

i) Statement of: Paul Brown
ii) Statement No: 10
iii) For: Claimants
iv) Dated: 09.5.2023
v) Exhibits: PB9A

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION**

CLAIM NO: KB-2022-BHM000188

B E T W E E N:

**(1) WOLVERHAMPTON CITY COUNCIL
(2) DUDLEY METROPOLITAN BOROUGH COUNCIL
(3) SANDWELL METROPOLITAN BOROUGH COUNCIL
(4) WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

and

**1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF
3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN
THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT
WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR
MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING**

**2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF
3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN
THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE
INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL
ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS
OR OBSTRUCTIVE DRIVING**

**3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY
MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF
3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR
EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR
RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE
DRIVING WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A
(ATTACHED)**

Defendants

TENTH WITNESS STATEMENT OF PAUL STEVEN BROWN

I, PAUL STEVEN BROWN of the City of Wolverhampton Council, Civic Centre, St Peter's Square, Wolverhampton, WV1 1RG WILL SAY AS FOLLOWS:

1. Except where indicated to the contrary, the facts in this statement are within my knowledge and are true. Where the facts in this statement are not within my direct knowledge, they are based on the source indicated and are true to the best of my information and belief. This is my third statement in these proceedings.
2. The City of Wolverhampton Council is the authority which is leading the joint application of the Councils of Wolverhampton, Dudley, Sandwell and Walsall (hereinafter referred to as the “Black Country Boroughs”) seeking injunctive relief to restrain street racing (also referred to as car cruising) in the Black Country Boroughs.
3. I have been employed since 25 June 2007 as a Senior Communications Adviser and latterly Communications Manager in the communications team of the City of Wolverhampton Council.
4. In collaboration with my colleagues Pardip Nagra (ASB Team Leader) and Adam Sheen (Senior Solicitor, Legal Services) a communications plan has been developed, with the initial steps implemented, initially to raise awareness of the application to the High Court for an interim street racing injunction for the Black Country Area and, should the court be minded to grant this, to promote the existence of the injunction, and the power of arrest, once it is formally in place.
5. Recognising this is a joint enterprise, I have been liaising closely with my counterparts in the communications teams of Dudley, Sandwell and Walsall Councils and West Midlands Police. This is my tenth statement within these proceedings.
6. I make this statement to update the Court on activity pursuant to the Paragraphs 5(9) of the Injunction granted 21 December 2022 and paragraph 5(9) of the order of 13 February Sealed 16 February, in which the Claimants were required to:

“Request that West Midlands Police

(a) Post on their Website, Facebook, Twitter and Instagram account, a link to the media release [the release we send out telling the world about the grant of the injunction and the continuation of the injunction respectively]

(b) Ensure that copies of the Injunction and Power of Arrest are available at the Front Desks of their stations throughout the Black Country Area”.

These steps were to be completed by 23:59 on 23 December 2022 and 21 February 2023 respectively.

7. I am patently aware and humbly admit that not all of these steps were completed within the deadline set in paragraph 5 of the Injunction granted 21 December 2022 and paragraph 5(9) of the order of 13 February. This arose due to an oversight arising from the considerable efforts and focus the Claimants necessarily had on ensuring compliance with the many service steps required of them in the other paragraphs of the orders detailed above.
8. On behalf of the four Claimant Councils, I profusely and sincerely apologise to the Court and stress no disrespect was intended to the honourable court.
9. I can confirm that requests were made on a regular basis to West Midlands Police to share information via their social media channels, including that relating to the outcomes of the hearings in December and February as required in Paragraphs 5(9) of the Injunction granted 21 December 2022 and paragraph 5(9) of the order of 13 February Sealed 16 February. Please see **Exhibit PB10A attached hereto** for screengrabs of social media shared on Facebook and Twitter by West Midlands Police and the borough social media channels of Wolverhampton, Dudley, Sandwell and Walsall Police.
10. However, regrettably, a request for information to be posted on the West Midlands Police website was only made on 4 May 2023. This was complied with, via a link to the City of Wolverhampton Council street racing page where injunction, power

of arrest, review hearing notice and a wealth of information relating to the injunction application is laid out. Please see **Exhibit PB10A attached hereto**.

11. Further, a request was only made to West Midlands Police for the first time on 4 May 2023 to arrange for the printing and maintaining of hard copies of the injunction, power of arrest and review hearing notice at front desks of the police stations in the local policing units of Dudley, Sandwell, Walsall and Wolverhampton. The Council received confirmation from Police Constable Mark Campbell of West Midlands Police on 5 May 2023 that this request had been received and had been assigned to the necessary personnel within West Midlands Police to address such request.

12. Although the Claimants do not seek in any way to hide from this late compliance, I respectfully contend no prejudice has been caused and, respectfully suggest that it is the totality of the other publicity steps carried in by the Claimants, and in particular social media communications, all of which were completed timeously and well within the deadlines ordered by the honourable court, that will have had the greatest impact on disseminating information to Persons Unknown likely affected by this injunction and thereby serving the injunction, power of arrest and notices of hearings.

13. Nevertheless, I wish to place on record the Claimants' sincere and profuse apologies for this delayed compliance addressed herein which was entirely due to the Claimants' oversight. I further confirm a very careful note will be taken of deadlines for any and all future service steps ordered by the honourable court in relation to this application for injunctive relief to avoid any future repetition of such delayed compliance.

14. I thank the honourable Court for its attention in this matter.

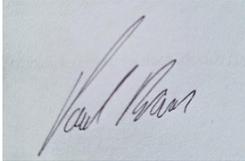
STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without and honest belief in its truth

Full Name: PAUL STEVEN BROWN

Position: COMMUNICATIONS MANAGER

Name of Claimant: City of Wolverhampton Council

Signed 

Print Name PAUL BROWN

Dated: 9 May 2023