



IN THE HIGH COURT OF JUSTICE

Case No. BL-2023-000713

THE BUSINESS AND PROPERTY COURTS OF  
ENGLAND AND WALES

BUSINESS LIST (ChD)

BL-2023-000713

BEFORE: MR JUSTICE THOMPSELL

BETWEEN:

JOCKEY CLUB RACECOURSES LIMITED

Claimant/Applicant

and

- (1) MR DANIEL FRANK PETER KIDBY
- (2) PERSONS UNKNOWN ENTERING THE AREA DESCRIBED BELOW AS THE “RACE TRACK” ON THE DAY OF A “RACING FIXTURE”, EXCEPT AT “CROSSING POINTS” WITH “AUTHORISATION”, AS DESCRIBED BELOW
- (3) PERSONS UNKNOWN ENTERING AND/OR REMAINING ON ANY “CROSSING POINTS” WITHOUT “AUTHORISATION” ON THE DAY OF A “RACING FIXTURE”, AS DESCRIBED BELOW
- (4) PERSONS UNKNOWN ENTERING THE AREA DESCRIBED BELOW AS THE “PARADE RING” WITHOUT “AUTHORISATION” ON THE DAY OF A “RACING FIXTURE”, AS DESCRIBED BELOW
- (5) PERSONS UNKNOWN ENTERING AND/OR REMAINING ON ANY PART OF THE AREAS DESCRIBED BELOW AS THE “HORSES’ ROUTE TO THE PARADE RING” AND/OR THE “HORSES’ ROUTE TO THE RACE TRACK” WITHOUT “AUTHORISATION” ON THE DAY OF A “RACING FIXTURE”, AS DESCRIBED BELOW
- (6) PERSONS UNKNOWN INTENTIONALLY OBSTRUCTING THE “HORSE RACES”, AS DESCRIBED BELOW
- (7) PERSONS UNKNOWN INTENTIONALLY CAUSING ANY OBJECT TO ENTER ONTO AND/OR REMAIN ON THE “RACE TRACK” WITHOUT “AUTHORISATION” ON THE DAY OF A “RACING FIXTURE”, AS DESCRIBED BELOW
- (8) PERSONS UNKNOWN INTENTIONALLY ENDANGERING ANY PERSON AT THE LOCATION DESCRIBED BELOW AS THE “EPSOM RACECOURSE” ON THE DAY OF A “RACING FIXTURE”, AS DESCRIBED BELOW
- (9) MR BEN NEWMAN

Defendants/Respondents

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ORDER FOR THE CONTINUATION OF AN  
INJUNCTION

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PENAL NOTICE

**IF YOU THE WITHIN NAMED DEFENDANTS OR ANY OF YOU DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED, HAVE YOUR ASSETS SEIZED**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED**

**IMPORTANT NOTICE TO THE DEFENDANTS**

**This Order prohibits you from doing the acts set out in this Order. You should read it very carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.**

**UPON** the Claimant's application by application notice dated 22 May 2023 for an interim injunction, which was granted on 26 May 2023.

**AND UPON** the Court granting an injunction in the terms set out at paragraph 4 of the order of Sir Anthony Mann dated 9 July 2024 sealed on 10 July 2024, for a period of five years subject to annual review (the "**Injunction**" and the "**Five-Year Injunction Order**", respectively).

**AND UPON** the Claimant's application by application notice dated 24 June 2025 seeking the continuation of the Injunction (the "**Application**").

**AND UPON** the Court reading the witness statement of Mr Charlie Boss, Interim Group Chief Executive of the Claimant, dated 24 June 2025.

**AND UPON** the Claimant's application by application notice dated 11 July 2025 seeking permission to rely on the third Witness Statement of Mr Julian Diaz-Rainey.

**AND UPON** the Court hearing Counsel for the Claimant.

**IT IS ORDERED that:**

**Definitions for the purpose of the Injunction**

1. For the purpose of this Order:

- (1) The “**Act**” means the Epsom and Walton Downs Regulation Act 1984.
- (2) The “**Plans**” means, collectively, the 9 aerial photographs of the Epsom Racecourse and the markings thereupon, appended to this Order.
- (3) The “**Epsom Racecourse**” means the area where the Claimant holds Racing Fixtures, within the red line marked on Plan 3.
- (4) “**Racing Fixture**” means an Authorised Meeting within the meaning of s. 14 of the Act, being a race meeting held on up to 16 days in any one year at the Epsom Racecourse, including Oaks Day and Derby Day.
- (5) “**Horse Races**” means any and all horse races taking place on the day of a Racing Fixture.
- (6) The “**Race Track**” means the area between the crowd barriers on either side of the stretch of land marked with a yellow dotted line, starting at point (C) and ending at point (D) on Plan 3.
- (7) The “**Crossing Points**” mean the 10 points at which members of the public may cross from one side of the Race Track to another with Authorisation, marked in blue on Plan 4.
- (8) “**Authorisation**” means authorisation given to any member of the public to be in a particular area at the Epsom Racecourse at a particular time, whether by a steward, police officer, and/or any agent of Jockey Club Racecourses Limited.
- (9) The “**Stables**” means the buildings and area where the horses are accommodated before the races, marked at point (A) on Plans 1, 3 and 6.
- (10) The “**Parade Ring**” means the area where horses parade ahead of the races, marked at point (B) on Plans 1, 2, 3, 6 and 9.
- (11) The “**Horse & Jockey Entrance**” means the point at which horses and jockeys enter the Race Track, marked at point (C) on Plans 2, 3, 6 and 9.

- (12) The “**Horses’ Route to the Parade Ring**” means the pathway by which the horses are led from the Stables to the Parade Ring, marked with a yellow dotted line, starting at point (A) and ending at point (B) on Plan 1.
- (13) The “**Horses’ Route to the Race Track**” means the route which the horses take from the Parade Ring to the Race Track, marked with a yellow dotted line, starting at point (B) and ending at point (C) on Plans 2 and 9.

### **Injunction in force**

- 2. The Injunction shall remain in force, such that for a further period until 9 July 2029, subject to annual review in accordance with paragraphs 3 and 4 below, on the day of any Racing Fixture at the Epsom Racecourse, the Defendants must not:
  - (1) Enter the Race Track, except at authorised Crossing Points;
  - (2) Enter and/or remain on any Crossing Points without Authorisation;
  - (3) Enter the Parade Ring without Authorisation;
  - (4) Enter and/or remain on any part of the Horses’ Route to the Parade Ring, without Authorisation;
  - (5) Enter and/or remain on any part of the Horses’ Route to the Race Track, without Authorisation;
  - (6) Intentionally obstruct the Horse Races;
  - (7) Intentionally cause any object to enter onto and/or remain on the Race Track without Authorisation;
  - (8) Intentionally endanger any person at the Epsom Racecourse.

### **Annual Review**

- 3. The Claimant shall, if it seeks the continuation of the Injunction in the terms set out in paragraph 2 above, issue an application notice, returnable in the Applications Court on a date within 14 days either side of the anniversary of this Order, and shall give notice of the application by the Alternative Service Methods (defined in paragraph 5 below).

4. If no application for an Annual Review is made, the Injunction will expire on the date 14 days after the anniversary of this Order and the proceedings will be at an end.

### **Service**

5. Pursuant to CPR r.6.15, r.6.27 and r.81.4(2)(c) and (d) (being an order to dispense with personal service), and paragraphs 6 and 7 of the Five-Year Injunction Order, and having regard to the steps already taken by the Claimant to bring the relevant documents to the attention of the Second to Eighth Defendants by alternative means, service of all relevant documents in these proceedings shall be deemed effectively served on the Second to Eighth Defendants by (i) posting digital copies on its website and Facebook page; (ii) affixing sealed copies in transparent containers at public entrances to the Epsom Racecourse; and (iii) providing digital copies by email to the co-founder of the organisation Animal Rising, Mr Daniel Kidby (the “**Alternative Service Methods**”).
6. The Claimant shall effect service of this Order on the Second to Eighth Defendants, including for the purposes of CPR 81.4, by (i) the Alternative Service Methods, and (ii) not less than 3 days before each Racing Fixture, by posting the Order at 50-metre intervals along that part of the perimeter of the Race Track marked with an orange line on Plan 4.

### **Additional Evidence**

7. The Claimant has permission to rely on the third witness statement of Mr Julian Diaz-Rainey dated 11 July 2025, pursuant to CPR 8.6(1)(b) and 23.7(4)(b).
8. The Claimant has permission, pursuant to CPR 8.6(1)(b) and 23.7(4)(b), to file an additional witness statement in support of a future application for the Annual Review of the Injunction pursuant to paragraph 3 above, up until the working day before the date of a hearing listed for said Annual Review, setting out the steps taken by the Claimant to notify the Defendants/Respondents of the application, in accordance with paragraph 5 above.

### **Directions**

9. Any person affected by the terms of this Order may at any time apply to vary or discharge the whole or any part of the Order. If they wish to do so, such persons must give the Claimant's solicitors notice in writing at least 48 hours before applying.
10. Any person applying to vary or discharge this Order must provide his or her full name and address, and an address for service.
11. The Claimant has liberty to apply to extend or vary this Order, or for further directions.
12. No order as to costs.

### **Name and Address of Claimant's Solicitors**

13. The Applicant's solicitors are Pinsent Masons LLP, of 30 Crown Place, Earl Street, London, EC2A 4ES; +44 (0) 20 7418 7000.

### **Interpretation of this Order**

14. In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
15. Where there are two or more Defendants then (unless the contrary appears)
  - (1) References to "the Defendant" mean both or all of them;
  - (2) An Order requiring "the Defendant" to do or not to do anything requires each Defendant to do or not to do it.

### **The Effect of this Order**

16. A Defendant 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.

**14 July 2025**