



**SAVE
RADLEY LAKES**

www.saveradleylakes.org.uk

email: info@saveradleylakes.org.uk

Press Release 18 April 2007

RWE NPOWER FAILS TO SECURE PERMANENT INJUNCTION

RWE npower in the High Court today failed to secure a permanent injunction against Radley Lakes protestors in the amended form that they had presented to the court.

At the end of a two day hearing at the Royal Courts of Justice, Mr Justice Teare rejected RWE npower's application for a new injunction, but accepted that, given the physical weight of the evidence (all 16 pounds of it) measures seemed to be needed to protect npower's workforce from harassment. He instructed both sides to try to come up with a mutually agreeable set of terms to be incorporated into a new amended interim injunction, for later consideration by the court. In the meantime, the existing injunction would have to remain in place.

It was made clear that any revised injunction would be much less extensive and oppressive than before.

The defendants' plan is to fight all the way, to oppose the imposition of unnecessary restrictions upon them, and upon other members of the public, and to take the matter to a full hearing.

However, there is the matter of who pays. John Rainford, the manager of Didcot 'A' power station, was present with about ten others, comprising barristers, lawyers and RWE npower staff. This will all no doubt end up being paid for out of people's electricity bills. Two of the defendants, Dr Peter Harbour of Save Radley Lakes and Malcolm Carroll, risk having to pay legal costs and, given the duration of the proceedings, these look destined to increase.

Dr Harbour said "This is very worrying because I could easily lose my house. The problem for me is to find a way to cover this risk, but it is very difficult."

Stephanie Harrison, Counsel for the defendants, told the court that she was amazed at the absurdity of some of the claimants' allegations, which implied that Save Radley Lakes, Radley Parish Council, the Mayor of Abingdon, and even local MP, Dr Evan Harris, were all implicated in a web of intrigue controlled by one Malcolm Carroll, a former squatter in the house by the lake.

The matter will go back to court for trial, probably not before June. Whilst a speedy resolution was requested by the defendants, a delay is inevitable because of issues relating to legal aid, which is being sought by three of the defendants.

Dr Basil Crowley, chairman of Save Radley Lakes, said

“Save Radley Lakes welcomes the progress that has been made into injecting some common sense into this sorry affair. However the legal process grinds too slowly and allows unscrupulous big business to cause irreversible damage in the meantime.

The fact that the injunction has had to remain in place is most regrettable.”

For further information contact: Marjorie White on 01235 216428 or 01235 530174, or visit www.saveradleylakes.org.uk or the news pages at www.radleyvillage.org.uk .

Notes for Editors

- The hearing relates to the much publicised injunction imposed indiscriminately upon people concerned about the Radley Lakes, in mid February, prohibiting amongst other things, photography of npower employees and their activities, and picketing or demonstrating in their vicinity. The injunction followed the eviction, on 6th February, of a group of squatters, who were acting independently of Save Radley Lakes, from the house known as Sandles situated by Thrupp Lake.
- Under the cover of this injunction, RWE npower proceeded to cut down a very large number of trees on and around the lake, but may have done so illegally because they omitted to get a Forestry Commission felling licence first.
- The hearing this week was intended to allow the High Court, who issued the injunction, to consider the evidence in more detail. Unfortunately the bulk of the evidence was not made available to the defendants until days before the hearing.
- All but one of the defendants are represented by Liberty.
- Only one of the defendants, Dr Peter Harbour, is a member of Save Radley Lakes.
- The claimants' barrister is Stephanie Harrison, who is offering *pro bono* service because of the important human rights issues raised by the case.
- The RWE npower side was represented by Timothy Lawson-Cruttenden.
- There will be an undertaking by each defendant, valid only until trial. In the meantime, they must wait for the Judge to give an amended interim injunction.
- A request for a speedy trial to get this sorted out has been turned down by the Judge because three of the defendants were turned down for legal aid. A decision on their legal aid appeal is expected by 22nd May.