

## Application notice

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10. What 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.

Following a hearing on 26 February 2025 (a review hearing of the Injunction granted by the Honourable Mr Justice Julian Knowles on 27 February 2024) at which the injunction was order to continue, a directions order was made which, principally, detailed a list of service steps the Claimants were required to undertake to bring the injunction (in its amended form) and ancillary orders, to the attention of the public at large, thereby effecting service on Persons Unknown.

On reviewing the directions order, the Claimants respectfully averred that the Directions Order was defective – the schedule of service steps with which it had to comply was specified in the order as schedule one, whereas the schedule of service steps was, in fact, annexed to the Directions order as “schedule two”. The Claimants applied under the slip rule for the Amended directions order to be further amended. The Court granted the Claimants application. In so doing, in all but one respect, the Court extended the time limits for complying with the service steps (the various publicity requirements the Claimants were ordered to satisfy) to Friday 21 March 2025. The one outlier in this respect was the requirement for the Claimants to upload copies of the Amended Directions Order to its Website by 4.00 p.m. on Friday 14 March 2025.

The Amended Directions Order, although made 07 March 2025, was not sealed and distributed to the Claimants via CE-File until 11 March 2025.

To comply with the order the Claimants duly planned their publicity steps such that all publicity steps would be completed by 21 March 2025. The Claimants make full and frank admission, and profusely apologise to the Court, because in such planning, the requirement to upload the Amended Directions Order to their Websites by 14 March 2025 was overlooked the Claimants, mistakenly working under the misinformed notion that all publicity had to be effected by 21 March 2025.

On 25 March 2025, the Claimants filed a witness statement from Paul Brown, Communications Manager employed by the First Claimant, which confirmed that all publicity steps had been completed by 21 March 2025, and this included uploading the Amended Directions Order to their Websites on 20 and 21 March 2025 across the four Claimant Councils. The Claimants will respectfully contend that, as evidenced in the witness statement of Paul Brown 25 March 2025, the publicity campaign was intense and far reaching as required by the Amended Directions Order and all of the publicity steps required in the have been fulfilled in accordance with the terms of the order and the spirit of the order. The Claimants will argue that the public at large and all those who, if they were to breach the Injunction, would fall into one or more of the categories of Persons Unknown in the Injunction (1<sup>st</sup> to 4<sup>th</sup> Defendants) and such people are well aware of the Injunction.

The Claimants will respectfully contend the slight delay in uploading the Amended Directions Order to their Websites has caused no prejudice to those affected or potentially affected by the Injunction, nor has it in any way adversely affected the operation of the Injunction.

In saying this, the Claimants humbly and profusely apologise for their failure to comply with the term of the Amended Directions Order requiring upload of the Amended Directions Order to their Websites by 14 March 2025. The Claimants wish to stress this was an oversight which was completely out of character for the Claimants which can be readily evidenced by the strenuous efforts the Claimants have made to fulfil the requisite numerous and onerous publicity steps in this application since October 2022, and the Claimants also emphasise that despite this minor infringement, they nevertheless completely respect and will always use their best endeavours to comply with orders of the Court.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

- ☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

- ☒ No

## Statement of Truth

The applicant understands that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- ☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- ☒ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

## Signature



- ☐ Applicant
- ☐ Litigation friend (where applicant is a child or a Protected Party)
- ☒ Applicant's legal representative (as defined by CPR 2.3(1))

## Date

Day

27

Month

03

Year

2025

Full name

Adam James Richard Sheen

Name of applicant's legal representative's firm

Legal Services Wolverhampton City Council

If signing on behalf of firm or company give position or office held

Solicitor-Advocate (Civil and Criminal)

Applicant's address to which documents should be sent.

Building and street

Civic Centre

Second line of address

St Peter's Square

Town or city

Wolverhampton

County (optional)

Postcode

W V 1 1 R G

If applicable

Phone number

01902 556556

Fax number

DX number

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