

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

CLAIM NO: QB-2018-001081

B E T W E E N:

BEFORE: Master McCloud

IAB
(A Child Proceeding by her Mother and Litigation Friend
EAB)

-and-

EAST KENT HOSPITALS UNIVERSITY
NHS FOUNDATION TRUST



QB-2021-001081

ORDER

UPON reading an application notice by the Claimant dated 23 March 2021

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 non-disclosure of the identity of the Claimant, and the Litigation Friend is necessary in order to protect the interests of the Claimant.

AND PURSUANT to rule 39.2(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 and s39 of the Children and Young Persons Act 1933.

IT IS ORDERED THAT:

- (1) The identity of the Claimant, and the Claimant's Litigation Friend, be not disclosed.
- (2) That the Claimant 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 "**IAB**"
- (3) That the Claimant's 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 "**EAB**"
- (4) That the address of the Claimant and of the Claimant's 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.

- (5) That the original of any such document disclosing the name or address of the Claimant or of the Litigation Friend already filed in the proceedings be replaced by a document describing such name or address in anonymised form as above.
- (6) That the original of any such document disclosing the name or address of the Claimant or of the Claimant's 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"
- (7) 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 affect service. The file is to be retained by the Court and marked "Anonymised".
- (8) That reporting restrictions apply as to the disclosing of any information that may lead to the subsequent identification of the Claimant, or the Claimant's 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 Claimant's Litigation Friend is prohibited.
- (9) The provisions of this Order shall not apply:-
 - I. 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;
 - II. 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
 - III. 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.
- (10) That the Claimant do within 7 days draw and file this Order and serve the same on the Defendant.
- (11) That the Claimant does comply with rule 23.9(2) by service on the Defendants.
- (12) That the Defendant may apply under rule 23.10 to have this Order set aside or varied.

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

(14) A copy of this order shall be published on the Judicial Website of the High Court of Justice specifying that the Claimant shall be referred to as IAB and the litigation friend as EAB.

(15) Costs in the case.

Dated this 24th day of March 2021