

Filed on behalf of the Claimant

Witness Statement of Julian Diaz-Rainey

Statement No. 3

Date: 11 July 2025

Exhibits: JDR3

CLAIM NO: BL-2023-000713

IN THE HIGH COURT OF JUSTICE

THE BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

CHANCERY DIVISION

BETWEEN:

JOCKEY CLUB RACECOURSES LIMITED

Claimant

-and-

- (1) (1) MR DANIEL FRANK PETER KIDBY
- (2) PERSONS UNKNOWN ENTERING THE AREA DESCRIBED BELOW AS THE
"RACE TRACK" ON THE DAY OF A "RACING FIXTURE", EXCEPT AT
- (3) PERSONS UNKNOWN ENTERING AND/OR REMAINING ON ANY "CROSSING
POINTS" WITHOUT "AUTHORISATION" ON THE DAY OF A "RACING
FIXTURE", AS DESCRIBED BELOW
- (4) PERSONS UNKNOWN ENTERING THE AREA DESCRIBED BELOW AS THE
"PARADE RING" WITHOUT "AUTHORISATION" ON THE DAY OF A "RACING
FIXTURE", AS DESCRIBED BELOW
- (5) PERSONS UNKNOWN ENTERING AND/OR REMAINING ON ANY PART OF
THE AREAS DESCRIBED BELOW AS THE "HORSES' ROUTE TO THE
PARADE RING" AND/OR THE "HORSES' ROUTE TO THE RACE TRACK"
WITHOUT "AUTHORISATION" ON THE DAY OF A "RACING FIXTURE", AS
DESCRIBED BELOW
- (6) PERSONS UNKNOWN INTENTIONALLY OBSTRUCTING THE "HORSE
RACES", AS DESCRIBED BELOW
- (7) PERSONS UNKNOWN INTENTIONALLY CAUSING ANY OBJECT TO ENTER
ONTO AND/OR REMAIN ON THE "RACE TRACK" WITHOUT
"AUTHORISATION" ON THE DAY OF A "RACING FIXTURE", AS DESCRIBED
BELOW
- (8) PERSONS UNKNOWN INTENTIONALLY ENDANGERING ANY PERSON AT
THE LOCATION DESCRIBED BELOW AS THE "EPSOM RACECOURSE" ON
THE DAY OF A "RACING FIXTURE", AS DESCRIBED BELOW
- (9) MR BEN NEWMAN

Defendants

THIRD WITNESS STATEMENT OF JULIAN DIAZ-RAINEY

I, **JULIAN DIAZ-RAINEY**, of Pinsent Masons LLP, 30 Crown Pl, Earl St, London EC2A 4ES, **WILL SAY** as follows:

1. I am a solicitor of the Senior Court in England and Wales and a Partner (or, more precisely, a Member) in the firm of Pinsent Masons LLP ("**PM**"), solicitors for the Applicant / Claimant.
2. Save where stated to the contrary, the facts and matters contained in this witness statement are within my own knowledge (gained whilst acting as a solicitor for the Claimant) and are true. Where facts and matters are outside my knowledge, the source is stated and I believe those facts to be true.
3. During the course of this statement, I will refer to certain documents, copies of which are exhibited in a paginated bundle marked 'JDR3' which accompanies this statement.
4. I make this witness statement in support of the Claimant's application seeking an Order that the injunction, in the terms set out at paragraph 4 of the Order of Sir Anthony Mann dated 9 July 2024 shall continue for the remainder of the five-year period therein, subject to annual review.

Service of the Application and Notice of Hearing on the Defendants

5. Copies of the Application Notice dated 24 June 2025, draft Order (including plans of the racecourse to annex to the final Order), the witness statement of Mr Charlie Boss dated 24 June 2025 and exhibit CB1, the Evidence Bundle (previously filed in 2024) and the Additional Evidence Bundle (previously filed in 2024) (together, the "**Application Documents**") were posted on the Claimant's website on 25 June 2025. A copy of the Notice of Hearing, which lists the Claimant's Application in a 3-day window from 14 July 2025, was added to the Claimant's website on 26 June 2025. I enclose a screenshot of the website obtained on 26 June 2025 which shows the Application Documents and the Notice of Hearing.¹
6. In addition to the above, the Claimant also posted announcements on their social media channels, including X (formerly known as Twitter)² and Facebook³, at 17:20 on 25 June 2025, with links to the Application Documents on the Claimant's website. The Notice of Hearing posted on the Claimant's website was available as of 26 June 2025, via those links on X and Facebook.

¹ Page 2 of JDR3

² Page 3 of JDR3

³ Page 4 of JDR3

7. I enclose at pages 5 to 6 of JDR3, two photographs which show two transparent containers which contain the Application Documents and the Notice of Hearing, which were placed at each of the two public entrances to the Epsom Downs Racecourse on 27 June 2025⁴. This information has been provided to me by Jim Allen, the General Manager of Epsom Downs Racecourse.
8. On 24 June 2025 at 15:09, copies of the Application Documents were sent to Mr Kidby, the First Defendant and co-founder of the organisation Animal Rising, by email.⁵ On 26 June 2025 at 09:23 a copy of the Notice of Hearing was sent to Mr Kidby by email.⁶
9. For completeness, on 24 June 2025 at 15:12, copies of the Application Documents were sent to Mr Newman, the Ninth Defendant.⁷ On 26 June 2025 at 09:23, a copy of the Notice of Hearing was sent to Mr Newman by email.⁸
10. The proceedings against the named Defendants were stayed by consent on 20 April 2024.

Service of the Application Bundle and the Supplementary Bundle on the Defendants

11. Copies of the Application Bundle and the Supplementary Bundle were posted on the Claimant's website on 9 July 2025. I enclose a screenshot of the website obtained on 11 July 2025 which shows the Application Bundle and the Supplementary Bundle.⁹
12. In addition to the above, on 9 July 2025 the Claimant also posted announcements on their social media channels, including X (formerly known as Twitter) at 16:18¹⁰ and Facebook at 16:23¹¹, with links to the Application Bundle and the Supplementary Bundle on the Claimant's website.
13. I enclose at pages 16 to 17 of JDR3, two photographs which show two transparent containers placed at each of the two public entrances to the Epsom Downs Racecourse.¹² These were updated on 9 July 2025 to include the Application Bundle and the Supplementary Bundle. This information has been provided to me by Jim Allen, the General Manager of Epsom Downs Racecourse.

⁴ Pages 5 to 6 of JDR3

⁵ Page 7 of JDR3

⁶ Page 8 to 9 of JDR3

⁷ Page 10 of JDR3

⁸ Page 11 to 12 of JDR3

⁹ Page 13 of JDR3

¹⁰ Page 14 of JDR3

¹¹ Page 15 of JDR3

¹² Page 16 to 17 of JDR3

14. On 9 July 2025 at 12:48, copies of the Application Bundle and the Supplementary Bundle were sent to Mr Kidby by email.¹³ On the same day at 12:50, copies of the Application Bundle and the Supplementary Bundle were sent to Mr Newman by email.¹⁴

Service of the Claimant's Skeleton Argument and Authorities Bundle on the Defendants

15. A copy of the Claimant's Skeleton Argument and accompanying Authorities Bundle were posted on the Claimant's website on 11 July 2025. I refer to the screenshot of the Claimant's website obtained on 11 July 2025 which shows the Claimant's Skeleton Argument and the Authorities Bundle.¹⁵
16. The Claimant's Skeleton Argument and Authorities Bundle posted on the Claimant's website were available as of 11 July 2025, via the links posted on the Claimant's social media channels X at 16:18 on 9 July 2025¹⁶ and Facebook at 16:23 on 9 July 2025¹⁷.
17. I understand from Jim Allen, General Manager of Epsom Downs Racecourse, that as at 10:34 on 11 July 2025, the Claimant was preparing the copies of the Claimant's Skeleton Argument and Authorities Bundle, to be posted in two transparent containers at each of the two public entrances to the Epsom Downs Racecourse. It was not possible to provide photographic evidence of this in advance of filing this witness statement.
18. On 11 July 2025 at 09:13, copies of the Claimant's Skeleton Argument and Authorities Bundle were sent to Mr Kidby¹⁸ and Mr Newman¹⁹ by email.

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 an honest belief in its truth.

Signed



Julian Diaz-Rainey

Date.....11 July 2025.....

¹³ Page 18 to 20 of JDR3

¹⁴ Page 21 to 23 of JDR3

¹⁵ Page 13 of JDR3

¹⁶ Page 14 of JDR3

¹⁷ Page 15 of JDR3

¹⁸ Page 24 to 26 of JDR3

¹⁹ Page 27 to 29 of JDR3