

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

BEFORE THE HONOURABLE MR JUSTICE EYRE

BETWEEN:

EDWARD WILLIAM ELLIS

-and-

CABINET & others



Defendants

UPON the Court acting on its own initiative

and **UPON READING** the claim form and the documents on the court file

and **UPON READING** the orders made on 22nd February 2018 in claim no Q16X00733 and on 17th February 2020 in claim no QB-2020-000286

and **UPON READING** the order of Master Cook dated 11th August 2022

and **UPON** the court having concluded for the reasons set out below that it is appropriate to extend the duration of the General Civil Restraint Order made on 22nd February 2018 and extended on 17th February 2020.

IT IS ORDERED THAT:

1. The General Civil Restraint Order made by The Hon Mrs Justice May DBE on 22nd February 2018 and extended by that judge on 17th February 2020 is further extended to 21st February 2024.

This order has been made without a hearing. Any party affected by this order may apply within 7 days of the service of this order on that party to have it set aside, varied, or stayed.

REASONS

- 1) The relevant General Civil Restraint Order was made in February 2018 and extended in February 2020 with the effect that it expired on 21st February 2022.
- 2) On 2nd August 2022 the Claimant sent a letter to the court accompanied by a claim form, a document entitled “case circumstances”, Particulars of Claim, and application notice.
- 3) I have considered those documents and agree with Master Cook’s analysis that they assert a claim which is totally without merit and that they make claims which are bizarre and fanciful and which have no basis in law.
- 4) It is of note that the claim asserted is akin to those which led to the imposition of the General Civil Restraint Order.
- 5) The test for whether such an order should be extended is whether it is appropriate to do so having regard to the criteria for imposing such an order in the first place – see at *Chief Constable of Avon & Somerset v Gray* [2019] EWCA Civ 1675 at [14].
- 6) A General Civil Restraint Order can be extended after it has expired although the fact of its expiry is a relevant consideration. In that regard I adopt the analysis set out by Birss J in *Ghassemian v Chatsworth Court Freehold Company Ltd* [2019] EWHC 3646 (Ch) at [21]- [24].
- 7) The factors of particular note here are:
 - a) The conduct leading to the original General Civil Restraint Order.
 - b) The fact that the Claimant was subsequently in breach of that order and subject to a suspended sentence of committal.
 - c) The similarity of the allegations now being made to those advanced previously.
 - d) The fact that the current proceedings were commenced within 6 months of the expiry of the General Civil Restraint Order. Although the Claimant did not commence the proceedings immediately upon the expiry of the order it is of note that he did so within a relatively short time.

- 8) In those circumstances I have concluded that the extension of the General Civil Restraint Order is appropriate because it is necessary to protect litigants from vexatious proceedings and to protect the resources of the court from vexatious waste.

Dated this 16th day of August 2022