

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

**Case no: HQ03X03859**



**BETWEEN:-**

- (1) Bayer Public Limited Company
- (2) Bayer UK Limited
- (3) Bayer CropScience Limited
- (4) Bayer Diagnostics Manufacturing Limited
- (5) Bayer Diagnostics Manufacturing (Sudbury) Limited
- (6) W. Hawley & Son Limited
- (7) pbi Home & Garden Limited
- (8) H.C. Starck Limited
- (9) H.C. Starck GmbH
- (10) Dystar UK Limited
- (11) Lambert Courth (for and on behalf of the employees of all the above  
Claimants pursuant to CPR 19.6) **Claimants**

**- AND -**

- (1) Elizabeth Clare Snook
- (2) Jeremy Barker
- (3) Naomi Davies
- (4) Stella Maria Wood
- (5) Christopher James Brian
- (6) Benjamin Jeffrey Wood
- (7) Stop Bayer's GM Crops
- (8) Leeds Earth First
- (9) Bayer Hazard
- (10) Stop Huntingdon Animal Cruelty

**DEFENDANTS**

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**ORDER**

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**PENAL NOTICE**

**IF YOU THE WITHIN NAMED DEFENDANTS DISOBEY THIS ORDER YOU MAY  
BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR  
FINED OR YOU MAY BE FOUND TO BE GUILTY OF A CRIMINAL OFFENCE  
FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH**

## **IMPORTANT NOTICE**

**If you do not obey this Order you will be guilty of contempt of Court and you may be fined or sent to prison or may be guilty of a criminal offence for which you may be fined or sent to prison or both.**

## **DEFINITIONS**

**This Order shall be construed in accordance with the following Orders and/or Definitions:-**

1. That the Eleventh Claimant, Lambert Court (who is a Director of the First to Seventh Claimants and the Tenth Claimant and expressly authorised to act on behalf of the Eighth and Ninth Claimants), do represent the interests of the First to Tenth Claimants' employees and the Protected Persons (as defined below) pursuant to the Civil Procedure Rules 1998 (CPR) 19.6.
2. In this order harass has the same meaning as in the Protection from Harassment Act 1997 and references to "he", "him" or "his" shall be taken as meaning "she", "her" or "hers" where appropriate.
3. In this Order "exclusion zone" or "zones" shall mean any areas in which Protesting activities are prohibited or curtailed by this order or otherwise.
4. In this order Protestor or Protestors shall mean:
  - (a) the Defendants whether by themselves their servants or agents or otherwise
  - (b) any other person who is acting in concert with any of the named Defendants to do any act prohibited by this Order and who has notice of the terms of this Order whether by himself his servants or agents or otherwise; and
  - (c) any other person who has been given notice in writing of the terms of this Order whether by himself his servants or agents or otherwise.

5. In this Order the Protected Persons shall mean:

(a) the Eleventh Claimant,

(b) the employees of the First to Tenth Claimants' ("the employees"),

(c) the families, servants or agents of the employees,

(d) The employees of the First to Tenth Claimants' contractors who are working at the First to Tenth Claimants' premises,

(e) any person seeking to visit the First to Tenth Claimants' premises, or any premises referred to in this Order, or any premises or home belonging to or occupied by any of the Protected Persons.

### **THE ORDER**

**The Defendant's having failed to file and serve their defences in accordance with paragraph 3 of the Order of Mr Justice Gray dated 05 April 2004, IT IS ADJUDGED that:-**

1. The Protestors be restrained from pursuing a course of conduct which amounts to harassment of the Protected Persons, as defined above contrary to the Protection from Harassment Act 1997.

2. **AND** in particular the Protestors be restrained, under the terms of the Protection from Harassment Act 1997, from:-

(1) Assaulting, molesting, harassing, threatening, pestering or otherwise interfering with the Protected Persons (as defined above) by doing acts which cause harassment, intimidation or harm whether directly or indirectly to the Protected Persons by any means whatsoever including:-

- (a) photographing the protected persons or their vehicles which activities are prohibited in their entirety;
  - (b) using any instruments whatsoever which may or may not be designed for the making of artificial or musical noise, or use anything to amplify sound.
- (2) making any direct, abusive or threatening communication whether in writing, by facsimile or otherwise or orally whether by telephone or electronic transfers (e-mail) or otherwise howsoever to the Protected Persons (as defined above), save that the Protestors may communicate through their solicitors and may communicate with the First to Tenth Claimants by addressing ordinary correspondence to the Company Secretary of the First Claimant's at Bayer House, Strawberry Hill, Newbury, Berkshire RG14 1JA or by using the following designated telephone number namely '01635 563 771', the following designated facsimile number namely '01635 563 772' and the following designated e-mail address namely 'protest@bayer.co.uk'.
- (3) approaching within the exclusion zones surrounding the following properties which are respectively identified and coloured pink, blue and yellow on the plans attached to this order:-
  - (a) 30 Abberbury Road,  
Iffley, Oxford, OX4 4ES
  - (b) 15 Coppice Avenue  
Great Shelford, Cambridge CBZ 5AQ
  - (c) 9 Boleyn's Close  
Queens Park, Billericay, Essex CM12 0YZ
  - (d) 5 Chesterford House,  
Southacre Drive, Cambridge, CB2 2TZ

- (4) knowingly picketing, demonstrating and loitering within 100 yards of the houses of any of the Protected Persons (being exclusion zones).
- (5) (subject to sub-paragraph 6 below) coming, remaining trespassing or conducting any demonstrations or protesting or other activities within the following areas of land identified on the plans annexed hereto and coloured pink, blue and yellow, being exclusion zones and being land situated in the immediate vicinity of:-
- (a) Bayer Public Limited Company  
Bayer House and West Point and West Street House and  
Strawberry Hill House,  
Strawberry Hill, Newbury, Berkshire RG14 1JA
  - (b) Bayer Public Limited Company  
Healthcare Product Development  
Hunton House, Unit 1 Highbridge Industrial Estate  
Oxford Road, Uxbridge, UB8 1HU
  - (c) Bayer Public Limited Company  
MERA Diagnostics Division, St Andrews Works  
Colchester Road, Halstead  
Essex C09 2DX
  - (d) Bayer CropScience Limited  
Gorsey Lane, Widnes, Cheshire, WA8 0RN;
  - (e) Bayer CropScience Limited  
1 Cambridge Road, Hauxton, Cambridge CB2 5HU
  - (f) Bayer CropScience Limited  
International Application Technology Group  
Cliffe Road, North Newbald  
York YO43 4TY
  - (g) Bayer CropScience Limited  
Sweetbriar Road, Norwich NR6 5AP
  - (h) Bayer Diagnostics Manufacturing Limited  
Western Avenue, Bridgend Industrial Estate,  
Bridgend, Mid Glamorgan, CF31 3TY

- (i) Bayer Diagnostics Manufacturing (Sudbury) Limited  
Chilton Industrial Estate, Northern Road  
Sudbury, Suffolk CO10 2XQ
  - (j) Bayer Diagnostics Manufacturing (Sudbury) Limited  
Chilton Industrial Estate, Windham Road  
Sudbury, Suffolk CO10 3XD
  - (k) Bayer Diagnostics Manufacturing (Sudbury) Limited  
Chilton Industrial Estate, Byford Road,  
Sudbury, Suffolk CO10 2YG
  - (l) Bayer Diagnostics Manufacturing (Sudbury) Limited  
Units 13 & 15/17 Fourth Avenue  
Bluebridge Industrial Estate  
Halstead, Essex CO9 2SY
  - (m) W. Hawley & Son Limited  
Lichfield Road, Branston  
Burton-on-Trent, Staffordshire, DE14 3WH
  - (n) pbi Home & Garden Limited  
Durkan House, 214-224 High Street,  
Waltham Cross, Herts, EN8 7DU
  - (o) H. C. Starck Limited  
Harris Road, Calne, Wiltshire SN11 9PT  
and 15 Portmarsh Road, Calne, Wiltshire SN11 9BW
  - (p) H. C. Starck Limited, Unit 19 Horndon Business Park  
West Horndon, Brentwood, Essex CM13 3XD
  - (q) H. C. Starck GmbH  
UK Liaison Office, Aizlewood's Mill  
Nursery Street, Sheffield, S3 8GG
  - (r) Dystar UK Limited  
Unit 2, Pennine Business Park  
Bradley Road, Huddersfield HD2 1RA
- (6) conducting any demonstrations or protesting or other activities within the exclusion zones referred to in sub-paragraphs 5 (a) to (r) above save that the demonstrations may be conducted once every 7 days at each of the aforesaid premises on the following terms namely:-

- (a) that the number of Protestors present at such demonstrations shall not exceed 12 individuals;
  - (b) that the maximum duration for such protest/demonstration shall not exceed 6 hours;
  - (c) demonstrations may only occur in the designated areas marked on the plans attached hereto;
  - (d) the Protestors may breach the exclusion zones for the sole purpose of gaining access to the said designated areas PROVIDED that the protestors fully comply with the terms of this sub-paragraph;
  - (e) the Protestors shall not drive or park any vehicles within half mile of the Claimants' premises referred to above;
  - (f) it is a condition precedent to the terms of this sub-paragraph that not less than 24 hours before the proposed demonstration, the Protestors shall have first notified the police station responsible for policing each exclusion zone in accordance with the list of police stations attached to this Order;
- (7) publishing names, addresses, telephone numbers, fax numbers electronic-mail addresses, car or other vehicle registration numbers or any other material designed to make known to any Protestor or other person the Protected Persons who are defined above.
- (8) Publishing and delivering by website, e-mail or in any form whatsoever any material, whether defamatory or otherwise, identifying the Protected persons or concerning or describing any activities perpetrated by any Protestors against any of the Protected persons.

(9) Inciting, compelling or otherwise seeking to persuade any Protected Person against their will from:-

- (a) doing something that he is entitled or required to do; or
- (b) doing something that he is not under any obligation to do

**IT IS FURTHER ORDERED THAT:-**

3. The Claimants have permission to enforce the Order herein as against the members of the Seventh to Tenth Defendants and the Protestors as defined in this Order, pursuant to CPR 19.6(4)(b) and to the Protection from Harassment Act 1997.

4. There be substituted service of this Order herein on the Defendants by sending the same by pre-paid ordinary first class post in sealed envelopes addressed to the said Defendants as follows:-

- (a) the First Defendant at 15 Central Avenue, Middlesex, London HA5 5BT.
- (b) the Second Defendant at 15 North Street, Denbury, Newton-Abbott, Devon TQ12 6DJ.
- (c) the Third Defendant at 30 Oakfield Road, London, N4 4NL.
- (d) the Fourth Defendant at 18a Woodland Rise, Muswell Hill, London N10 3UG.
- (e) The Fifth Defendant at 14 Robertson Road, Bristol, BS5 6SW.
- (f) The Sixth Defendant at 14 Robinson Road, Easton, Bristol BS5 6JY.



- (g) The Seventh Defendant at PO Box 129 Plymouth PL1 1RY.
  - (h) The Eighth Defendant at c/o Cornerstone Resource Centre 16 Sholebroke Avenue, Chapeltown, Leeds UK LS7 3HB.
  - (i) The Ninth Defendant c/o Stop Bayer's GM Crops at PO Box 129 Plymouth PL1 1RY.
  - (j) The Tenth Defendant at Stop Huntingdon Animal Cruelty, 6 Boat Lane, Evesham, Worcestershire, WR11 4BP
5. There be substituted service of this Order by exhibiting the same on posts around the Claimants' boundaries within the exclusion zones.
6. There be substituted service of this Order by posting a copy of the same on the following websites:-
- (a) the Seventh Defendant at [www.stopbayergm.org](http://www.stopbayergm.org)
  - (b) the Eighth Defendant at [www.leedsef.org.uk](http://www.leedsef.org.uk)
  - (c) the Ninth Defendant at [www.bayerhazard.com](http://www.bayerhazard.com)
  - (d) The Tenth Defendant at [www.shac.net](http://www.shac.net)
- on terms that all the above Defendants are ordered, within five working days of receiving a copy of this Order in electronic form from the Claimants' solicitors, to place and maintain copies of this Order on the "home page" of the above websites or any further websites and to take all steps necessary to bring the same to the attention of their members or subscribers and to the attention of the Protestors referred to in this Order.
7. Liberty to the Claimants to apply on notice to extend the exclusion zones referred to in this Order.
8. That the Defendants pay the Claimants', alternatively the Eleventh Claimants costs of these proceedings.

9. Liberty to apply.

**GUIDANCE NOTES**  
**THE EFFECTS OF THIS ORDER**

- I A Defendant or a Protestor 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.
- II A Defendant or a Protestor 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.

**INTERPRETATION OF THIS ORDER**

- III In this Order, where there is more than one Defendant, (unless otherwise stated) references to "the Defendant" means both or all of them.
- IV A requirement to serve on "the Defendant" means on each of them. However, the Order is effective against any Defendant on whom it is served.
- V An Order requiring "the Defendant" to do or not to do anything applies to all Defendants.

Dated this 19 day of April 2004.