

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

Mr Justice Johnson

BETWEEN:

THE UNIVERSITY OF NOTTINGHAM

**Claimant**

-and-

**(1) MX JOEL BUTTERWORTH (ALSO KNOWN AS RIVER BUTTERWORTH  
(THEY/THEM))**

**(5) NON STUDENTS/STAFF: PERSONS UNKNOWN, BEING PERSONS IN AN  
ENCAMPMENT OCCUPATION OF LAND ON THE JUBILEE CAMPUS AT THE  
UNIVERSITY OF NOTTINGHAM WHO ARE NOT CURRENTLY STUDENTS,  
STAFF OR EMPLOYEES OF THE CLAIMANT**

**(6) STUDENTS/STAFF: PERSONS UNKNOWN, BEING PERSONS IN AN  
ENCAMPMENT OCCUPATION OF LAND ON THE JUBILEE CAMPUS AT THE  
UNIVERSITY OF NOTTINGHAM WITHOUT THE CLAIMANT'S LICENCE OR  
CONSENT WHO ARE CURRENTLY STUDENTS, STAFF OR EMPLOYEES OF  
THE CLAIMANT**

**Defendants**

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**JOINT AGREED LIST OF ISSUES**

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**Issue 1:** Whether D1 can show that the claim in respect of the land occupied on the Jubilee Campus is "*genuinely disputed on grounds which appear to be substantial*" in reliance on the following proposed defences:

- (1) “The Human Rights Defence”, namely whether the claim to possession is unlawful as contrary to the protection on the right to freedom of speech and/or assembly set out within Articles 10 and 11 of the European Convention on Human Rights;
- (2) “The Public Law Defence”, namely whether D1 is able to defend the claim on the basis that the Claimant has allegedly failed to comply with its duties and obligations under statute, public law and its own policies;
- (3) “The Licence Defence”, namely whether D1 has an express and/or implied licence to enter and remain on the land which has not been validly revoked.

**Issue 2:** Whether C is entitled to an order for possession against D1 and D6 in respect of the Jubilee Campus.

**Issue 3:** Whether C is entitled to an order for possession against D5 in respect of the remainder of the land at Jubilee Campus which is not yet subject to a possession order.