



IN THE HIGH COURT OF JUSTICE

Case no. BR-2020-000509

BUSINESS & PROPERTY COURTS OF ENGLAND & WALES
BANKRUPTCY & INSOLVENCY LIST

BR-2020-000509

The Honourable Mr Justice Marcus Smith
13 November 2020

B E T W E E N

(1) Mrs ELIZABETH JEAN WATSON (a bankrupt)

(2) Mr CRAIG MILES WATSON (a bankrupt)

Applicants

- and -

(1) BANK OF SCOTLAND plc

(2) Messrs DAVID STANDISH and BLAIR NIMMO

**(Trustees in bankruptcy of the estates of Elizabeth and Craig
Watson)**

Respondents

MINUTE OF ORDER

UPON HEARING Mrs and Mr Watson in person and Benjamin Wood of Counsel for the First Respondent, there being no appearance or representation on behalf of the Second Respondents (save that their representative was present in Court)

AND UPON Mrs and Mr Watson's application by notice dated 6 July 2020 (the "Rescission Application") and 3 November 2020 (the "Application for Evidence") and their emailed and orally renewed applications to adjourn the hearing (the "Adjournment Applications")

AND UPON reading Mrs and Mr Watson's evidence as was submitted to the Court electronically and handed up during the course of the hearing

AND UPON reading the Judgment of the Court of Appeal in *Bank of Scotland plc v. Watson*, [2013] EWCA Civ 6 (from which decision the Supreme Court

declined to give permission to appeal) and the Judgment of His Honour Judge Blair, QC, in the same case (claim number 8PC26793, the “Possession Claim”), dated 30 June 2016

AND UPON reading the letter from the solicitors for the Second Respondents dated 12 November 2020

AND UPON the Court noting that Mrs Watson was subject to a Limited Civil Restraint Order in the Possession Claim

AND UPON the Court further noting that Mrs Watson has made the following five applications which have been found to be totally without merit (including those which predated Mrs Watson’s Limited Civil Restraint Order):

- (1) Three applications made prior to an Order of HHJ Hughes QC dated 22 December 2011 in the Possession Claim
- (2) An application in the Possession Claim dated 29 September 2014 (dismissed by HHJ Meeston QC on 30 October 2014)
- (3) The application for Permission to Appeal in the Possession Claim filed on 17 July 2015 (dismissed by HHJ Blair QC on 30 June 2016)

AND UPON the Court further noting that Mrs and Mr Watson have together made four further applications in the present action (Insolvency Numbers 0055 and 0056 of 2017 in the County Court at Bournemouth and Poole), which four applications were each dismissed as being totally without merit on 7 October 2020

BUT UPON Mr Watson seeking to reassure the Court that he would not in future permit his name to be lent to any application or claim unless he had received legal advice to confirm that such application or claim was meritorious

AND UPON the Court making the following findings in an *ex tempore* judgment handed down on 13 November 2020:

- (1) There is no basis to suggest that the judgment against Mrs and Mrs Watson in the Possession Claim, including specifically the judgment

debt that led to the making of the bankruptcy orders against them, is anything other than regular and proper

- (2) There is no basis to suggest that the bankruptcy orders against Mrs and Mr Watson are anything other than regular and proper
- (3) Mrs Watson has a propensity to seek to illegitimately further her case by making unsustainable, unfounded and false allegations in the proceedings including:
 - (i) Allegations that orders of the court have been forged (including by members of the legal profession)
 - (ii) Allegations of professional misconduct and/or dishonesty and/or improper behaviour against the Respondents, their employees, members of the legal profession, the judiciary and the court service

IT IS ORDERED THAT:

1. The applications of Mrs and Mr Watson for an adjournment are dismissed.
2. The Rescission Application is dismissed as being totally without merit.
3. The Application for Evidence is dismissed as being totally without merit.
4. The Court made an Extended Civil Restraint Order against Mrs Watson on the terms set out in the separate Extended Civil Restraint Order of 13 November 2020.
5. The First Respondent has liberty to apply on the question of whether to make a Civil Restraint Order against Mr Watson in the event that Mr Watson makes any further claim or application that is said to be totally without merit.

6. The First Respondent's costs shall be treated as an expense of the Bankruptcies of Mrs and Mr Watson (save that, by agreement between Respondents, they shall be subordinated to the Second Respondents' own remuneration and expenses).
7. The First Respondent shall serve a sealed copy of this Order on the other parties.

13 November 2020

Service of this Order

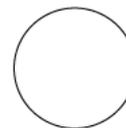
The Court sent sealed copies of this Order to the First Respondent for service on the other parties, to Eversheds Sutherland (International) LLP, 1 Callaghan Square, Cardiff CF10 5BT (Ref 6/RXP/022684.022688).

Extended civil restraint order



Name of court	High Court of Justice Business & Property Courts of England & Wales Bankruptcy & Insolvency List
Claim No.	BR-2020-000509
Name of Claimant	(1) Mrs Elizabeth Watson
Name of Defendant	(1) Bank of Scotland plc
Date of issue	13 November 2020

Enter name and address of person against whom the order is made
Mrs Elizabeth Jean Watson
[REDACTED]
BOURNEMOUTH
[REDACTED]



If you do not comply with this order you may be held in contempt of court and imprisoned or fined, or your assets may be seized.

SECTION 1

Date of order

Name of Judge

Name of person against whom order is made

The judge has considered an application by the Claimant Defendant

OR
The court has considered, of its own initiative

AND

Upon hearing

Upon reading

And has found that the above named person has persistently issued claims or made applications which are totally without merit.

SECTION 2

The Order

It is ordered that you be restrained from issuing claims or making applications in any court specified below concerning any matter involving or relating to or touching upon or leading to the proceedings in which this order is made without first obtaining the permission of

Name of Judge

OR

If unavailable

- Court of Appeal
- The High Court
- County Court(s)
- Any county court
- Any court

It is further ordered

that this Extended Civil Restraint Order expressly extends to applications or claims against (1) Bank of Scotland plc and (2) the Trustees in bankruptcy of the estates of Mrs and Mr Watson and any current or former employees or current or former legal advisers of those parties.

This order will remain in effect until: 12 November 2022

1. If you wish to apply for permission

(a) to make **an application** in these proceedings; **OR**

(b) to make an application to **amend or discharge** this order,

you must first serve notice of your application on the other party. The notice must set out the nature and grounds of the application and provide the other party with at least 7 days within which to respond. You must then apply for permission of the judge identified in the order. The application for permission must be made in writing and must include the other party's written response, if any, to the notice served. The application will be determined without a hearing.

2. If you repeatedly make applications for permission under 1 above which are totally without merit, the court may direct that if you make any further application for permission which is totally without merit, the decision to dismiss the application will be final and there will be no right of appeal, unless the judge who refused permission grants permission to appeal.

3. Any application for permission to appeal a refusal of an application under 1 above must be made in writing and will be determined without a hearing.

SECTION 3

Costs

There is no separate order for costs

It is ordered that you pay costs. The sum you must pay is

You must pay on or before

and send payment to the

Claimant

Defendant

Note

If you attempt to make a further application in these proceedings without first obtaining permission of the judge named in the order above, your application will automatically be dismissed without the judge having to make any further order and without the need for the other party to respond to it.

If this order was made in your absence, you may make an application to set aside, vary or stay the order. An application must be made within the period specified in the order or, where no period is specified, not more than 7 days after service of this order on you. You do not require permission of the court to make such an application.

If you do not understand anything in this order you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau.