

General Form of Judgment or Order

In the High Court of Justice King's Bench Division Manchester District Registry	
Claim Number	F90MA361
Date	24 July 2024

Seal

EGH (BY LITIGATION FRIEND LMH)	1 st Claimant Ref JU2/IG3/ UK01-2002405
EAST LANCASHIRE HOSPITALS N H S TRUST	1 st Defendant Ref 2067/2145 11547/7616

WARNING: You must comply with the terms imposed upon you by this Order. Otherwise, your case is liable to be struck out or some other sanction imposed. If you cannot comply, you are expected to make a formal Application to the Court before any deadline imposed upon you expires.

ANONYMITY ORDER

Before His Honour Judge Sephton KC sitting at Manchester District Registry, Civil Justice Centre, 1 Bridge Street West, Manchester, M60 9DJ.

BEFORE His Honour Judge Sephton sitting as a Judge of the High Court at the Manchester CJC on 19 July 2024

UPON hearing Andrew Post KC on behalf of the Claimant and Margaret Bowron KC on behalf of the Defendant AND UPON the Claimant and the Defendant having agreed, and the Court having approved, the terms set out in the Approval Order of even date.

AND UPON

- (1) Consideration of the Article 8 rights of the Claimant to respect for private and family life and the Article 10 right to freedom of expression.
- (2) It appearing that non-disclosure of the identity of the Claimant and the Litigation Friend is necessary to secure the proper administration of justice and to protect the interests of the Claimant and that there is no sufficient countervailing public interest in disclosure.
- (3) The Defendant indicating its neutrality to the making of the order and there being no representations from the press or any other interested party.

The court office at Manchester District Registry, Civil Justice Centre, 1 Bridge Street West, Manchester, M60 9DJ. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0161 2405000 Fax: 01264 785032. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

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AND PURSUANT to section 6 of the Human Rights Act 1998 and Civil Procedure Rules (“CPR”) 5.4C, 5.4D and 39.2(4).

WHEREAS for the purposes of this order:

(1) ‘Publication’ includes any speech, writing, broadcast, or other communication in whatever form (including internet and social media), which is addressed to the public at large or any section of the public.

(2) Publication for the purpose of this Order includes any further publication (as defined in subparagraph (i) above) from the date of this Order, even if such information has derived from a previous stage or stages of these proceedings.

IT IS ORDERED THAT:

1. The identities of the Claimant and the Litigation Friend in these proceedings are confidential and shall not be published.

2. Pursuant to CPR Rule 39.2(4), there shall not be disclosed in any report of these proceedings or other publication the name or address of the Claimant, the Claimant’s Litigation Friend or other immediate family members, or any details (including other names, addresses, or a specific combination of facts) that could lead to the identification of the Claimant in these proceedings. The Claimant and the Litigation Friend shall be referred to as set out at paragraph 3 of this Order.

3. In any judgment or report of these proceedings or other publication (by whatever medium), in relation thereto:

(i) The Claimant shall be referred to as “EGH”;

(ii) The Litigation Friend shall be referred to as “LMH”;

(iii) Any other details which, on their own or together with other information publicly available, may lead to the identification of the Claimant (including any names of other immediate family members or their addresses) shall be redacted before publication.

4. Pursuant to CPR Rule 5.4C and 5.4D:

(i) A person who is not a party to the proceedings may not obtain a copy of a statement of case, Judgment or Order from the Court records unless the statement of case, Judgment or Order has been anonymised in accordance with paragraphs 3(i) to (iii) above;

(ii) If a person who is not a party to the proceedings applies (pursuant to CPR Rules 5.4C (1B) or (2)) for permission to inspect or obtain a copy of any other document or communication, such application shall be on at least 7 days’ notice to the Claimant’s Solicitors, trustee or deputy.

5. The Claimant’s solicitor shall file with the Court an electronic (PDF) bundle of the statements of case that has been anonymised in accordance with paragraph 3 above by 9th August 2024, and re-filed in the event that any statement of case is amended, within 21 days of such amendment being approved.

6. The Court file shall be clearly marked with the words “An anonymity order was made in this case on 19th July 2024 and any application by a non-party to inspect or obtain a copy document from this file must be dealt with in accordance with the terms of that Order.”

7. Any interested party, whether or not a party to the proceedings, may apply to the Court to vary or discharge this Anonymity Order, providing that any such application is made on 7 days’ notice to the Claimant’s Solicitor, trustee or deputy.

8. Pursuant to the ‘Practice Guidance: Publication of Privacy and Anonymity Orders’ issued by the Master of the Rolls dated 16 April 2019 a copy of this Order shall be published on the Judicial Website of the High Court of Justice (www.judiciary.uk). For that purpose, a court officer will send a copy of the order by email to the Judicial Office at judicialwebupdates@judiciary.uk.

9. Costs in the case

Dated 19 July 2024

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