IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim No: HQ14D03331

BEFORE The Honourable Mr Justice Jay

Dated 28 October 2015

BETWEEN:

(1) RUSSELL EDWARD BRAND
(2) JEMIMA MARCELLE GOLDSMITH

Claimants

- and -



SZILVIA BERKI

Defendant

PENAL NOTICE

IF YOU THE DEFENDANT DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR HAVE YOUR ASSETS SEIZED.

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

NOTICE TO ANYONE WHO KNOWS OF THIS ORDER

You should read the terms of the Order very carefully. This Order prohibits the Defendant from doing the acts set out in para 3 of the Order and obliges the Defendant to do the acts set out in para 5 of the Order. If you disobey any part of this Order which applies to you, or do anything which helps or permits a person to disobey any part of this Order which applies to them, you may be found guilty of contempt of court and you may be sent to prison or fined or your assets may be seized.

UPON the Defendant's application by Notice dated 8 December for disclosure from the Chief Constable of Thames Valley Police 2014 (restored by Order of Master Leslie), and her applications by Notice dated 20 October 2015

AND UPON the Claimants' application by Notice dated 12 October 2015 for summary judgment

AND UPON hearing Counsel for the Claimants and the Defendant in person

IT IS ORDERED THAT:

APPLICATIONS AND SUMMARY JUDGMENT

1. The Defendant's applications are refused.

2. Pursuant to CPR 24.2, summary judgment is entered for the Claimants.

FINAL INJUNCTION

3. The Defendant must not harass the Claimants or either of them by communicating to or about them and in particular must not:

   (a) Communicate with the Claimants or either of them, directly or indirectly;

   (b) Make any approach to, or respond to any enquiry from, any journalist or media organisation in relation to the Claimants or either of them;

   (c) Publish or disclose to any person (whether orally or in writing, and whether by email, Twitter, the internet or howsoever);

      (i) any information concerning her attendance at the Second Claimant's house on 7 June 2014;

      (ii) any allegation or insinuation that the Claimants or either of them committed any criminal offence against the Defendant or behaved towards her in a

manner which may amount to a criminal offence, including but not limited to assault, kidnapping, false imprisonment, human trafficking, the category of offences identified in paragraph 5 of the Confidential Schedule to this Order, or (whether themselves or through third parties acting on their instructions) unlawfully accessing voice mail messages or emails;

(iii) any allegation or insinuation that the Second Claimant exploited or sought to exploit the Defendant or otherwise acted towards her in a manner incompatible with the Second Claimant's role as a Unicef UK Ambassador;

(iv) any allegation or insinuation that the Claimants or either of them obtained the interim injunction or judgment or this final injunction through fraud, corruption, or any other unlawful or improper means, whether on their own part or on the part of their legal representatives;

4. Nothing in paragraph 3 above shall prevent the Defendant from:

(a) Communicating with her legal advisers for the purposes of obtaining legal advice in relation to these proceedings, including any appeal;

(b) Communicating with the Claimants' solicitors for the purposes of these proceedings, including any appeal; or

(c) Communicating with:

(i) The Defendant's GP ([redacted] and any medical professional to whom she is referred to by her GP for treatment;

(ii) Any medical professional treating the Defendant at the [redacted] where she receives therapy (known by the name "[redacted]" or similar);

(iii) Any other medical professional who treats the Defendant on an emergency basis;

PROTECTION/DELIVERY UP OF CASE PAPERS

5. Within 21 days of the latest of the following events:

   (a) Determination of any dispute about the costs of these proceedings (including assessment of costs), whether by agreement or otherwise; or
   (b) Final refusal of any application for permission to appeal,

   the Defendant shall

   (1) deliver up to the Claimants' solicitors all copies of the Case Papers in her possession ('Case Papers' being, for these purposes, all statements of case, witness statements and exhibits thereto, and any documents disclosed to the Defendant in the course of these proceedings which are not copies of documents originally in the possession of the Defendant);

   (2) identify to the Claimants' solicitors any legal advisers to whom the Defendant has provided copies of the Case Papers.

MATTERS WITHHELD FROM THE PUBLIC/REPORTING RESTRICTION

6. The Judge, considering that it was strictly necessary, in the interests of justice and for the purpose of acting compatibly with the rights of the Claimants under Article 8 of the European Convention on Human Rights, ordered that the matters identified in the Confidential Schedule to this Order be withheld from the public at the hearing.

7. Pursuant to Section 11 of the Contempt of Court Act 1981 and in the interests of justice and for the purpose of acting compatibly with the rights of the Claimants under Article 8 of the European Convention on Human Rights, until further order, there shall be no publication in connection with these proceedings of the matters identified in the Confidential Schedule to this Order.

INTERPRETATION OF THIS ORDER

8. 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.

9. A defendant which is not an individual which is ordered not to do something must not do it itself or by its directors, officers, partners, employees or agents or in any other way.

PERSONS OUTSIDE ENGLAND AND WALES

10.

(1) Except as provided in para. (2) below, the terms of this Order do not affect or concern anyone outside the jurisdiction of this Court.

(2) the terms of this Order will affect the following persons in a country or state outside the jurisdiction of this Court—

a) the Defendant or her officer or agent appointed by power of attorney;

b) any person who—

(i) is subject to the jurisdiction of this Court;

(ii) has been given written notice of this Order at his residence or place of business within the jurisdiction of this Court; and

(iii) is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this Order; and

c) any other person, only to the extent that this Order is declared enforceable by or is enforced by a court in that country or state.

EFFECT OF THIS ORDER

11. It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be imprisoned, fined or have their assets seized.

COSTS

12. The Defendant shall pay the Claimants their costs of this action, to be subject to detailed assessment if not agreed.

13. By 4pm on 11 November 2015 the Defendant shall pay the Claimants £50,000 on account of those costs. In the event of non-payment, the Claimants have permission to commence bankruptcy proceedings against the Defendant.

PERMISSION TO APPEAL

14. Permission to appeal is refused, the Judge having determined that the proposed appeal has no real prospect of success and that there is no other compelling reason for the appeal to be heard.

15. If the Defendant wishes to renew her application for permission to appeal she must file an Appellant's Notice at the Civil Appeals Office of the Court of Appeal by 4pm on 18 November 2015.

DATED THIS 28th Day of October 2015