



Neutral Citation Number: [2025] EWHC 250 (Admin)

Case No: AC-2024-LON-002708

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

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 6th February 2025

Before:

LORD JUSTICE COULSON
MRS JUSTICE CUTTS DBE

Between:

HM Attorney General

Claimant

- v -

Adrian Badita

Defendant

Ms Naomi Parsons (instructed by **Government Legal Dept**) for the **Claimant**
The Defendant In Person

Hearing Date: 5 February 2025

Approved Judgment

This judgment was handed down remotely at 10.30am on [date] by circulation to the parties or their representatives by e-mail and by release to the National Archives.

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LORD JUSTICE COULSON

LORD JUSTICE COULSON:

Introduction

1. The Attorney General applies, pursuant to s.42(1) of the Senior Courts Act 1981, for a Civil Proceedings Order (“CPO”) in relation to the defendant, Mr Badita. The basis for the application, set out in greater detail below, concerns the volume of unsuccessful claims that Mr Badita has made in the last 8 or 9 years; the vexatious nature of those claims, all of which were struck out or summarily dismissed; and the abusive and threatening way in which those claims, and Mr Badita’s correspondence with the various courts, has been conducted. The application is supported by two statements from a lawyer in the Attorney General’s Office, Mr Andrew Jungwirth.
2. At the end of the hearing on 5th February 2025, we informed the parties that we would make a CPO, and gave brief reasons for our decision. We said we would provide detailed reasons in writing. These are those detailed reasons.

Cancellation/Adjournment

3. The hearing was fixed on 17 December 2024, and an email was sent to Mr Badita to that effect on that day. During the run-up to the hearing, it was not clear whether Mr Badita intended to attend the hearing in person, or whether he wanted to appear by way of CVP. On Thursday 30 January 2025, I caused the Administrative Court Office to ask whether he intended to attend.
4. Mr Badita’s response was immediate and in the following terms:

“First of all, there is no listed hearing on 5 February, as this court lacks jurisdiction to hear this case following the request for a preliminary ruling to the CJEU.

Secondly, this fake case was already dismissed two months ago following the multiple failures of the applicant to disclose the requested evidence, witness statements, and to oppose in any way the defence and the defendant’s application dated 18 November 2024.

Moreover, this stupid crook Andrew Jungwirth has failed to include in his useless bundle the evidence already disclosed by the defendant. For example, in the most representative case—the default judgment where no response was received from the Birmingham High Court—this stupid crook included only the first page of the claim, despite the defendant having disclosed the entire case file!

The applicant has simply failed to disclose a prima facie case, these false proceedings being just another chapter in this long war against this international criminal enterprise led by Germans. The UK government is merely a puppet obeying instructions from Germany, but now it is liable to pay the requested losses incurred by the defendant since 2016. The UK government could ask for a refund, but it is highly likely the Nazis will never offer any refund to their slaves.

This Gypsy court must order the requested and required disclosure of all case files and witness statements, forward the case to the CPS and police, and refer it for a preliminary ruling to the CJEU by midnight.

In case of failure, the defendant will file another application to cancel the hearing and to dismiss this fake case on paper.”

In further correspondence with Mr Jungwirth, Mr Badita twice called him a “fucking slave”.

5. Despite these remonstrances, Mr Badita was told that the hearing would go ahead on 5 February. On the afternoon of 4 February, the day before the hearing, he sent another email in these terms:

“After submitting the last application, the unlawful hearing scheduled for tomorrow has been cancelled. Lord Justice Coulson and Mrs Justice Cutts, along with other involved individuals, will be reported to the police and the CPS for their role in this miscarriage of justice. For the avoidance of doubt, they are already recused.

Andrew Jungwirth and Naomi Parsons must disclose today the defence filed by DAC Beachcroft LLP by 4 November 2018 for case F90BM256, the ruling of the CJEU, and the reasons for that purported judgment. Additionally, they must disclose the response of Oliver Greasby, filed by 14 March 2019, to the application to strike out, the reasons for that purported judgment, the response to the reconsideration of judgment, and the ruling of the CJEU for the default judgment in case 14305765/2018.

If all these documents are not disclosed today by 5PM, then the Attorney General accepts full liability for the requested compensation and all additional claims, as the applicant is already barred from these proceedings.”

6. Leaving aside the threats (to which I return below), every element of Mr Badita’s two responses was factually incorrect. There was a hearing listed for 5 February of which he was notified 6 weeks ago. The case had not already been ‘dismissed’; nor had the hearing been ‘cancelled’. Neither my Lady, nor myself, have recused or intend to recuse ourselves. The complaint in the original email (that not every page of every unsuccessful claim Mr Badita had made was identified in the original bundle prepared by the Attorney General’s Office) was immaterial, since Mr Jungwirth was entitled to summarise the previous claims and not to exhibit all the documents generated in each case.
7. Of course, if Mr Badita wished to provide his own bundle of other relevant material, that was a matter for him. He has chosen not to do so. Indeed, it was Mr Jungwirth who produced a second bundle dealing with the other claims referred to in the Defence. As to the disclosure request made on 4th February, as Mr Badita well knows, the documents

he seeks do not exist, and there is no reason why they should. I address that in greater detail in paragraphs 61-62 below.

8. To the extent that Mr Badita's written and oral submissions might be said to have amounted to an application for an adjournment, that application must be refused. He had had plenty of notice of the hearing. As we shall see, his defence to the application for a CPO simply repeated (with some variations) the same points which he had unsuccessfully made in support of his claims (and which led to those claims being struck out). There were no possible grounds on which the hearing could or should be adjourned.

The Law

9. Section 42(1) provides as follows:

“42 Restriction of vexatious legal proceedings.

(1) If, on an application made by the Attorney General under this section, the High Court is satisfied that any person has habitually and persistently and without any reasonable ground—

(a) instituted vexatious civil proceedings, whether in the High Court or the family court or any inferior court, and whether against the same person or against different persons; or

(b) made vexatious applications in any civil proceedings, whether in the High Court or the family court or any inferior court, and whether instituted by him or another, or

(c) instituted vexatious prosecutions (whether against the same person or different persons), the court may, after hearing that person or giving him an opportunity of being heard, make a civil proceedings order, a criminal proceedings order or an all proceedings order.

(1A) In this section—

- “civil proceedings order” means an order that—

(a) no civil proceedings shall without the leave of the High Court be instituted in any court by the person against whom the order is made;

(b) any civil proceedings instituted by him in any court before the making of the order shall not be continued by him without the leave of the High Court; and

(c) no application (other than one for leave under this section) shall be made by him, in any civil proceedings instituted in any court by any person, without the leave of the High Court;

- “criminal proceedings order” means an order that—

(a) no information shall be laid before a justice of the peace by the person against whom the order is made without the leave of the High Court; and

(b) no application for leave to prefer a bill of indictment shall be made by him without the leave of the High Court; and

“all proceedings order” means an order which has the combined effect of the two other orders.”

10. In *AG v Barker* [2000] 1 F.L.R.759, Lord Bingham CJ said that the hallmarks of vexatious proceedings were that it had little or no basis in law (or at least no discernible basis); that whatever the intention of the proceedings may be, its effect was to subject the defendant/respondent to inconvenience, harassment and expense out of all proportion to any gain likely to accrue to the claimant; and that it involved an abuse of the process of the court, meaning a use of the process for a purpose which was significantly different from the ordinary and proper use of that process.
11. In the same case, Lord Bingham CJ also considered what was meant by “habitually and persistently”. He said that the distinguishing features of such behaviour was when a claimant sued the same party repeatedly in reliance on essentially the same cause of action, perhaps with minor variations, after it had been ruled on, or doing the same against successive parties; automatically challenging every adverse decision on appeal; and refusing to take any notice or give any effect to orders of the court.
12. In *AG v Covey* [2001] EWCA Civ 254, Lord Woolf CJ said at [57] that habitual and persistent conduct “may be represented by numerous claims against a wide range of defendants in circumstances where no reasonable cause of action exists”. He went on at [61] that it was the cumulative effect of the claimant’s activities, both against the individuals who were drawn into the proceedings and on the administration of justice generally, which had to be taken into account.
13. In *AG v Paul Millinder* [2021] EWHC 1865, an APO was granted because, amongst other things, the abusive conduct of the respondent was evidence of his vexatious mindset. Swift J said:

“Such behaviour in disregard of any standard of curtesy or moderation is not acceptable in any correspondence: certainly not when that correspondence is directed to a court. In this respect also, Mr Millinder is persistent. His hectoring manner and tone is not simply the consequence of occasional lapses of judgment, it is a calculated course of action, no doubt intended to threaten and intimidate. In the premises, it further manifests Mr Millinder’s vexatious mindset.”
14. With those principles in mind, I turn to the facts of this case.

Factual Background

15. Mr Badita is a Romanian national. He was employed by DHL until 2016, when he was dismissed. Since then, he has campaigned vociferously against DHL, and unsuccessfully sought alternative employment with a wide variety of different organisations. As a result of those failures, Mr Badita has brought claims against every recruitment agency or potential employer from whom he has received a disappointing result. Most of the claims have been brought in the Employment Tribunal. There have also been appeals to the Court of Appeal. The relevant orders in those claims are summarised in Appendix 1, attached hereto.
16. The other cases to which Mr Badita referred in his Defence, the papers in respect of which were put into the more recent bundle by Mr Jungwirth, primarily concern his unsuccessful High Court claim against DHL (*Badita v DHL Limited* (October 2019)),

and two judicial review applications: *R (Badita) v Legal Ombudsman* (19 February 2019); and *R (Badita) v West Midlands Crown Prosecution Service* (6 January 2022).

17. Mr Badita asserts that his original dismissal, and his ongoing failure to get a job since, are because he has been blacklisted by DHL, and that the various companies involved are party to an unlawful blacklisting conspiracy. Moreover, he claims that the blacklisting conspiracy is part of a wider conspiracy involving Angela Merkel, the former Chancellor of Germany, and a number of former Prime Ministers of the United Kingdom. He considers that the UK is a slave nation of Germany. Quite why Boris Johnson and Theresa May caused him to be dismissed by DHL, and have conspired to keep him unemployed ever since, remains obscure.

The Basis of the Application

(a) Volume of Similar Unsuccessful Claims

18. Appendix 1 summarises what happened in eight separate civil claims brought by Mr Badita against a wide variety of defendants/respondents. Every one of these claims was unsuccessful: indeed they have all failed at the first hurdle, and have been struck out. Every one of these failed claims has been rooted in Mr Badita's allegations of discrimination, unlawful conspiracy, blacklisting and the like. They amount to separate claims against about 70 odd defendants. But Mr Badita has said that there have been at least 100 claims, and his most recent figure is 150 (as he put it during the hearing, "150 miscarriages of justice"). On any view, this is litigation on a huge scale.

(b) Vexatious Litigation

19. The Attorney General submits that these eight unsuccessful claims constituted vexatious litigation because they were hopeless, and were struck out because they were vexatious, scandalous and an abuse of the process of the court. I summarise the facts by reference to the individual claims. I note that this court – and Mr Badita - are bound by the previous rulings that a particular claim was vexatious and an abuse of process: see *AG v Jones* [1990] 1 WLR 859 at 863 D-F, as per Lord Donaldson MR.
20. **Claim 1:** This was a claim against the Information Commissioner requiring him to tell DHL to disclose Mr Badita's personal data to him. On 24 April 2019, First Tier Registrar Worth struck the claim out on the basis that the First Tier Tribunal of the General Regulatory Chamber did not have the jurisdiction to make the order sought.
21. **Claim 2:** This was a claim against Hays PLC and 11 other employment agencies. The basis was alleged discrimination/victimisation by refusing to offer Mr Badita employment. On 15 April 2019, Employment Judge Oliver Segal QC struck out the claims as having no reasonable prospect of success. He said at [31] that he was satisfied that Mr Badita had made speculative and highly implausible assertions as to the factual position, without identifying potential supportive evidence.
22. Mr Badita sought to appeal that decision. On 13 November 2019, the appeal was refused by HHJ Shanks, who noted that none of the points raised in the appeal "comes close to providing proper support for the allegations of bias and it therefore discloses no reasonable grounds for bringing any appeal." He certified the appeal as "totally without merit" ("TWM").

23. By an email dated 11 December 2019, Mr Badita sought a review of Judge Shanks' refusal of the appeal. On 27 January 2020, the review was refused because "it does not disclose any basis for reviewing my decision and I decline to do so".
24. **Claim 3:** A similar claim of direct race discrimination against another employment agency, Wheatcroft Sims Associates Ltd. This claim was struck out by Employment Judge M Butler in a judgment dated 31 August 2019. He found at [16] that there was no evidence that the respondents had been influenced at all in its dealings with Mr Badita, either by DHL, or the British Government, or any other person, body or organisation. He went on to say that "the claim is made based on the claimant's illogical speculation and a conspiracy theory involving a large multi-national company, the Government and the court system. It is a claim in which I find absolutely no merit and I strike it out under Rule 37(1)(a)".
25. Subsequently, Mr Badita sought reconsideration of that decision and sought the appointment of a different judge to determine his reconsideration application. Regional Employment Judge Swann wrote to Mr Badita on 30 October 2019 refusing to appoint a different judge. The reconsideration was refused.
26. Notwithstanding that, Mr Badita sought to appeal Judge Butler's decision. On 2 March 2020, the Employment Appeal Tribunal wrote to Mr Badita to say that the appeal had been considered by HHJ Barklem who noted:

"The grounds of appeal assert that the Respondent bribed the Employment Judge, and advised it not to attend the hearing, amended the transcript of the telephone record and was a judgment "which no reasonable tribunal could have reached without being intimidated by the Prime Minister and bribed by respondent (sic)".

Having read the papers I conclude that the Employment Tribunal was entitled to reach the conclusion he did, and no reasonably arguable error of law is evident.

For the above reasons the learned judge considers that this Appeal has no reasonable prospect of success and that, in accordance with Rule 3(7), no further action will be taken on it."
27. **Claim 4:** This was a claim against DHL for sex and race discrimination, victimisation, and breach of contract. On 20 November 2019 the claim was dismissed for want of jurisdiction, although Employment Judge Gaskell went on to say that the claims were "scandalous, vexatious, and have no reasonable prospect of success." He also said the manner in which the claimant had conducted the proceedings had also been scandalous, unreasonable and vexatious.
28. Mr Badita sought to appeal that decision. His appeal was rejected by his Honour Judge Auerbach on 16 October 2020. Judge Auerbach said that the Employment Tribunal had been wholly entitled to reach the decision it did. He certified that the appeal was unarguable, TWM, and itself an abuse of process. He also had to this say about the nature of the allegations being made by Mr Badita:

“The Claimant alleges that there is, in his own words "a huge criminal network" working against him, including the UK Government, the present and a former Prime Minister, the German Prime Minister and others. He is abusive of the Employment Judge, repeatedly calling him a "crook" and appears to allege that the Judge pre-planned the outcome in league with the Respondent, a wholly unsubstantiated allegation. No credit whatsoever can be given to his other allegations against the Judge. His suggestion that "we will fix soon outside these issues" is disturbing and unacceptable.”

29. **Claim 5:** This was a claim against CT Group and 46 other respondents who were once more recruitment companies of one sort or another. The claims were similar to those in Claim 2. On 20 December 2019, after a two day hearing, Employment Judge Gaskell struck out the claims on the basis that the pleaded allegations were doomed to fail. The judge said at [25] that Mr Badita’s pleaded case “amounts to an assertion of a fanciful scenario: namely that his contract with DHL was terminated; that he was branded a sex offender; that DHL were able to establish a global blacklist preventing his further employment anywhere; and that this blacklist has been maintained with the co-operation and connivance of the British, German and Romanian governments. The maintenance of the blacklist also depends on a corrupt judiciary and corrupt legal representatives.” The judge found that there was nothing to support any part of these allegations which he described as “highly speculative”. The claims were therefore struck out.
30. Mr Badita sought to appeal the striking out of Claim 5. His appeal was rejected by Lavender J sitting at the Employment Appeal Tribunal in a judgment dated 24 August 2020. He described the appeal as TWM. Lavender J also confirmed that the appeal was scandalous, vexatious and an abuse of the process of the tribunals.
31. Mr Badita sought permission to appeal against the decision of Lavender J. On 9 January 2021, permission to appeal was refused by Bean LJ, who said there were no arguable grounds for an appeal to the court of appeal and again certified the application as TWM.
32. **Claim 6:** This was a claim against DR Newitt Recruitment, another recruitment agency, on the same lines as before. On 17 December 2019, the claim was struck out because it had no reasonable prospect of success. Employment Judge MacLeod, sitting in Edinburgh, also found that “the manner in which the proceedings have been conducted by the claimant has been scandalous, vexatious, and disruptive or otherwise unreasonable.”
33. Mr Badita sought to appeal that decision. On 18 December 2020, his appeal was rejected by HHJ Barklem sitting at the Employment Appeal Tribunal. He concluded that the appeal was TWM.
34. **Claim 7:** This was a claim against Roofoods Ltd and 8 other respondents. It appears that these were all organisations who had not offered Mr Badita a job. The claims were based on race discrimination and victimisation. In a detailed judgment, Employment Judge J S Burns concluded that Mr Badita could not establish a *prima facie* case against any of the respondents for either direct discrimination or victimisation. He regarded the claims as purely speculative “and in all probability brought for an impermissible ulterior purpose such as promoting the claimant’s campaign against DHL or trying to extract a payment from the respondents simply for commercial reasons on account of their nuisance value, but with no real belief by the claimant in their merit” [29].

35. The judge also addressed some of the unsuccessful claims noted above, saying that “the claims appear to be based on an irrational conspiracy theory”. The judge concluded that “this theory is entirely fanciful and inherently implausible” and that the claims were scandalous and vexatious. He also said that the manner in which the proceedings had been conducted had been scandalous, unreasonable and vexatious. That is matter to which I return below.
36. **Claim 8:** These were similar claims against Mo-Sys Engineering Ltd and 4 other respondents. The claims were struck out by an Employment Tribunal on 7 December 2022. On 15 August 2023, the Deputy High Court Judge at the Employment Appeals Tribunal rejected the appeal as being totally without merit. The reasons for the failure of these claims were the same as before.

(c) High Court and Judicial Review Claims

37. I have identified at paragraph 16 above the three High Court/Judicial Review claims which, in his Defence, Mr Badita was anxious to draw to our attention. They all failed.
38. In *Badita v DHL Limited*, between 2019 and 2020, a total of five applications by Mr Badita for summary judgment were struck out by DJ Lumb as being TWM. Two further applications suffered the same fate in 2021. Mr Badita sought to appeal to the Supreme Court but they pointed out that they had no jurisdiction to entertain such appeals.
39. It was Mr Badita’s multiple applications in that case which unsurprisingly resulted in Limited Civil Restraint Orders being imposed on Mr Badita. Their unhappy history is set out in paragraphs 43-46 below.
40. The first Judicial Review claim identified by Mr Badita concerned an adverse decision of a legal ombudsman. When his claim failed, Mr Badita sought a review on the ground that the ombudsmen invented a defence; was involved in covering up the ‘scam’ delivered by the solicitor; and changed Mr Badita’s own statement. Permission to review was refused by the High Court, and subsequently by the Court of Appeal. I note that his unsuccessful challenge was based on the proposition that “there was a miscarriage of justice because the Prime Minister had used a judge-marionette”.
41. As to the JR claim against the West Midlands Crown Prosecution Service, that arose in this way. In 2021, Mr Badita was prosecuted for sending an electronic communication with an intent to cause distress. It appears that Mr Badita applied to the Administrative Court to challenge: i) the decision to prosecute him; ii) the decision to remand him in custody; iii) the decision to send him for trial; iv) the decision to transfer the case to Bristol Crown Court; and v) the decision to extend relevant custody time limits. By order dated 22 February 2022, Kerr J rejected that application, saying there was “no remotely arguable illegality”. Mr Badita told us at the hearing that these charges were eventually dropped, but that is a different point. In any event, we were shown no documents relating to that decision.
42. The events and outcomes of these other claims do not appear to improve Mr Badita’s position; other than demonstrating that Mr Badita persists in his claims, no matter what other courts and other judges have said, the new material adds very little to what was previously available. It is, with respect, more of the same.

(d) The LCROs

43. Mr Badita is currently the subject of a Limited Civil Restraint Order (“CLRO”). This was originally imposed in respect of the claims/applications he made against DHL (paragraphs 38-39 above). It was imposed by HHJ Kelly on 9 March 2021. It did not prevent further applications: Mr Badita made 4 further applications for summary judgment between March and May 2021, and all were dismissed as TWM. A further LCRO was imposed by Knowles J on 24 May 2022 for a year. That too did not prevent further applications. On 31 May 2022, Mr Badita again sought summary judgment against DHL. The claim was dismissed on 22 May 2022. At [21] of his judgment, Ritchie J said:

“The information set out in support was a cut and paste of the abusive gobbledigook he had put in many of his other applications, all of which were illogical conspiracy theories and had been dismissed as TWM. The Claimant is getting very close to be committed to prison for utterly unacceptable abusive and foul thinking and language in written form, and his repetitive time wasting for Court staff and judicial office holders.”

44. Mr Badita made another claim against DHL on 25 May 2023, two days after the expiry of the LCRO. His claim form was in these terms:

“After the fake civil restraint order expired yesterday, the claimant requests to be issued this default.. as case with no response received against the defendant or at least to be referred this case for preliminary rulings to the Court of Justice of the European Union if the Lord Chief Justice feels that is still intimidated by this criminal network led by the German government

...

The offenders from the Birmingham High Court improperly called judges must stay away from this case and refrain from entering any correspondence as it clearly mentioned on the this application form the name of the judge requested for this hearing. All these offenders will face soon criminal charges and also civil claims against for the losses incurred by the claimant in all these years. I will offer huge discounts to the Germans for having all of you jailed inside a Romanian prison.”

45. Spencer J dismissed that claim as TWM. A further LCRO was put in place until 12 June 2025.
46. For completeness, I note that Mr Badita is not the subject of an Extended Civil Restraint Order (“ECRO”) or a General Civil Restraint Order (“GCRO”) because, although his claims against the numerous defendants/respondents are the same, they have been brought against different parties. In those circumstances, other than DHL, no single defendant would have sufficient standing to seek either an ECRO or a GCRO.

(e) Abusive and Threatening Conduct

47. It is a feature of these unsuccessful claims that they have been conducted by Mr Badita in an abusive and threatening manner. It is appropriate to give some examples of that, although I make clear that this is not an exhaustive list.

48. In relation to **Claim 4** (paragraphs 27-28 above), Mr Badita's threat was that "we will fix soon outside these issues". I agree with Judge Auerbach's comments that such threats are disturbing.
49. In relation to **Claim 5** (paragraphs 29-31 above), on 9 January 2020, Judge Findlay wrote to Mr Badita requiring him to rephrase his request for reconsideration in non-discriminatory language. This appeared to be a continuation of Mr Badita's conduct of the same proceedings before District Judge Gaskell who, at [29] of his judgment (paragraph 29 above), had referred to Mr Badita's conduct of the proceedings as being scandalous, vexatious and unreasonable:

"His overtly racist assertions as to the superiority of the Romanian intellect, his demeaning insult to Mr Dyer; his constant references to Mr Appel as 'Doctor Sex'; and his reference to 'the final solution'. This is all in addition to his allegations of bribery and corruption against the judiciary and gratuitous insults to professional representative such as Mr Greasby."
50. Also in relation to Claim 5, Lavender J noted that, in an email, Mr Badita had threatened to charge each member of the Employment Appeal Tribunal "for corruption and all other misconducts". Mr Badita had gone on to say "everyone should think twice before refusing to comply with my lawful requests, because the end is near." Lavender J commented that "threatening the tribunal and its members in this way will not be tolerated." He also noted that Mr Badita had said he had lodged over 100 cases and had threatened to try and lodge another 900 "for teaching a lesson to the English about Romanians".
51. In relation to **Claim 7**, the judgement of Employment Judge Burns (paragraphs 34-35 above) noted a number of ways in which Mr Badita's conduct of the proceedings has been scandalous, unreasonable or vexatious. His insults about those involved in the cases (either as parties, or court staff, or judges) are set out there, the most common epithet being "fucking idiot". Judge Burns also noted that, during the hearing, he had been obliged to mute Mr Badita's microphone to stop him "rudely interrupting" following warnings which he had ignored. Subsequently, Judge Burns noticed that, again contrary to express instructions, Mr Badita was using the chatroom function to say to the respondents or to the judge "stop lying ...you are corrupt...end this farce quicker..."
52. Judge Burns commented at [53] that it was regrettable that nothing appeared to have been done to put a curb on Mr Badita continuing with more of the same. The Attorney-General's application for a CPO is, of course, designed to do just that.
53. More widely, I consider that you do not have to be overly-sensitive to regard Mr Badita's personal and threatening abuse of anyone with any involvement in his claims as not only unacceptable, but disgraceful. By way of further example:
 - (a) He referred to Paul Dyer, the former CEO of DHL, as "a mentally retarded individual";

(b) He referred to those acting for some of the parties that he had pursued in the Employment Tribunal as “fucking idiots”, “slaves”, and “beggars” who are “worse than the gypsies”.

(c) Just about every judge who dealt with his hopeless claims was described as “corrupt”. In relation to the doomed claims against DHL, by way of representative sample, he called HHJ McKenna “a notorious crook”; HHJ Kelly “a stupid crook” and “a stupid slut”; and he accused Knowles J of taking a bribe. As noted in paragraph 44 above, all judges who have dealt with his claims are apparently awaiting both criminal charges and civil claims.

(d) His threats to Mr Jungwirth, the Administrative Court Office staff and to my Lady and I, are apparent from the emails from which I have quoted at paragraphs 4-5 above.

54. Mr Badita’s wider world-view is perhaps best-encapsulated in his document of 20 October 2022, where he wrote:

“The claimant competing for jobs on this island against everyone is looking like an educated English competing against illiterate gypsies from Romania, so huge is the difference. His IQ is simple and decent for this island. The reason is simple, the highest IQs from this island are only medium IQs in Romania.”

He went on to say that those he was pursuing in that particular claim were “mentally retarded beggars [who] are dumb and incoherent”.

55. Needless to say, all Mr Badita’s comments recorded above are racist, sexist, abusive, threatening and factually wrong. As has been pointed out to him before, many appear to amount to obvious contempts of court.

The Response

56. The application for a CPO is resisted. There is a pleaded Defence. Whilst I have read it carefully, it is perhaps only necessary to set out the first four paragraphs of that document to demonstrate its overall nature:

“1. After the epic failure of the false and malicious prosecution, this is the second time when the UK government, a mafia government, controlled and owned by another bigger mafia government, the German government, brought false legal proceedings against the respondent for obstructing justice and criminal investigation.

2. This case is already a dead case and this will lead to serious consequences for the UK government and everyone else involved in all these criminal activities against the respondent.

3. On 8 September 2024, the respondent sent a petition to the new UK Prime Minister, Keir Starmer, requesting that any abuse towards him and the obstruction of the justice and criminal investigations must come to an end.

4. Instead of responding lawfully to his petition, the new UK Prime Minister, Keir Starmer has instructed the General Attorney to bring false legal

proceedings against him for certify as lawful all these miscarriages of justice and to obstruct further justice and criminal investigations.”

57. As to Claims 1-8, the thrust of Mr Badita’s pleaded defence is that the judges were wrong and that he was right. Words like “idiot” and “scumbag” are banded about in relation to the judges concerned. Mr Jungwirth is described as “a poor idiot” and a “stupid crook”. The Attorney General’s office is described as “this rubbish office”. Mr Badita repeats his point that the UK is only a German colony. Mr Badita also refers to other claims in his Defence, but for the reasons that I have set out, these only amount to more of the same.
58. Therefore, it is not unfair to observe that, in his pleaded Defence to this claim, Mr Badita has declined to grapple with the detail of the application made against him, and has instead repeated the same farrago of conspiracy theories that form the very basis of that application.
59. During the course of his oral submissions today, in addition to a repetition of his main grievance and the conspiracy that is keeping him out of a job, Mr Badita made four particular points.
60. First, Mr Badita said that DHL had provided him with “a written admission of all claims; I have it here”. Since the High Court claims against DHL have been the backdrop for so much of his vexatious conduct, I asked to see this written admission. Mr Badita handed up a letter to him from DHL dated 18 July 2018. This letter, which I read into the court record, explained why DHL were not providing Mr Badita with the data that he had requested. It was about as far from a “written admission of all claims” as it is possible to get.
61. Secondly, Mr Badita complained that he was entitled to default judgment against DHL in the High Court because they had not put in a defence. This argument was then widened to include just about everybody against whom he had ever commenced a claim. His argument was that, if a defendant or respondent is the subject of a claim, they must put in a defence and, if there is no defence, he was entitled to judgment in default.
62. As explained to Mr Badita during the hearing, that submission was wrong in law. If a defendant/respondent considers that a claim is vexatious or an abuse of process, he can apply to strike it out. There is no requirement in those circumstances for the defendant to go to the time and trouble of putting in a defence. Accordingly, Mr Badita’s repeated demand for the Attorney General to disclose the defence from DHL in the High Court proceedings completely missed the point. There was no such defence, because there did not need to be: his claims were hopeless. That explains why his repeated applications in the DHL proceedings have been unsuccessful. In any event, this point was irrelevant to the Attorney General’s application for a CPO, since (whatever the rights and wrongs of the ‘judgment in default’ argument), Mr Badita is bound by the findings of vexatious/abusive/meritless conduct in the earlier cases.
63. Thirdly, Mr Badita complained that the judges who had made decisions against him had not provided reasons. That is wholly wrong on the facts. I have already quoted liberally from the adverse judgments against Mr Badita to explain how and why his claims had been branded as TWM and vexatious. There are more than enough reasons in these

cases for even the most demanding litigant in person to realise how and why he has repeatedly lost.

64. Finally, there was a new argument, to the effect that, as a consequence of the High Court's failure to give to him judgment in default/summary judgment against DHL, there should have been a request for a ruling from the CJEU, and that meant that none of the judges had any jurisdiction. This argument too is misconceived. For present purposes, I leave aside i) the absence of any such request from Mr Badita (certainly none was shown to the court); and ii) the date point (such a remedy is no longer available as a result of Brexit). But in any event such a remedy was not available in respect of, say, an order by a District Judge; requests for rulings from the CJEU conventionally arose out of proceedings in the higher courts. More fundamentally still, even if there had been such a request, and even if it was a valid request, that can have no effect whatsoever on the jurisdiction of any of the judges sitting on any of these claims. All the decisions to which I have referred were made by competent courts/tribunals exercising the necessary jurisdiction, and the potential existence of a request to the CJEU makes no difference to that.

Discussion

65. In my view, the application for an CPO has been made out. Mr Badita is plainly a vexatious litigant who meets the test in s.42 (paragraph 9 above). In particular:
- (a) Claims 2-8 identified in Appendix 1 are against similar defendants, all based on the same conspiracy theories which have been repeatedly found to be fanciful. They have almost all been categorised as TWM and "vexatious, scandalous and an abuse of the process of the court".
 - (b) Mr Badita has automatically challenged every adverse decision. Other than Claim 1, he has sought to appeal every other decision against him. He has habitually and persistently started vexatious and meritless claims and then pursued them without reason or restraint.
 - (c) As set out above, Mr Badita has ignored the orders of the courts and tribunals. He has, for example, ignored the LCROs to which he has been subject. Confirmation of his disregard for court orders can be found in his treatment of the Administrative Court office in relation to the listing of this very hearing (paragraphs 3-8 above).
 - (d) He has conducted the claims, and his correspondence with court staff, in an abusive and threatening way. The evidence for that is set out in paragraphs 47-55 above. It is plain that his unjustifiably rude and threatening manner is deliberate. It is very similar to that in *AG v Millinder* (paragraph 13 above) where an APO was granted.
 - (e) It is plain that, unless restrained, Mr Badita will continue his vexatious conduct in precisely the same way as before.
66. As part of the balancing exercise, I must recognise the limitations on Mr Badita's ordinary rights created by the imposition of a 'filter' such as a CPO. But, for the reasons noted above, I consider that a filter is required in this case. Mr Badita has regularly abused those rights, and must now find them necessarily curtailed.

Remedy

67. The Attorney General's office originally sought an All Proceedings Order ("APO"). Ms Parsons' skeleton argument, prepared the day before yesterday, seeks such an order. However, I was concerned that no draft order had been proffered with the claim or with the papers. That is unsatisfactory: any party, whoever they are, applying to the court for relief, must specify precisely what form they want that relief to take.
68. On Monday 3rd and Tuesday 4th February, I caused enquiries to be made as to the precise terms of the APO sought. After some delay, late on the 4th, the court was informed in writing that the Attorney General's fiat only authorised a CPO and therefore only a CPO could be sought at the hearing. Whilst no prejudice can arise to Mr Badita in consequence (a CPO being less draconian than an APO), I regard that late change as very regrettable. The unexplained error may reduce the protection that would otherwise have been provided to third parties and court staff. No proper explanation for it has been provided.
69. Had it been possible, I would have granted an APO. In the circumstances, I have no hesitation in granting a CPO. I consider that the scale of Mr Badita's vexatious litigation make an indefinite CPO appropriate. Over many years, he has habitually and persistently, and without any reasonable ground, instituted vexatious civil proceedings and/or made vexatious applications in the Employment Tribunal, the Employment Appeals Tribunal, the High Court, and the Court of Appeal. Moreover, I consider that his conduct of Claims 2-8, and the other claims to which I have referred, together with the abuse and threats which have accompanied most of them, should not be tolerated further and must be addressed by an indefinite CPO.
70. Accordingly, the conditions in s.42(1) are satisfied. I am in no doubt that the court should exercise its discretion to make the order; it is emphatically where the balance of justice lies. I make a CPO in the terms identified by the Attorney General, which is attached as Appendix 2 to this judgment.

MRS JUSTICE CUTTS

71. I agree.

Appendix 1

Claim 1	Badita v Information Commissioner	Struck out by First Tier Registrar Worth	24.4.19
Claim 2	Badita v Hays PLC & 11 Others	Struck out by Employment Judge Segal QC	15.4.19
		Appeal refused and classified as “totally without merit” by HHJ Shanks	13.11.19
		Review of Decision refused	27.1.20
Claim 3	Badita v Wheatcraft Sims Associates Ltd	Struck out by Employment Judge M Butler	31.8.19
		Appeal ruled to have no prospect of success by HHJ Barklem	2.3.20
Claim 4	Badita v DHL Services Ltd	Struck out by Employer Judge Gaskell	20.11.19
		Appeal refused and classified as “totally without merit” by HHJ Auerbach	16.10.20
Claim 5	Badita v CT Group & 46 others	Struck out by Employment Judge Gaskell	20.12.19
		Appeal refused and classified as “totally without merit” by Lavender J	1.8.20
		Permission to appeal the decision of Lavender J refused by Bean LJ and certified as “totally without merit”	9.1.21
Claim 6	Badita v DR Newitt Recruitment	Struck out by Employment Judge Macleod	17.12.19
		Appeal refused and classified as “totally without merit” by HHJ Barklem	19.9.20
Claim 7	Badita v Roofoods Ltd & 8 Others	Struck out by Employment Judge J.S. Burns	28.10.22
Claim 8	Badita v Mo-Sys Engineering Ltd & 4 Others	Struck out by Employment Judge Ford KC	7.12.22
		Appeal refused and classified as “totally without merit”	15.8.23

Appendix 2

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

AC-2024-LON-002708

BEFORE LORD JUSTICE COULSON AND MRS JUSTICE CUTTS DBE

IN THE MATTER OF AN ORDER PURSUANT TO SECTION 42 OF THE SENIOR COURTS ACT 1981

BETWEEN:-

HIS MAJESTY'S ATTORNEY GENERAL

Claimant

and

ADRIAN GHEORGHE BADITA

Defendant

CIVIL PROCEEDINGS ORDER

UPON READING the claim form dated 9 August 2024 issued by His Majesty's Attorney General seeking a civil proceedings order against the above-named Defendant pursuant to section 42 of the Senior Courts Act 1981

AND UPON READING the written evidence submitted on behalf of His Majesty's Attorney General and the Defendant

AND UPON HEARING Ms Parsons of Counsel on behalf of His Majesty's Attorney General and the Defendant, Mr Badita, in person

IT IS ORDERED THAT the Claimant's application be granted and that the Defendant by himself, agents or servants, is hereby prohibited from

1. instituting any civil proceedings in any Court or Tribunal
2. continuing any civil proceedings instituted by him in any Court or Tribunal before the making of the Order and

3. making any application other than an application for permission as required by section 42 of the said Act in any civil proceedings instituted in any Court or Tribunal by any person unless he obtains the permission of the High Court, having satisfied the High Court that the proceedings or application are not an abuse of the process of the Court or Tribunal in question and that there are reasonable grounds for the proceedings or application and
4. acting as a representative or a McKenzie friend in any civil proceedings or application in any Court or Tribunal.
5. The Respondent shall pay the costs of this application assessed on the standard basis.