed dated 6 September 2002 made between (1) The University of Birmingham (Grantor) and (2) GPU Power Networks (UK) plc now known as Aquila Networks PLC (Grantee).

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed under WM817617.

- 13 (13.07.2012) A Transfer of the land edged and numbered 14 in blue on the title plan dated 24 March 2011 made between (1) Birmingham City Council

C: Charges register continued

(Transferor) and (2) The University of Birmingham (Transferee) contains restrictive covenants.

NOTE: Copy filed under WM983509.

- 14 (13.07.2012) A Transfer of the land edged and numbered 13 in blue on the title plan dated 27 May 2011 made between (1) Birmingham City Council and (2) The University of Birmingham contains restrictive covenants.

NOTE: Copy filed under WM983509.

- 15 (13.07.2012) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

- 16 (17.09.2012) A Transfer of the land edged and numbered 11 in blue on the title plan and other land dated 19 July 2012 made between (1) Birmingham City Council and (2) The University of Birmingham contains restrictive covenants.

NOTE: Copy filed under MM7424.

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	13.07.2012 Edged and numbered 12 in blue	Gun Barrels, Bristol Road	03.07.2009 7 years from 03/07/2009	WM954706
2	13.07.2012 Edged and numbered 8 in brown	Land and Buildings, South West Campus	22.11.2001 99 years from 01/10/1990	WM767196
3	13.07.2012 Edged and numbered 8 in brown (Part of)	Electricity Sub Station, South West Campus	06.09.2003 99 years less 3 days from 01/10/1990	WM817617
4	13.07.2012 Edged and numbered 1 in brown	Institute of Public Health Building	03.06.1998 99 years from 16/03/1998	WM680288
5	13.07.2012 Edged and numbered 2 in brown	Electricity Sub Station	26.10.1937 99 years from 29/09/1937	WM973763
6	13.07.2012 Edged and numbered 3 in brown	The Union Building	17.12.2009 25 years from 01/08/2008	WM961329

Schedule of notices of leases continued

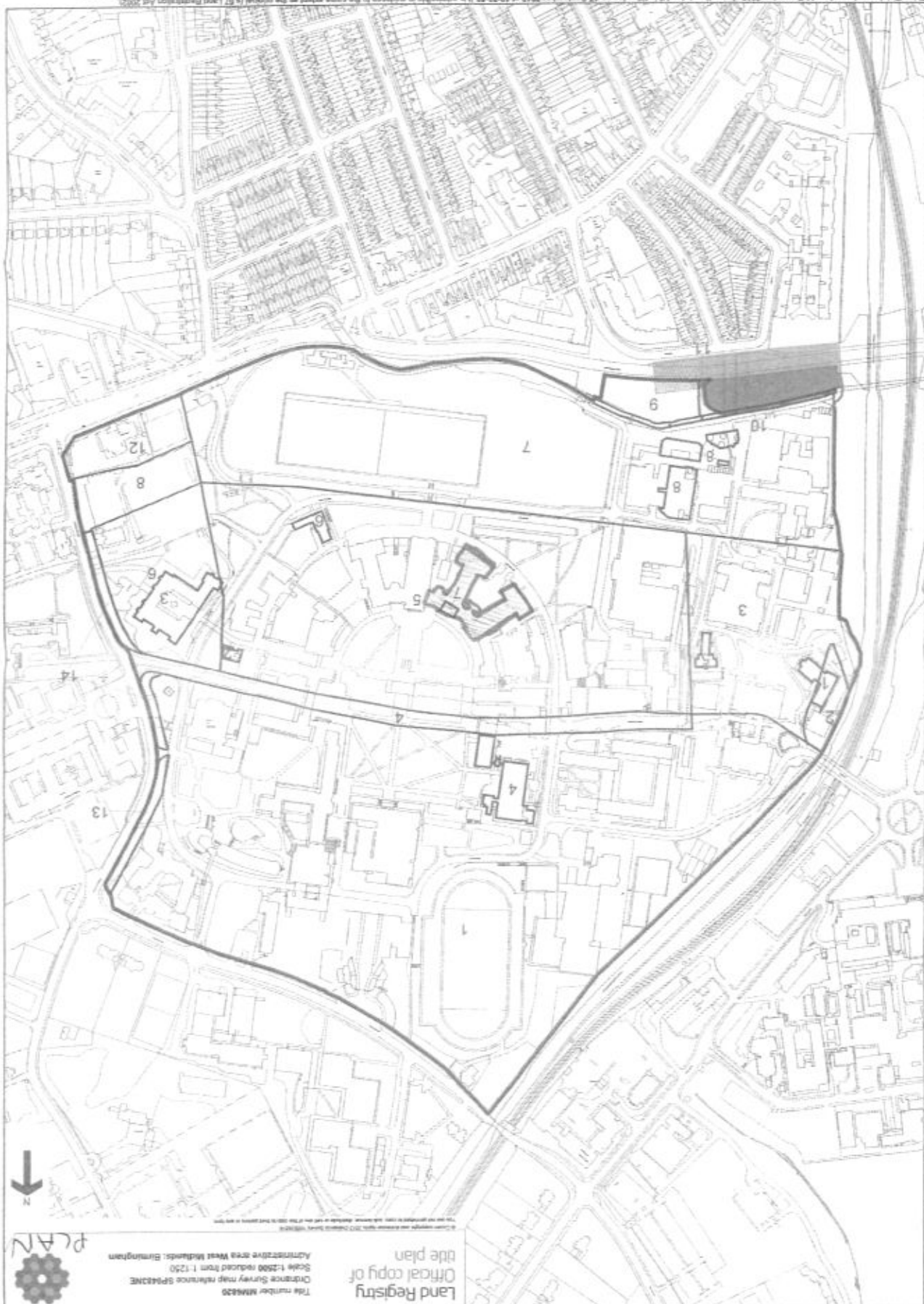
	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
7	13.07.2012 Edged and numbered 3 in brown (Part of)	Unit, Part of Ground and Lower Ground Floor, The Union Building	12.11.2009 5 years from 01/09/2009	
8	13.07.2012 Edged and numbered 3 in brown (Part of)	Room 239, Second Floor, The Union Building	19.02.2010 5 years from 01/04/2010	
9	06.07.2012 Edged and numbered 4 in brown (Part of)	Ground Floor Unit G47, University Centre	11.04.2011 From 01/06/2010 until 31/07/2015	
10	13.07.2012 Edged and numbered 4 in brown (Part of)	Ground Floor and Basement Unit G12, University Centre	08.03.2012 From 01/05/2009 until 30/04/2016	
11	13.07.2012 Edged and numbered 4 in brown (Part of)	First Floor Unit F29, University Centre	03.08.2010 5 years from 02/02/2010	
12	13.07.2012 Edged and numbered 5 in brown (Part of)	Building 1180,	02.11.2010 5 years from 01/11/2010	
13	13.07.2012 Edged and numbered 3 in brown (Part of)	Ground Floor Unit, Union Building	06.12.2011 7 years from 05/12/2011	
14	13.07.2012 Edged and numbered 6 in brown (Part of)	Basement Rooms B05 & B07, Medical Physics Building	10.02.2012 5 years from 01/08/2011	
15	13.07.2012 Edged and numbered 3 in brown (Part of)	Retail Unit, Union Building	09.03.2010 10 years from 28/08/2009	MM616
16	13.07.2012 Edged and numbered 3 in brown (Part of)	Subway, Union Building	20.12.2006 10 years from 03/01/2007	WM898044

Schedule of notices of leases continued

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
17	13.07.2012 Edged and numbered 4 in brown (Part of)	Retail Unit, University Centre	20.07.2010 From 16/07/2010 until 18/07/2020	WM972509
18	13.07.2012 Edged and numbered 4 in brown (Part of)	Barclays Bank, University Centre	27.05.2004 10 years from 29/09/2003	WM839175
19	13.07.2012 Edged and numbered 4 in brown (Part of)	National Westminster Bank	08.02.2005 10 years from 29/09/2003	WM852671
20	17.09.2012 Edged and numbered 7 in brown (part of)	Room LG17B Aston Webb Building	11.09.2012 10 years less one day from 18/02/2012	MM9345
21	14.11.2012 Edged and numbered 4 in brown (part of)	Unit G05	06.11.2012 commencing on 01.07.2012 and expiring on 30.06.2017	

End of register

This official copy issued on 17 September 2012 shows the state of this plan on 17 September 2012 at 10:23:00. It is accurate in accordance to the data shown on the plan at the time of the plan. Measurements scaled from this plan may not match measurements between the same points on the ground. This plan is made with by Land Registry, Coventry Office.



PLAN "A"

The number MMS20
 Ordnance Survey map reference SP043NE
 Scale 1:2500 reduced from 1:1250
 Administrative area West Midlands: Birmingham

Land Registry
 Official copy of
 title plan

CLAIM NO 3BN30590

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

(1) SIMON FURSE

(2) HATTIE CRAIG

(3) PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS ASTON WEBB BUILDING, EDGBASTON, BIRMINGHAM AT THE UNIVERSITY OF BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

**CERTIFICATE OF REASONS FOR BRINGING A POSSESSION
CLAIM IN THE HIGH COURT**

1. I am James Fownes, Associate Solicitor of SGH Martineau LLP of No.1 Colmore Square, Birmingham B4 6AA. I make this certificate in accordance with Part 55.3(2) of the Civil Procedure Rules to certify the Claimant's reasons for starting this claim in the High Court.
2. The Claimant is applying to the High Court for an interim injunction to restrain acts of trespass by the Defendants on the city centre campus of the Claimant.
3. The application is urgent for the reasons stated in the Witness Statement of Brendan Casey dated 22 November 2013. In summary, there is a potential danger to health and safety as a result of the occupational 'sit-in' trespass upon the Campus.
4. It is appropriate to issue the possession claim in the same Court as the injunction application in order to avoid the duplication of costs and unnecessary use of resources in two different courts.

I believe the facts stated in this Statement are true.

Signed:

[Redacted Signature]

Dated: 22 November 2013

Application notice

On completing this form please read
for guidance form N244Notes.

Name of court High Court Of Justice Chancery Division Birmingham District Registry	
Claim no.	3BM30590
Warrant no. (if applicable)	
Claimant's name (including ref.)	University of Birmingham JEF/MJE/UN4002612
Defendant's name (including ref.)	(1) Simon Furse (2) Hattie Craig (3) Persons Unknown (including students of the University of Birmingham) entering or remaining upon the buildings known as the Aston Webb Building, Edgbaston, Birmingham B15 2TT for the purpose of protest action (without the consent of the University of Birmingham)
Date	22 November 2013

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

SGH Martineau LLP

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative

☐ 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, in the form of the attached Order, that:

1. Pursuant to **Civil Procedure Rule 6.1(b)** and/ or **6.15** that service of the Claim Form shall be deemed served at the time of the following acts:

a. (in the case of the first and/ or second defendants) personal service or

b. (in the case of all three defendants)

i. affixing copies to a post outside Aston Webb Building, in the University of Birmingham, Edgbaston, Birmingham B15 2TT

ii. affixing copies to the doors of and entrances to Blocks A and B of the Aston Webb Building

iii. posting further copies through the letterbox

and such steps shall be good service.

2. Pursuant to Civil Procedure Rule 6.1(b) and/ or 6.27 that service of

- a. This Order
- b. The Application Notice dated 22 November 2013 with draft Order for Possession and an Injunction to be heard on 25th November 2013
- c. The witness statement and exhibits dated 22 November 2013 of Mr Brendan Casey
- d. The Certificate of Reasons for bringing the Possession Claim in the High Court

shall be deemed served at the time of the following acts:

- i. (in the case of the first and/ or second defendants) personal service or
- ii. (in the case of all three defendants)
 - 1. affixing copies to a post outside Aston Webb Building
 - 2. affixing copies to the doors of and entrances to Blocks A and B of the Aston Webb Building
 - 3. posting further copies through the letterbox

and such steps shall be good service.

3. Provided that

- a. there is service in the manner or manners set out above by 7pm on Friday 22nd November 2013; and
- b. that it is verified by the completion of a certificate of service the court abridges the time for service otherwise required by Civil Procedure Rule 55.5 (2) for the hearing of the possession claim.

4. Costs be reserved.

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?

order
For
andan

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

- ☒ the attached witness statement
- ☐ 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 22 November 2013

Full name JAMES EDWARD ROGER FOWNES

Name of applicant's legal representative's firm SGH MARTINEAU LLP

Position or office held ASSOCIATE
(if signing on behalf of firm or company)

Signature and address details

Signed

Applicant's Solicitor

Dated 22 November 2013

Position or office held Associate Solicitor (for and on behalf of SGH Martineau LLP)
(if signing on behalf of firm or company)

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

SGH Martineau LLP
1 Colmore Square, Birmingham

Postcode

--	--	--	--	--	--	--	--

If applicable

Phone no.	0800 763 1000
Fax no.	0800 763 1001
DX no.	721090 Birmingham 43
Ref no.	JEF/MJE/UN4002612 (CDM 404240)

E-mail address

1. Claimant
2. Brendan Casey
3. First
4. BC
5. 22.11.13

CLAIM NO

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

(1) SIMON FURSE

(2) HATTIE CRAIG

(3) PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS ASTON WEBB BUILDING, EDGBASTON, BIRMINGHAM AT THE UNIVERSITY OF BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

WITNESS STATEMENT OF BRENDAN CASEY

I, BRENDAN CASEY of the University of Birmingham, Edgbaston, Birmingham B15 2TT will state as follows:-

1. I am the Director of Academic Services with responsibility for provision of a range of student services, including Registry, Library, student conduct and welfare matters at the University of Birmingham (the "University") and am authorised to make this Witness Statement on behalf of the University in support of the University's application for an order for summary possession and supportive Injunction, as set out in the Application Notice herein dated 22 November 2013.
2. Insofar as the facts and matters referred to herein are within my own knowledge, they are true and in so far as they not within my own direct knowledge they are true to the best of my information and belief, acquired in the course of acting in my capacity as Director of Academic Services for the University.

THE UNIVERSITY

3. The University of Birmingham is a leading centre for the study of a wide range of subjects with a good international reputation. The University has more than 28,000 students, 40% of whom are on postgraduate or research programmes. The University has also just been awarded status as University of the Year by The Times and The Sunday Times.

THE CAMPUS

4. The University's main campus is in Edgbaston in Birmingham. I shall refer to this main campus throughout this Witness Statement as "the Campus". The Campus is shown edged red on Plan B attached to the Particulars. Blocks A and B of the Aston Webb Building ("the Building") are shaded green on Plan A, which is the land subject to these proceedings.
5. The University is the freehold proprietor of the Campus, which is registered with title number MM6820.
6. As University property is private land, only persons with the licence or consent of the University may enter or remain on the Campus.
7. The Building is one of the most iconic on the Campus and is a multi-use/occupancy building. The Building houses:-
 - 7.1 The Senate Room, where a range of University bodies and committees host their meetings, including the Senate and Audit Committee. The use of this space requires pre-booking and necessary authorisation from the University;
 - 7.2 The Great Hall and Brummall Concert Hall, which both host a number of large conferences and events throughout the year;
 - 7.3 Lecture rooms, teaching rooms and research labs, which are consistently utilised throughout the academic week; and
 - 7.4 The IT and telecommunications infrastructure for the University.

THE STUDENTS AT THE UNIVERSITY

8. The University places a high value on providing its students with a fulfilling education in their chosen discipline. There are a wide range of activities on the Campus and the Campus environment is the focal point for the lives of students attending the University. We therefore seek to ensure that our students have the right environment on the Campus to enable them to settle in and study effectively in a safe environment.

THE OCCUPATION/PROTEST

9. At approximately 7:00pm on Wednesday 20 November 2013, security officers attended the Building to properly close and lock up the Building. They discovered that a group of twenty hooded and masked individuals, who are believed to be students of the University gained entry blocked off and locked a staircase and locked themselves inside a cluster of rooms primarily in the semicircle, and partly in Blocks A and B of the Building, including the Senate Room
10. The Defendants do not have the permission or consent of the University for the purposes of the protest and they are trespassing.
11. I attended the Building shortly after receiving a call from the Head of Security [at around 7:30pm, along with the Registrar and Secretary of the University, the Director of Legal Services, and Director of Student Services. I was able to identify two of these students over the 36 hours, being Simon Furse, who is a third year undergraduate and Hattie Craig, who is an undergraduate and a Trustee of the Guild of Students.
12. From looking at CCTV footage, it is thought that the students gained access from the lower ground floor from the Grange Road direction of the Campus.
13. The students have blocked various fire exit routes and staircases out of the building in the vicinity of the Senate Room. The fire exit doors have also been locked from the inside, which places the students at risk in the event that there is a fire.
14. The students have also blocked access to teaching areas (lecture rooms and research labs) in the Building which has forced us to reschedule various seminars and lectures. This is causing severe disruption to the teaching timetable and will lead to further postponement of lectures and other academic events. This is clearly affecting other students at the University given that they are unable to attend the lectures for their courses, and such disruption has the potential to affect National Student Survey results and the reputation of the University at a time when recruitment is extremely challenging.

DISRUPTION

15. Furthermore, the students have also forced the closure of the switchboard for the entire University, which at first prevented all incoming and outgoing calls. The University however managed to relocate the switchboard shortly thereafter. In addition it also forced the temporary closure of the university's Telecommunications Office, which forms the backbone of the communications in the event of an emergency on campus. Given that there are a number of events scheduled to take place over the next few

days, this is causing immense logistical difficulties, particularly for those attending such events. Generally, and most importantly, the closure of the switchboard is affecting the commercial operation of the University.

16. In particular, the University is hosting its annual Post-Graduate Open Day ("the Open Day") on Wednesday 27 November 2013 in the Great Hall, which is immediately adjacent to where the protest is taking place in the Building. Last year, over 2,000 attended this event, where 1,850 people pre-registered to attend and 350 additional persons arrived on the day. The University already has 2,700 people pre-registered to attend the Open Day, and expect an additional number on the day. Over 60% of those attending come from outside of the University; either from other Universities or overseas.
17. The enrolment of post-graduate students is very important to the financial viability of the University, particularly in these demanding economic conditions. Clearly, this occupation will negatively affect the Open Day, as the University will be required to re-locate the event, which will be logistically very difficult given the number of visitors that will be attending. Furthermore, a relocation of the Open Day will mean that it will not be held in one of the most iconic buildings on the Campus, which is a good selling point for the University.

TRESPASS

18. The Director of Legal Services issued a letter on 20 November 2013, to the occupiers by hand informing them that they were trespassing, in breach of Regulation 8 of the Student Conduct Regulations and that the University required them to vacate immediately. A copy of this letter is exhibited at "BC1".
19. The main method of communication with the occupiers has come through reading the social media channels through which they have communicated the occupation and the purpose thereof. Copies of these are exhibited at "BC2".
20. Further, the protesters have asserted their intention to remain in occupation in an interview with The Independent. A copy of this article is exhibited at "BC3".
21. The occupiers have refused to engage with the University, and their only method of communication to us has been through the use of social media, and some dialogue through the Guild of Students.
22. The Director of Legal Services sent a further letter on 21 November 2013 at 10:30am to the occupiers to inform them of the concerns of the University in respect of health, safety and fire risks. The letter also confirmed that their occupation of the Senate Room and adjoining area is considered as a trespass and to leave the Building immediately. A copy of this letter is exhibited at "BC4". No response was received.

23. Therefore, on 21 November 2013 at 6pm, a final letter was sent to the occupiers from the Director of Legal Services, which was delivered by hand requesting that they vacate the premises by am on 22 November 2013. I set this deadline in order that the vacation could take place in daylight as I felt this would be safer than a vacation in the dark at night. The letter also set out that if they did not leave then the University reserves its right to exercise its legal options. A copy of the letter is exhibited marked "BC5". The deadline has now passed and despite the University's continued attempts to deal with this situation reasonably, the occupiers remain in situ.

HEALTH AND SAFETY AND FIRE RISKS

24. On 20 November 2013, I considered it best to obtain an expert opinion from the University's, Assistant Director of HR (Workplace Wellbeing), Leslie Wright, who is a Chartered Fellow of the Institute of Occupational Safety and Health. He confirmed that the occupation of the students and refusal to leave the Building is breaching the University's Health and Safety Policy (the requirement for them to co-operate with the University in any matters related to their health and safety). Furthermore, the deliberate obstruction with the fire escape routes also breaches this policy, as this presents a risk to personal safety given that it would delay evacuation, particularly to those students occupying the Building. The Assistant Director of HR at the University therefore issued a note on health and safety to the occupiers in the Building at 2pm on 21 November 2013.
25. The University accepts that Universities are places of free speech and respects the rights of students to protest peacefully and within the law. The University's priority is the safety and wellbeing of students, staff and visitors, and it is concerned that any protest poses a potential hazard to protesters, staff and bystanders or cause unwarranted destruction or damage to property. The University has endeavoured to agree a Protocol with the University Guild of Students governing student protests and a copy is attached at "BC6". This remains a draft as this has not been acknowledged by the University Guild of Students.

THE BUILDING

26. In addition, it is apparent that the protesters have deliberately targeted the Building, as it is an important decision-making forum, which is located in the central hub of the Campus. It is also apparent that the protesters have deliberately commenced this occupation in this Building in order to seek to bring maximum disruption to the University. The occupiers acknowledge the significance of the Building to the University's operations and decision making in their Statement on the Occupation of Senate Room at "BC2".

27. In light of the above and given the central location of the Building on the Campus, I consider that the occupiers would easily be able to occupy neighbouring buildings on Campus if they are permitted to continue their protests and occupation.
28. I felt that in these circumstances the University had no choice but to seek a summary possession order and further supportive injunction.

THE INJUNCTION POSSESSION ORDER SOUGHT

29. The University in negotiation with the Guild has an agreed protocol to facilitate orderly protest by the student body and has a similar arrangement with the trade unions that represent employees of the University. Occupation is not allowed under the protocol and, indeed, the occupiers have never sought to invoke the protocol in anything that they have done.
30. The occupiers have no right to conduct a 'sit-in' as they are doing. This taking of occupation upon University property is a trespass which extends well beyond the terms on which students are entitled to access upon University property. Furthermore, no student of the University should engage in activity likely to interfere, in the broadest sense, with the proper functioning or activities of the University or those who work or study in the University or undertake action which otherwise damages the University.
31. There is already a risk to health and safety as a result of the unauthorised occupation by the protestors. As others may be encouraged by the occupiers to join the protest, this situation might get worse. My concern is that there is a general risk to the building through the occupation, and to the occupiers themselves, which may worsen if the occupiers remain in occupation.
32. In light of the situation which I have described I respectfully request on behalf of the University, a summary order for possession pursuant to CPR Part 55 together with an injunction in the terms of the draft Order attached to the Application Notice dated 22 November 2013. I respectfully request the Court to grant an order which protects and covers the entirety of the Campus (which is effectively the one site, and not separate pieces of property), notwithstanding that the 'sit-in' occupation is currently part of Blocks A and B of the Building to which I have referred. If the Defendants are forced to move from one part of the Campus only, then it is highly likely that this will only result in them moving to another part of the Campus.
33. I also request the Court to grant orders which effectively abridge the time for service of these proceedings to Monday 25 November 2013 in view of the urgency of the situation. I leave the mechanics and procedural basis for that to our lawyers, but I am confident that such service as they have devised (and which has been discussed with me) will come to the attention of the protestors. I have concerns that the occupiers may resist any other form of service.

UNDERTAKING IN DAMAGES

34. If it is necessary (and I understand it may not be) I am able to confirm to the Court that the University is able and willing to provide an undertaking in damages. Again, if necessary, I am authorised to give this undertaking up to the sum of £25,000, but I can seek authority to give an undertaking in a larger sum if necessary. Obviously, if a final order is granted this will not be required. I cannot envisage any circumstances where significant damages would arise to the students in any event.

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

Signed:

**Position: Director of Academic Services
The University of Birmingham**

Dated 22 November 2013

1. Claimant
2. Brendan Casey
3. First
4. BC
5.22 November 2013

CLAIM NO

IN THE HIGH COURT OF JUSTICE

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 ASTON
WEBB BUILDING, EDGBASTON,
BIRMINGHAM AT THE UNIVERSITY OF
BIRMINGHAM FOR THE PURPOSE OF
PROTEST ACTION (WITHOUT THE CONSENT
OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

WITNESS STATEMENT OF
BRENDAN CASEY

SGH Martineau LLP
No 1 Colmore Square,
Birmingham
B4 6AA

REF: MJE/UN4102612

1. Claimant
2. Brendan Casey
3. First
4. BC
5. 22.11.13

CLAIM NO

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

(1) SIMON FURSE

(2) HATTIE CRAIG

(3) PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS ASTON WEBB BUILDING, EDGBASTON, BIRMINGHAM AT THE UNIVERSITY OF BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

WITNESS STATEMENT OF BRENDAN CASEY

This is the exhibit "BC1" to the Witness Statement of Brendan Casey dated 22 November 2013.

Our Ref: CMP

20 November 2013

To the Occupiers of
The Senate Room
The University of Birmingham
Edgbaston
Birmingham
B15 2TT

I write to confirm that the University has withdrawn permission for you to occupy the premises known as The Senate Room at The University of Birmingham ("the Property") and therefore you are trespassers. The University also has concerns in relation to the Health and Safety and Fire Regulations Compliance aspects of your occupation. You must leave immediately.

As students of the University you are subject to Regulations 8 relating to Student Conduct and in particular 8.2.1.(g) misuse or unauthorised use of University premises. I should point out that possible sanctions for breach of Student Conduct Regulations range from a reprimand to a requirement that the student withdraw from the University. Students who fail to attend their studies tomorrow morning at 9 am may also face sanctions under Regulation 7.8 Reasonable Diligence. However if students leave the Property immediately and no damage has occurred to the Senate Room, these facts will be taken into account as part of any Conduct proceedings.

Yours faithfully

Mrs C. M. E Pike
Solicitor
Director, Legal Services

1. Claimant
2. Brendan Casey
3. First
4. BC
5. 22.11.13

CLAIM NO

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

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Defendants

WITNESS STATEMENT OF BRENDAN CASEY

This is the exhibit "BC2" to the Witness Statement of Brendan Casey dated 22 November 2013.

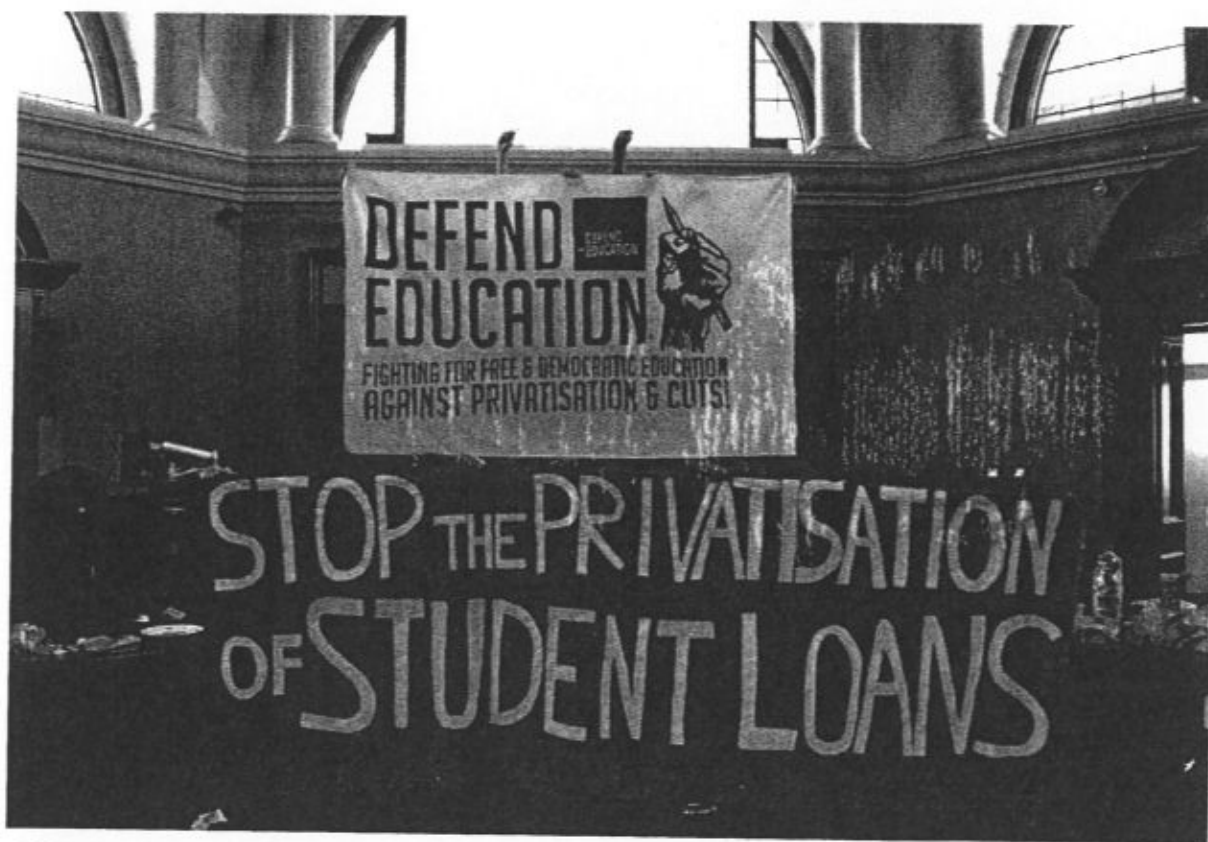
Defend Education Birmingham

The campaign for free and democratic education in Birmingham and the UK

Statement from the occupation- why we need a democratic university

Posted on November 21, 2013 by D.E

The mere suggestion that universities should be democratic is often viewed with incredulity or suspicion. When asked in a debate about whether the University of Birmingham should be more democratic the Vice Principal Adam Tickell said that he didn't think that the university should become a soviet republic and that the most important thing was "good governance" (him in charge). This article aims to set out why universities should be democratic and the severe dangers that result in putting higher education in the hands of university managers, the government, and the economic elite.



Different Forms of Co-ordination

Education has to be co-ordinated in some way, and if we do not choose democracy and self-organisation then the alternatives are either hierarchy and command or the market/exchange. Most systems of co-ordination mix these three mechanisms to greater or lesser extent. The current system of Higher Education is primarily a mixture of hierarchical and market forms of coordination. Internally the university is extremely hierarchical, Vice Chancellors have more concentrated power than a CEO of a publicly limited company, without even accountability to shareholders. Externally they must compete for students, and research grants on a quasi market. But the rules of the game are commanded down by the government.

What mechanism we choose for running education, fundamentally depends on what kind of education we wish to have. Education will obviously reflect the priorities of those who have control over it, and will tend to reproduce

ach it is run. Education is of fundamental importance to society as a whole as it determines the upon which our society is based and the way that it develops.

Importance of education

The importance of emancipatory ideas and struggle in society cannot be overstated. The last few hundred years of European society has truly shown us the incredible horror and brutality that can be produced by unchecked power structures, deference to authority, and oppressive ideas. After the horrors of the first half of the 20th century the idea that the primary function of education should be to create reflexive individuals willing to challenge power was widespread. This is a lesson that has clearly not been learnt, but that we forget at our peril.

When education is accessible to everyone, and left to primarily self governing mechanisms (or even often without them) it almost always tends towards creating emancipatory ideas and action. Education allows us to analyse the world around us and gives us tools with which we can change it. It takes exertions of power to take education away from these sort of ideals, to repress people's free desires for a better society. Marketised education does not make sense if you analyse it in terms of doing better research or teaching people better; the reforms are about creating different kinds of graduates, ones that fits more productively into the society that they wish to create.

Education for the market

One of the clearest examples of the marketisation of education is the creation of information on how many students on each course at each university pay back their loans. David Willets has said he finds it "incredibly frustrating" that these measures do not already exist. What this means is a total subordination of university to the interests of business. Universities will be judged not on the intrinsic, or educational value of their degrees but on the extent to which their graduates are valued by the market.

A marketised education system means that students lives are controlled by our future employers, not just when we are in work, but constantly as we must jump through hoops to gain the upper hand over other students. This hollowed out life- being constantly forced into things that are good for the CV- is categorically opposed to real education and learning.

Education for the government

The current reforms, and the general process of neoliberalisation within universities, also empowers the government to set their own priorities for education (often almost indistinguishable from those of business) ahead of those who work and study in it. The government is increasingly intruding on any idea of education as a free exchange of ideas. Last week we learned that Michael Chessum was arrested for protesting without the permission of the state, and that the police had attempted to spy on student activists from Cambridge.

This trend towards violence against students follows far more serious violence and incitement by the state against various oppressed groups. The attack on benefit claimants through atos assessments, sanctions and workfare, and the government's unbelievable dehumanisation of immigrants are truly horrifying signs of the kind of society we need to avoid.

If we are to take ideas, debate, and a decent society seriously, then education should stand as a clear challenge to the government, not a capitulation to it. David Eastwood, the Vice Chancellor at Birmingham, has cheered marketisation in, every step of the way. He was on the Browne Review that set fees at £9,000, he writes in the Guardian arguing that the problem with higher education is too much public involvement, and last year he did a fringe event at Tory party conference arguing that universities should be setting up free schools. The idea that he is the best person to guard something like a university is frankly laughable.

The alternative

Our Demands set out a number of very moderate ways in which the management of the University of Birmingham could stop attacking the interests of staff, students, and the community. Whether it is lobbying against our interests, closing vital courses because they don't fit the universities' "strategic vision", squeezing as much profit out of students as they possibly can, or a culture of secrecy and attempting to outcompete other universities; the senior management continually shows no regard for the community whose work they depend on.

Education is far too important to be left to the likes of David Eastwood and David Willets. The urgent task of everyone involved education should be increasing the power of students and staff to shape the way it runs.

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Occupation Press Release

Posted on [November 21, 2013](#) by [admin](#)

Students at the University of Birmingham have occupied part of the Aston Webb Building demanding that the University give students and staff a greater stake in decisions. They entered the building around 6:30 on Wednesday evening and have barricaded themselves into the University's Senate Chamber. University Senate is a body that historically represented academic control over the University of Birmingham, but the students claim that this academic control has been eroded and that the university is now run only by senior management.

The occupation is being organised by an activist group called Birmingham Defend Education, who have put a statement on their [website](#) explaining their reasons for occupying and making demands to the university.

"Defend Education believe that staff and students should have more power in every level of university decision making. Currently a small class of senior managers benefit disproportionately from the fees and work of staff and students. They have total unaccountable power to harm our interests within the university and lobby against our interests outside it.

We are fighting this campaign to try and put pressure on the university to directly accept the following demands; but also because we wish to start a debate and dialogue among students and workers at the University about the kind of institution we want it to be and how we can bring this about."

The University Press Office has issued a statement:

"Universities are places of free speech and we respect the rights of students to protest peacefully and within the law. Our priority is the safety and well being of our students, staff and the wider community and we are concerned where any protest poses a potential hazard to protesters or bystanders, or causes unwarranted disruptions to study or work, or damage to property. We are particularly concerned that the actions of this small number of students is diverting safety and security resources and potentially diminishing the safety of our 28000 other students."

Press Contact: 07842765067

Posted in [Uncategorized](#) |

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Defend Education Birmingham

The campaign for free and democratic education in Birmingham and the UK

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Press Contact: 07842765067

Posted in [Uncategorized](#) |

[0](#)

[Comments](#)

Statement on the Occupation of Senate Chambers

Posted on November 20, 2013 by D.E

We are currently occupying the Senate Chambers at the University of Birmingham.

The Senate was, historically, the place in which the academic community came together to discuss and decide the direction of the University. Today, this has evolved into a box to be ticked, a bureaucratic procedure of approval which carries little weight, in which very little can be debated or contested, and in which the few academics and even fewer students are routinely ignored and powerless. We have chosen this site to occupy as it is symbolic of



(<http://derbypa.wordpress.com/>)

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For a People's Britain, Not A Bankers' Britain

(<http://derbypa.wordpress.com/>)

Birmingham University Students Occupy

(<http://derbypa.wordpress.com/2013/11/20/birmingham-university-students-occupy/>)

POSTED ON 11/20/2013 ([HTTP://DERBYPA.WORDPRESS.COM/2013/11/20/BIRMINGHAM-UNIVERSITY-STUDENTS-OCCUPY/](http://derbypa.wordpress.com/2013/11/20/birmingham-university-students-occupy/)) UPDATED ON 11/20/2013

([HTTP://DERBYPA.WORDPRESS.COM/2013/11/20/BIRMINGHAM-UNIVERSITY-STUDENTS-OCCUPY/](http://derbypa.wordpress.com/2013/11/20/birmingham-university-students-occupy/))

Statement on the Occupation of Senate Chambers

(<http://www.defendededucationbrum.org/statement-on-the-occupation-of-senate-chambers/>)

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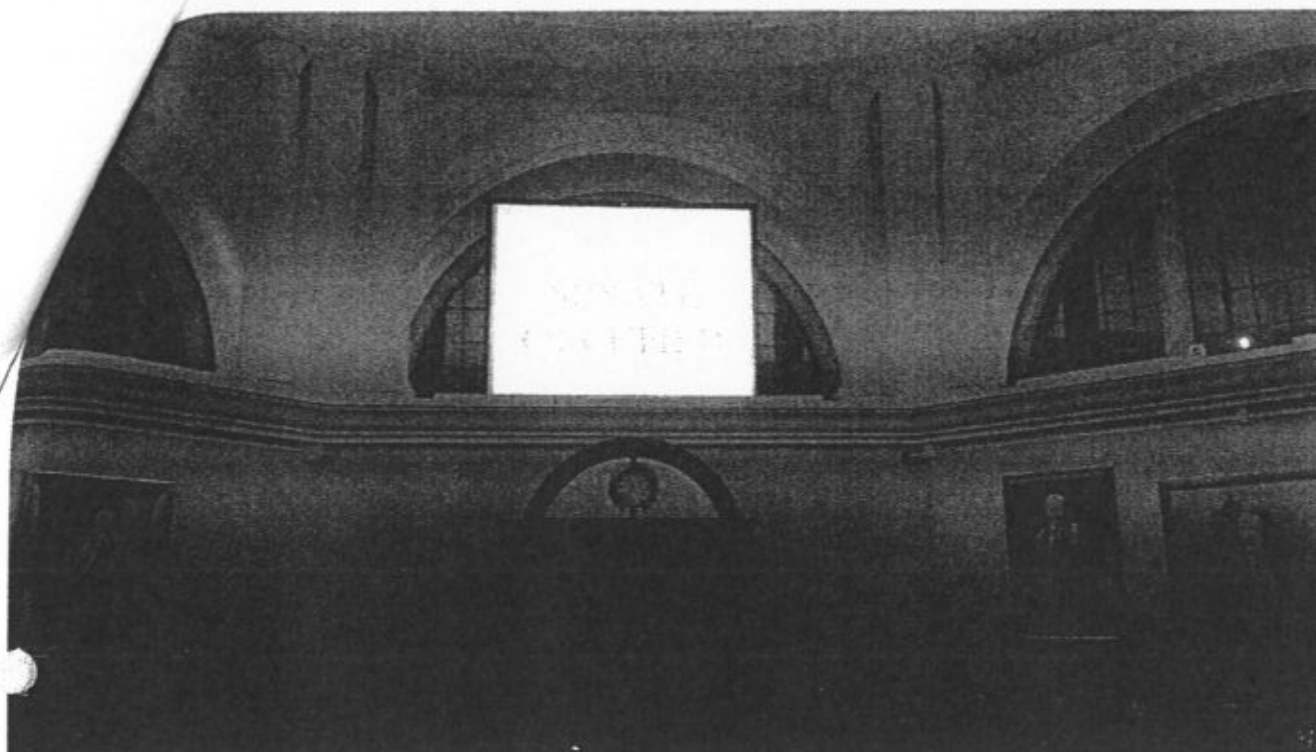
(<http://www.defendededucationbrum.org/>)

Posted on November 20, 2013 (<http://www.defendededucationbrum.org/statement-on-the-occupation-of-senate-chambers/>) by D E (<http://www.defendededucationbrum.org/author/maerohani/>)
We are currently occupying the Senate Chambers at the University of Birmingham.

The Senate was, historically, the place in which the academic community came together to discuss and decide the direction of the University. Today, this has evolved into a box to be ticked, a bureaucratic procedure of approval which carries little weight, in which very little can be debated or contested, and in which the few academics and even fewer students are routinely ignored and powerless. We have chosen this site to occupy as it is symbolic of the way in which University management has steadily decreased the democratic power and representation of both students, staff and academics, and we feel this needs to change.

Defend Education believe that staff and students should have more power in every level of university decision making. Currently a small class of senior managers benefit disproportionately from the fees and work of staff and students. They have total unaccountable power to harm our interests within the university and lobby against our interests outside it.

We are fighting this campaign to try and put pressure on the university to directly accept the following demands; but also because we wish to start a debate and dialogue among students and workers at the University about the kind of institution we want it to be and how we can bring this about.



(http://www.defendededucationbrum.org/wp-content/uploads/2013/11/Senate_Occupied.jpg)

We demand:

Free and open access to the occupation by all students and non-management staff, without victimisation or punishment. Senior management staff should be excluded from entering the occupation so that it can remain a strong and safe organisational space.

That David Eastwood and the University of Birmingham should publicly take back their position that fees should be increased and that bursaries should be cut. Instead, they should lobby the government for fees to be reduced, and bursaries to be increased.

That the University of Birmingham make a public statement against the privatisation of student loans and in defence of the public university. The Vice Chancellor should sign up to the Council in Defence of British Universities or the Campaign for the Public University.

That the University's total income per student place from halls should be frozen next year, and that the cheapest fifth of halls should have their prices decreased.

That all staff working for the University of Birmingham- including those employed in house, by external contractors, and the Guild of Students- should be paid a living wage.

That the pay ratio between the lowest paid and the highest paid staff in the university should be reduced to 10:1.

That a body should be set up made up of elected students, academic staff, and support staff. This should have ultimate oversight over the restructuring of departments, the University's investment decisions, and its lobbying positions.

That the University produces a publicly available Ethical Investment and Procurement Policy which is reported on annually with plenty of opportunity of engagement with staff, students and other key stakeholders.

financial statements of the University's academic departments, and non-academic services should be
ed so that they can be scrutinised and the University's decisions be properly held to account by the
community.

That the Nursing course faces no loss of investment and no redundancies.

That the University should allocate none of its access income to compulsory fee waivers and instead spend it all
on Bursaries, or give students the choice.

<http://www.defendededucationbrum.org/> (<http://www.defendededucationbrum.org/>)

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1. Claimant
2. Brendan Casey
3. First
- 4.BC
5. 22.11.13

CLAIM NO

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY

THE UNIVERSITY OF BIRMINGHAM

Claimant

-and-

(1) SIMON FURSE

(2) HATTIE CRAIG

(3) PERSONS UNKNOWN (INCLUDING STUDENTS OF THE UNIVERSITY OF BIRMINGHAM) ENTERING OR REMAINING UPON THE BUILDINGS KNOWN AS ASTON WEBB BUILDING, EDGBASTON, BIRMINGHAM AT THE UNIVERSITY OF BIRMINGHAM FOR THE PURPOSE OF PROTEST ACTION (WITHOUT THE CONSENT OF THE UNIVERSITY OF BIRMINGHAM)

Defendants

WITNESS STATEMENT OF BRENDAN CASEY

This is the exhibit "BC3" to the Witness Statement of Brendan Casey dated 22 November 2013.

THE INDEPENDENT THURSDAY 21 NOVEMBER 2013



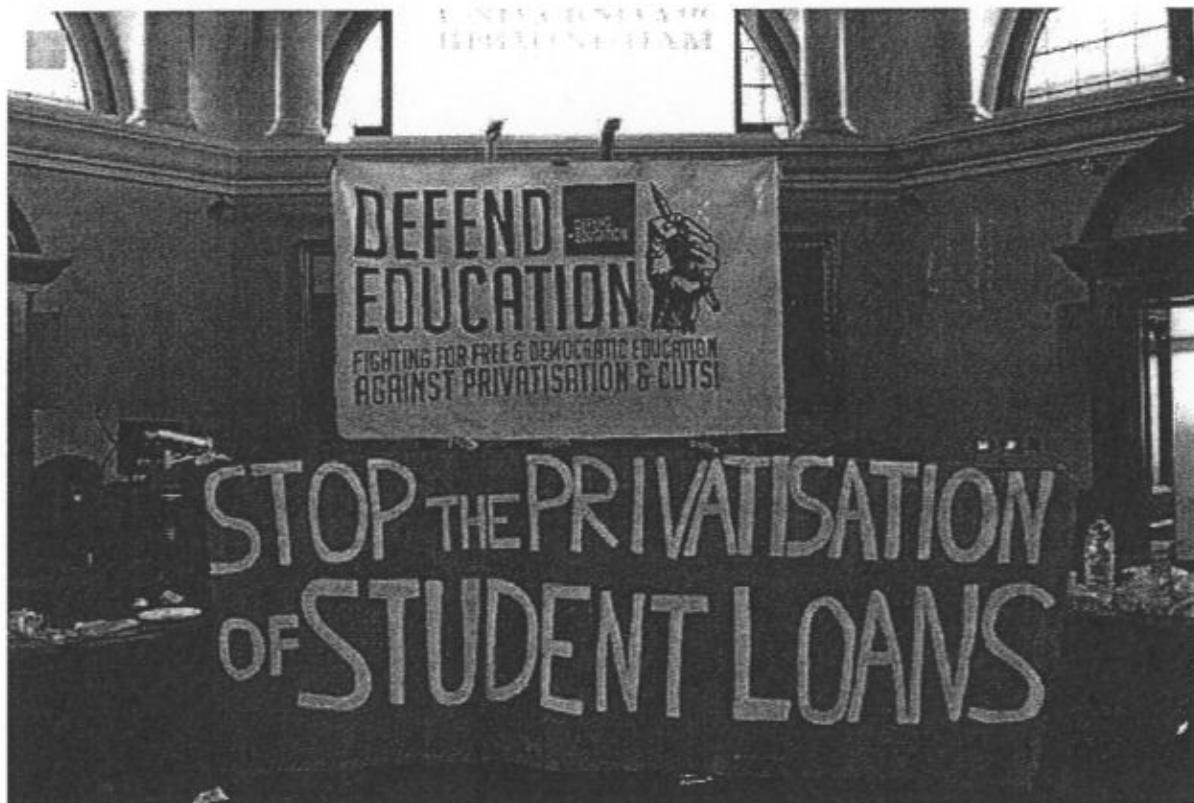
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WEDNESDAY 27 NOVEMBER

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Birmingham University campus occupied once more by student activists



CIARA COHEN-ENNIS Thursday 21 November 2013

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A group of student demonstrators have occupied a room in one of the main buildings on the University of Birmingham's campus, and are calling for "free and democratic education in Birmingham and the UK".

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unaccountable power to harm our interests within the university and lobby against our interests outside it."

The group has published a list of their demands online. They want the university to campaign against increased fees, to guarantee all staff, including casuals, the Living Wage, and to decrease the pay disparity between the highest and lowest paid employees. The full statement is available [here](#).

The occupation is ongoing, and a spokesman for the group told The Independent that they have "no plans to leave".

"We're trying to assert control over a situation where students feel they have no power. The response has been amazing. Security are not letting anyone else in but we know more people want to join."

In a statement, the university said it respects "the rights of students to protest peacefully and within the law".

"Our priority is the safety and wellbeing of our students, staff and the wider community and we are concerned where any protest poses a potential hazard to protesters or bystanders, or causes unwarranted disruptions to study or work, or damage to property."

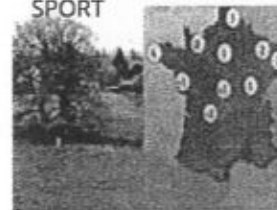
The group, called Defend Education

Birmingham, began their protest last night in the Senate Chambers in the Aston Webb building. They barricaded themselves in the Dome Room, equipped with a table of food to keep them going through the night.

In a statement, the protesters hit out at university management, for allegedly decreasing students' power and representation.

"Defend Education believes that staff and students should have more power in every level of university decision making. Currently a small class of senior managers benefit disproportionately from the fees and work of staff and students. They have total

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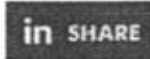
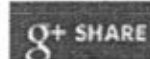
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