IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MASTER COOK

Case No. HQ17CO3579

BETWEEN:

MAE
[A MINOR SUING BY HER MOTHER AND LITIGATION FRIEND, MNS]

Claimant

-and-

NORTH WEST ANGLIA NHS FOUNDATION TRUST
(formerly PETERBOROUGH & STAMFORD HOSPITALS NHS FOUNDATION TRUST)

Defendant

ANONYMITY ORDER

Before Master Cook, sitting at the Royal Courts of Justice, Strand, London, WC2A 2LL on 1 August 2019.

UPON HEARING Leading Counsel for the Claimant and for the Defendant and upon considering Leading Counsel for the Claimant's Approval Advice to the Court dated 31 July 2019:

WHEREAS the Claimant has made a claim against the Defendant for personal injuries suffered by her/arising out of the Defendant's negligence on or about 29 October 2005 and in respect of which proceedings were commenced by the Claimant by a claim form against the Defendant issued out of the Royal Courts of Justice on 7 September 2017;

AND WHEREAS the Claimant is a protected party and brings the claim by her mother and litigation friend MNS;

AND UPON consideration of the Claimant's Article 8 right to respect for private and family life and the Article 10 right to freedom of expression;

AND UPON IT APPEARING that the non-disclosure of the identity of the Claimant is necessary in order to protect the interests of the Claimant;

AND PURSUANT to rule 39.2(3)(d) and (4) of the Civil Procedure Rules and section II of the Contempt of Court Act 1981 and rules 5.4C and 5.4D of the Civil Procedure Rules;

IT IS ORDERED:

1. That the identity of the Claimant and that of the litigation friend not be disclosed.

2. That the Claimant and the litigation friend be described in all statements of case and other documents to be filed or served in the proceedings and in any judgment or order in the proceedings and in any report of the proceedings by the press or otherwise as "MAE" and "MNS".

3. That the address of the Claimant and of the litigation friend be stated in all statements of case and other documents to be filed or served in the proceedings as the address of the Claimant's solicitors.

4. That, in so far as is necessary, any statement of case or other document disclosing the Claimant's name or address or the name or address of the litigation friend already filed in the proceedings be replaced by a document describing such name or address in anonymised form as above.

5. That the original of any such document disclosing the name or address of the Claimant or of the litigation friend is to be placed on the Court file in a sealed envelope marked *"not to be opened without the permission of a Judge, Master or District Judge of the Queen's Bench Division"*.

6. That a non-party may not inspect or obtain a copy of any document on or from the Court file (other than this order duly anonymised as directed) without the permission of a Master or District Judge. Any application for such permission must be made on notice to the Claimant, and the Court will effect service. The file is to be retained by the Court and marked *"Anonymised"*.

7. That reporting restrictions apply as to the disclosing of any information that may lead to the subsequent identification of the Claimant or litigation friend. The publication of the name and address of the Claimant or of any member of the Claimant's immediate family or the name and address of the litigation friend is prohibited.

8. That the provisions of this Order shall not apply:-
    a. to communications between the Court Funds Office and the anonymised party or litigation friend in relation to the payment of money into the Court Funds Office for the benefit of the anonymised party or the investment or treatment of payment out of such money;
    b. to communications between the Court Funds Office and/or the anonymised party or litigation friend and any financial institution concerned as to the receipt or investment of such money; or
    c. to records kept by the Court Funds Office or the anonymised party or litigation friend or any such financial institution in relation to such money.

9. That the Claimant do serve this Order on the Defendant.

10. That the Defendant may apply under rule 23.10 to have this Order set aside or varied.

11. That any non-party affected by this Order may apply on notice to all parties to have this Order set aside or varied.