

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

SHELL INTERNATIONAL PETROLEUM COMPANY LIMITED

Claimant (QB-2022-001259)

SHELL U.K. OIL PRODUCTS LIMITED

Claimant (QB-2022-001420)

SHELL U.K. LIMITED

Claimant: (QB-2022-001241)

- and -

**PERSONS UNKNOWN ENTERING OR REMAINING IN OR ON THE BUILDING
KNOWN AS SHELL CENTRE TOWER, BELVEDERE ROAD, LONDON ("SHELL
CENTRE TOWER") WITHOUT THE CONSENT OF THE CLAIMANT, OR DAMAGING
THE BUILDING OR DAMAGING OR BLOCKING THE ENTRANCES TO THE SAID
BUILDING**

Defendant (QB-2022-001259)

**PERSONS UNKNOWN ENTERING OR REMAINING AT THE CLAIMANT'S SITE
KNOWN AS SHELL HAVEN, STANFORD-LE-HOPE (AND AS FURTHER DEFINED IN
THE PARTICULARS OF CLAIM) WITHOUT THE CONSENT OF THE CLAIMANT, OR
BLOCKING**

THE ENTRANCES TO THAT SITE

Defendant (QB-2022-001241)

**PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS
TO ANY SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY
EQUIPMENT OR INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED
AGREEMENT WITH OTHERS, IN CONNECTION WITH PROTEST CAMPAIGNS WITH
THE INTENTION OF**

DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION

Defendant (QB-2022-001420)

BUNDLE INDEX FOR HEARING 11 MARCH 2024

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6.	29 February 2024	Notice of Hearing	142 - 143
TAB B – ADDITIONAL DISCLOSURE CORRESPONDENCE			
1.	23 March 2023	Eversheds Sutherland (International) LLP (“ESI”) request disclosure from Weightmans LLP (acting on behalf of Surrey Police)	144 - 145
2.	6 April 2023	ESI write to Weightmans LLP to provide further disclosure pursuant to paragraph 3 of the Surrey Police Disclosure Order.	146 - 147
3.	19 April 2023	Emails between ESI and Weightmans LLP regarding provision of disclosure ahead of renewal hearing on 25 April 2023.	148
4.	27 April 2023	Weightmans LLP request extension to 1 June 2023 due to resourcing issues.	149
5.	5 May 2023	ESI Write to MPS and request disclosure.	150
6.	19 May 2023	ESI chase MPS via email for initial disclosure.	151 - 153
7.	22 May 2023	MPS email to ESI regarding extension for disclosure.	151 - 153
8.	31 May 2023	Weightmans LLP provide link to disclosure.	154 - 155
9.	8 June 2023	ESI Write to MPS to provide further disclosure.	156
10.	31 May 2023 – 5 July 2023	MPS and ESI discuss technical issues in obtaining information and delays due to internal resourcing at MPS.	157 - 166
11.	22 June 2023	ESI write to Weightmans LLP to request clarification / missing documents.	167 - 168
12.	4 July 2023	MPS provide ESI with disclosure.	161
13.	6 July 2023	Weightmans LLP respond to ESI’s queries and re-upload missing information.	169 - 171

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No.	DATE	DESCRIPTION	BUNDLE PAGE REFERENCE
14.	14 July 2023	Weightmans LLP write to ESI with a further update / confirmation on ESI's queries	172 - 174
15.	31 July 2023	Weightmans LLP email ESI to confirm all remaining footage uploaded to the "Sharefile" site.	175 - 178
16.	8 August 2023	Weightmans LLP clarify bail conditions via email to ESI	179 - 180
17.	18 August 2023	ESI write to MPS to clarify the investigation status	181
18.	31 August 2023	MPS email ESI with missing information and clarify investigation status.	182 - 184
19.	6 September 2023	Weightmans LLP write to ESI to confirm bail conditions in respect of Clacket Petrol Station.	185 - 186
20.	8 November 2023	ESI write to Weightmans LLP to confirm address details of individuals where letters had failed and to request an update on the investigation status.	187 - 188
21.	15 November 2023	Weightmans LLP write to ESI to confirm outcome of trials held on 27 October 2023.	189 - 190

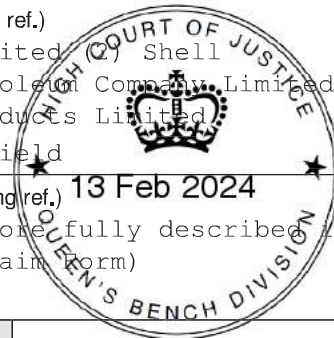
N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Name of court High Court of Justice King's Bench Division		Claim no. QB-2022-001241/ 001259/001420
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)	
	H W F - -	
Warrant no. (if applicable)		
Claimant's name (including ref.) (1) Shell U.K. Limited (2) Shell International Petroleum Company Limited (3) Shell U.K. Oil Products Limited 356009.000001/Oldfield		
Defendant's name (including ref.) Persons Unknown (more fully described in the appropriate Claim Form)		
Date	QB-2022-001420	



Sub Event ID: 69

1. What is your name or, if you are a legal representative, the name of your firm?

Eversheds Sutherland (International) LLP

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative

☐ Other (please specify)

If you are a legal representative whom do you represent?

The Claimants

3. What order are you asking the court to make and why?

An order:

- Adding 15 individuals arrested as named defendants to the proceedings QB-2022-001420 (the "**Proposed Defendants**")
- Providing directions for trial for each of the proceedings (QB-2022-001241, QB-2022-001259 and QB-2022-001420)
- Granting permission to serve this application and associated documents relating to QB-2022-001420 on certain named defendants by alternative means

4. Have you attached a draft of the order you are applying for?

☒ Yes

☐ No

5. How do you want to have this application dealt with?

☐ at a hearing

☒ without a hearing

☐ at a remote hearing

6. How long do you think the hearing will last?

Hours

Minutes

Is this time estimate agreed by all parties?

☐ Yes

☒ No

7. Give details of any fixed trial date or period

Review hearing to be fixed in April 2024. Injunction backstop of 23:50 on 12 May 2024

8. What level of Judge does your hearing need?

Judge

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9. Who should be served with this application?

Proposed Named Defendants

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

See Schedule 1 of Draft Order provided

10. What information will you be relying on, in support of your application?

- ☒ the attached witness statement
- ☐ the statement of case
- ☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.

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11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.


☒ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person 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.

- ☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- ☒ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature



- ☐ Applicant
- ☐ Litigation friend (where applicant is a child or a Protected Party)
- ☒ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
12	02	2024

Full name

Alison Oldfield

Name of applicant's legal representative's firm

Eversheds Sutherland (Intl) LLP

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

Bridgewater Place, Water Lane

Second line of address

Town or city

Leeds

County (optional)

Postcode

L	S	1	1		5	D	R
---	---	---	---	--	---	---	---

If applicable

Phone number

020 7497 9797

Fax phone number

020 7919 4919

DX number

DX 12027 Leeds - 27

Your Ref.

356009.000001/Oldfield

Email

alisonoldfield@eversheds-sutherland.com

**IN THE HIGH COURT OF JUSTICE
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BETWEEN**

SHELL INTERNATIONAL PETROLEUM COMPANY LIMITED

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SHELL U.K. OIL PRODUCTS LIMITED

Claimant (QB-2022-001420)

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**PERSONS UNKNOWN ENTERING OR REMAINING IN OR ON THE BUILDING KNOWN AS
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DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION**

Proposed First Defendant (QB-2022-001420)

Louis McKechnie

Proposed Second Defendant (QB-2022-001420)

Louise Harris

Proposed Third Defendant (QB-2022-001420)

Callum Goode

Proposed Fourth Defendant (QB-2022-001420)

Christopher Ford

Proposed Fifth Defendant (QB-2022-001420)

Sean Jordan

(also known as Sean Irish, John Jordan, John Michael Jordan and Sean O'Rourke)

Proposed Sixth Defendant (QB-2022-001420)

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Emma Ireland
Proposed Seventh Defendant (QB-2022-001420)

Charles Philip Laurie
Proposed Eighth Defendant (QB-2022-001420)

Michael Edward Davies also previously known as Michael Edward Jones
Proposed Ninth Defendant (QB-2022-001420)

Tessa-Marie Burns (also known as Tez Burns)
Proposed Tenth Defendant (QB-2022-001420)

Simon Reding
Proposed Eleventh Defendant (QB-2022-001420)

Kate Bramfit
Proposed Twelfth Defendant (QB-2022-001420)

Stephen Gingell
Proposed Thirteenth Defendant (QB-2022-001420)

Margaret Reid
Proposed Fourteenth Defendant (QB-2022-001420)

David Nixon
Proposed Fifteenth Defendant (QB-2022-001420)

Samuel Holland
Proposed Sixteenth Defendant (QB-2022-001420)

DRAFT ORDER

RECITALS

UPON reading the orders of Hill J dated 23 May 2023 relating to claims QB-2022-001259 (the "**Shell Centre Tower Injunction Order**"), QB-2022-001420 (the "**Shell Petrol Stations Injunction Order**") and QB-2022-001241 (the "**Shell Haven Injunction Order**") (together the "**Hill J Orders**")

UPON the Claimants wishing to progress the claims to a final hearing and the Claimant of QB-2022-001420 having identified persons to be joined to the Shell Petrol Station Proceedings and recognising that the Application Documents should be served upon them as named parties and that those Defendants may wish to file a Defence.

UPON reading the Claimants' application dated 12 February 2024 for (a) permission to add certain individuals whose names are now known to the Claimant of QB-2022-001420 and (b) service of the application and claim documents and any other documents made in respect of QB-2022-001420 on the Named Defendants pursuant to CPR r. 6.9 and for permission to serve certain of the Named

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Defendants by alternative service pursuant to CPR r. 6.15 and 6.27; and (c) directions for final hearings for each of the claims QB-2022-001259, QB-2022-001420 and QB-2022-001241 and for the claims to continue to be managed together.

IT IS ORDERED THAT:

The Application to add Defendants to the Shell Petrol Stations Proceedings

1. The persons named in Schedule 1 to this order (the **"Named Defendants"**) be added to claim QB-2022-001420 (the **"Shell Petrol Stations Proceedings"**) as the 2nd – 16th Defendants.

Service of this Order and the Application Documents on the Named Defendants to the Shell Petrol Stations Proceedings and Alternative Service on Ms Burns and Ms Harris in addition

2. The QB-2022-001420 claim form, particulars of claim, the Shell Petrol Stations Injunction Order, together with details of the Claimant's website (<http://www.noticespublic.com/>) on which copies of supporting evidence and all other documents filed during the course of the QB-2022-001420 proceedings will be available shall together be referred to as the **"Application Documents"**.
3. Pursuant to CPR 6.9, 6.15 and 6.27 the Claimant in the proceedings QB-2022-001420 shall serve this Order, the Application Documents and any other document in the proceedings QB-2022-001420:
 - 3.1 on the Named Defendants by the following methods:
 - 3.1.1 by posting copies to the last known address which was supplied to the QB-2022-001420 Claimant by the relevant police authority (and as set out in Schedule 1 to this Order), by first class post or by hand
 - 3.1.2 In addition, in respect of the Third Defendant, by sending a message to the Third Defendant's social media account (as set out below) providing a link to the Claimant's website (<http://www.noticespublic.com/>) on which copies of the Application Documents will be available and specifically noting in the message that copies of the Application Documents (including the Claimants' application dated 12 February 2024) are available via that website
 - 3.1.2.1 <https://www.facebook.com/lolly.harris>
 - 3.1.2.2 Louise Harris (@louisehmusic) / X (twitter.com)
 - 3.1.2.3 <https://www.instagram.com/louiseharrismusic/>

3.1.3 In addition, in respect of the Tenth Defendant, by sending a message to the Tenth Defendant's social media account (as set out below) providing a link to the Claimant's website (<http://www.noticespublic.com/>) on which copies of the Application Documents will be available and specifically noting in the message that copies of the Application Documents (including the Claimants' application dated 12 February 2024) are available via that website

3.1.3.1 <https://www.linkedin.com/in/tez-burns/>

4. Service of this Order and the Application Documents in accordance with paragraph 3 above shall:
 - 4.1 Be verified by the completion of a certificate of service to be filed by the Claimant in the proceedings QB-2022-001420 with the Court;
 - 4.2 in respect of each of the Named Defendants individually, be deemed effective as at the latest date on which all the methods of service referred to above have been completed (as applicable to them individually) and shall be within 7 days upon receipt of the sealed order from the Court. Such date shall be specified by the certificate of service.
 - 4.3 Be good and sufficient service of this Order on the Named Defendants and each of them.
5. In relation to paragraphs 3.1.2 and 3.1.3 (where service by alternative methods is required), the period for filing (i) an acknowledgment of service, (ii) admission or (iii) defence for the purposes of CPR 6.15(4) shall be the dates set out in paragraphs 6 and 7.

Directions for final hearing for all claims

6. The Named Defendants and any other person falling within the definition of the First Defendant (in respect of each of the claims QB-2022-001259, QB-2022-001420 and QB-2022-001241) who may wish to defend the claims or any of them (or any interested party who might wish to do so) shall file and serve on the relevant Claimant an Acknowledgment of Service, (or, if no acknowledgment is served, an Admission or a Defence) by no later than **[Insert date 21 days from the date of this order]**

Explanatory Note to the Court: the reference above to 21 days from the date of the order is intended to reflect the 7 day period upon which the Claimants are to complete the steps in paragraph 3 to effect service, plus a 14 day period for the Named Defendants to file (i) an acknowledgment of service (ii) admission or (iii) defence for the purposes of CPR 6.15(4). For practical purposes, the Claimants are content for such date to be calculated as 21 days from the date of the order (notwithstanding that completion of the steps in accordance with paragraph 3 may in fact be completed earlier than the 7th day)

7. If an Acknowledgment of Service is filed in accordance with paragraph 6 above, any Named Defendant and other person falling within the definition of the First Defendant (in respect of each of the claims QB-2022-001259, QB-2022-001420 and QB-2022-001241) or any interested party who may wish to defend the claims or any of them and to be heard at the

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final hearing shall, file and serve a Defence by no later than **[Insert Date 35 days from the date of this order]**

Explanatory Note to the Court: As above, the reference above to 35 days from the date of the order is intended to reflect the 7 day period upon which the Claimants are to complete the steps in paragraph 3 to effect service, plus a 28 day period for the Named Defendants to file (i) an acknowledgment of service (ii) admission or (iii) defence for the purposes of CPR 6.15(4). For practical purposes, the Claimants are content for such date to be calculated as 35 days from the date of the order (notwithstanding that completion of the steps in accordance with paragraph 3 may in fact be completed earlier than the 7th day)

8. Any Named Defendant or person falling within the definition of the First Defendant (in respect of each of the claims QB-2022-001259, QB-2022-001420 and QB-2022-001241) or interested party who fails to comply with paragraphs 6 or 7 above will need to apply for permission to be heard at the final hearing if they wish to defend the claims or any of them but if they wish to do so they must inform the Claimants' solicitors by email to the addresses specified below 48 hours before making such application of the nature of such application and the basis for it as set out in paragraph 16 below.

9. The Claimants are to file and serve any updating evidence that they wish to rely upon in support of their claims for final injunctions by 4pm on **[Date 2 weeks after filing of AoS/Defence]**.

Explanatory Note to the Court: As above, the Claimant must take the steps set out in paragraph 3 to effect service within 7 days of the date of the order and therefore the directions flow from the date of the order. The timetable for the proposed directions has been calculated by reference to the date suggested for the preceding direction.

10. The Defendants are to file and serve any evidence upon which they seek to rely upon by **[Date 2 weeks after Claimant's evidence]**.

Explanatory Note to the Court: As above, the Claimant must take the steps set out in paragraph 3 to effect service within 7 days of the date of the order and therefore the remainder of the directions flow from the date of the order. The timetable for the proposed directions has been calculated by reference to the date suggested for the preceding direction.

11. The claims be listed for final hearing on the first available date in April 2024 with a time estimate of 1.5 days and if possible prior to 12 May 2024 (when the current injunction expires).
12. If it is not possible to list a final hearing date by 12 May 2024, the Hill J Orders shall be reconsidered at a short hearing which shall be listed on a date prior to 12 May 2024 (with a time estimate of no more than 2 hours) at which the Court will determine whether a short continuation of the Hill J Orders is justified to cover the additional time required for the claims to be listed for a final hearing.

13. In the event that the Claimants apply for summary judgment of the claims by **[Date 2 weeks after the date specified in paragraph 7]**, such application shall be heard at the outset of the final hearing date listed under paragraph 11 above.
14. Skeleton arguments are to be filed two days before the final hearing date.
15. The Claimants are to file two hard copies of the hearing bundle and an electronic copy of the bundle in a form compliant with the Kings Bench Division Guide 2022 by 5 days before the final hearing date.
16. Any Defendant who has not complied with paragraphs 6 and 7 above or any other person who claims to be affected by this Order and wishes to vary or discharge it or to be heard at the final hearing, shall apply to the Court for permission to be heard and must inform the Claimant's solicitors by email to the addresses specified below 48 hours before making such application of the nature of such application and the basis for it. Any such person who is not a Named Defendant must provide their full name and address, and address for service to the Claimant and to the Court, and must, if appropriate, also apply to be joined as a Defendant to these proceedings at the same time. Any person who fails to comply with this paragraph shall not be permitted to take any further role in these proceedings without further order of the Court.

Service of this Order on Persons Unknown / The First Defendant in each of the claims QB-2022-001259, QB-2022-001420 and QB-2022-001241

17. Service of this Order upon the First Defendant in each of the claims QB-2022-001259, QB-2022-001420 and QB-2022-001241 (being the relevant 'Persons Unknown' in each case) shall be validly effected by:
 - 17.1 uploading a copy of this Order to <http://www.noticespublic.com/>
 - 17.2 sending a copy of this Order to the email addresses set out in the Second Schedule of this Order
 - 17.3 sending a copy of this Order to any person who has previously requested a copy of documents in these proceedings from the Claimants or their solicitors, either by post or email (as was requested by that person)
18. The taking of such steps as are set out in paragraph 17 above shall be good and sufficient service of this Order upon the First Defendant in each of the claims QB-2022-001259, QB-2022-001420 and QB-2022-001241 (being the relevant 'Persons Unknown' in each case).
19. Pursuant to CPR 6.15 and 6.27, this Order shall be deemed to be served on the latest date on which all the methods of service referred to in paragraph 17 have been completed in respect of this Order, such date to be verified by the completion of a certificate of service or witness statement.
20. Costs in the case.
21. The Court will provide sealed copies of this Order to the Claimants' solicitors for service (whose details are below).

Communication With The Claimant

[BUNDLE PAGE 14]

The Claimant's solicitors' contact details are:

Eversheds Sutherland (International) LLP
Bridgewater Place, Water Lane Leeds LS11 5DR
(Reference OLDFIEA/SHELL)
shell.service@eversheds-sutherland.com

SCHEDULE 1

"Named Defendants" are detailed in the below table and shall be added to the proceedings as follows:

- (2) **Louis McKechnie**
- (3) **Louise Harris**
- (4) **Callum Goode**
- (5) **Christopher Ford**
- (6) **Sean Jordan (also known as Sean Irish, John Jordan, John Michael Jordan and Sean O'Rourke)**
- (7) **Emma Ireland**
- (8) **Charles Philip Laurie**
- (9) **Michael Edward Davies also previously known as Michael Edward Jones**
- (10) **Tessa-Marie Burns (also known as Tez Burns)**
- (11) **Simon Reding**
- (12) **Kate Bramfit**
- (13) **Stephen Gingell**
- (14) **Margaret Reid**
- (15) **David Nixon**
- (16) **Samuel Holland**

No	Name	Address	Incident Property	/	Offence(s) arrested for	Undertaking provided?
2.	Louis McKechnie					No response
3.	Louise Harris					No response (no proof of delivery obtained)
4.	Callum Goode					No response
5.	Christopher Ford					No response

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No	Name	Address	Incident Property	/	Offence(s) arrested for	Undertaking provided?
6.	Sean Jordan (also known as Sean Irish, John Jordan, John Michael Jordan and Sean O'Rourke)					No response
7.	Emma Ireland					No (refused to provide undertaking, however no further details regarding position provided)
8.	Charles Philip Laurie					No response
9.	Michael Edward Davies also previously known as Michael Edward Jones					No response
10.	Tessa-Marie Burns (also known as Tez Burns)					No response (no proof of delivery obtained)
11.	Simon Reding					No response
12.	Kate Bramfit					No response
13.	Stephen Gingell					No response

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No	Name	Address	Incident Property	/	Offence(s) arrested for	Undertaking provided?
14.	Margaret Reid					No response
15.	David Nixon					No response
16.	Samuel Holland					No response (letter returned with a note that Mr Holland no longer lives there)

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Schedule 2
(list of email addresses)

1. **EXTINCTION REBELLION UK**
- 1.1 enquiries@extinctionrebellion.uk
- 1.2 press@extinctionrebellion.uk
- 1.3 xrvideo@protonmail.com
- 1.4 xr-action@protonmail.com
- 1.5 xraffinitysupport@protonmail.com
- 1.6 xr-arrestwelfare@protonmail.com
- 1.7 artsxr@gmail.com
- 1.8 xr-CitizensAssembly@protonmail.com
- 1.9 xr.connectingcommunities@gmail.com
- 1.10 xrdemocracy@protonmail.com
- 1.11 xrnotables@gmail.com
- 1.12 integration@rebellion.earth
- 1.13 xr-legal@riseup.net
- 1.14 press@extinctionrebellion.uk
- 1.15 xr-newsletter@protonmail.com
- 1.16 xr-peoplesassembly@protonmail.com
- 1.17 xrpoliceliaison@protonmail.com
- 1.18 rebelringers@rebellion.earth
- 1.19 xr.regenerativeculture@gmail.com
- 1.20 xr-regionaldevelopment@protonmail.com
- 1.21 RelationshipsXRUK@protonmail.com
- 1.22 xr.mandates@gmail.com
- 1.23 socialmedia@extinctionrebellion.uk
- 1.24 xrsocialmediaevents@gmail.com
- 1.25 eventsxr@gmail.com
- 1.26 xrbristol.regional@protonmail.com
- 1.27 xrcymru@protonmail.com
- 1.28 xr.eastengland@protonmail.com

- 1.29 xrlondoncoord@gmail.com
- 1.30 XRMidlands@protonmail.com
- 1.31 xrne@protonmail.com
- 1.32 support@xrnorth.org
- 1.33 xrni@rebellion.earth
- 1.34 xrscotland@gmail.com
- 1.35 XR-SouthEastRegionalTeam@protonmail.com
- 1.36 xr.regional.sw@protonmail.com
- 1.37 talksandtraining.xrbristol@protonmail.com
- 1.38 xrcymrutalksandtraining@gmail.com
- 1.39 eoexrtnt@protonmail.com
- 1.40 xrlondoncommunityevents@gmail.com
- 1.41 xrmidlandstraining@protonmail.com
- 1.42 XRNE.training@protonmail.com
- 1.43 xrnw.training@gmail.com
- 1.44 xryorkshire.training@gmail.com
- 1.45 xrni.tt@rebellion.earth
- 1.46 talksandtrainings.scotland@extinctionrebellion.uk
- 1.47 xrttse@gmail.com
- 1.48 xrsw.trainings@gmail.com
- 2. **JUST STOP OIL**
- 2.1 Ring2021@protonmail.com
- 2.2 juststopoil@protonmail.com
- 2.3 youthclimateswarm@protonmail.com
- 3. **YOUTH CLIMATE SWARM**
- 3.1 youthclimateswarm@protonmail.com

Fifth Witness Statement

Party: Claimants

Exhibit: AJ05

Date: 12 February 2024

Claim No: QB-2022-001420

Claim No: QB-2022-001241

Claim No: QB-2022-001259

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SHELL CENTRE TOWER, BELVEDERE ROAD, LONDON ("SHELL CENTRE TOWER") WITHOUT
THE CONSENT OF THE CLAIMANT, OR DAMAGING THE BUILDING OR DAMAGING OR
BLOCKING THE ENTRANCES TO THE SAID BUILDING**

Defendant (QB-2022-001259)

**PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY
SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR
INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN
CONNECTION WITH PROTEST CAMPAIGNS WITH THE INTENTION OF
DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION**

Defendant (QB-2022-001420)

**PERSONS UNKNOWN ENTERING OR REMAINING AT THE CLAIMANT'S SITE KNOWN AS
SHELL HAVEN, STANFORD-LE-HOPE (AND AS FURTHER DEFINED IN THE PARTICULARS
OF CLAIM) WITHOUT THE CONSENT OF THE CLAIMANT, OR BLOCKING
THE ENTRANCES TO THAT SITE**

Defendant (QB-2022-001241)

Fourth Witness Statement of Alison Judith Oldfield

[BUNDLE PAGE 21]

I, **Alison Judith Oldfield** of Eversheds Sutherland (International) LLP ("**Eversheds Sutherland**") of Water Lane, Leeds LS11 5DR **WILL SAY AS FOLLOWS:**

1. INTRODUCTION

- 1.1 I am a partner at Eversheds Sutherland and have conduct of this matter on behalf of each of the Claimants in the subject proceedings.
- 1.2 Unless I state otherwise, the facts in this statement are within my knowledge and true. Where the facts are not within my knowledge, they are true to the best of my knowledge and belief, and I identify the source of my knowledge.
- 1.3 References to page numbers in this statement are to page numbers in **Exhibit AJO4**.
- 1.4 This witness statement is made in respect of the subject proceedings, being:
- 1.4.1 the proceedings with Claim Number QB-2022-001259 - which relate to Shell Centre Tower, Belvedere Road, London ("**the Shell Centre Tower Proceedings**") – in which Shell International Petroleum Company Limited ("**the ST Claimant**") is the Claimant and in respect of which an injunction was granted pursuant to the order of Hill J dated 23 May 2023 ("**the ST Injunction Order**");
 - 1.4.2 the proceedings with Claim Number QB-2022-001420 - which relate to Shell petrol stations in England and Wales ("**the Shell Petrol Stations Proceedings**") - in which Shell U.K. Oil Products Limited is the Claimant ("**the PS Claimant**") and in respect of which an injunction was granted pursuant to the order of Hill J dated 23 May 2023 ("**the PS Injunction Order**"); and
 - 1.4.3 the proceedings with Claim Number QB-2022-001241 which relate to the oil refinery known as Shell Haven, Stanford Le-Hope the Manorway, Stanford Le-Hope ("**the Shell Haven Proceedings**") - in which Shell U.K. Limited is the Claimant ("**the SH Claimant**") and in respect of which an injunction was granted pursuant to the order of Hill J dated 23 May 2023 ("**the SH Injunction Order**" and together with the ST Injunction Order and the PS Injunction Order, "**the Injunction Orders**").

[BUNDLE PAGE 22]

(together the “**Claimants**” (as appropriate) and the Shell Centre Tower Proceedings, the Shell Petrol Stations Proceedings and the Shell Haven Proceedings together being “**the Proceedings**”).

1.5 In this statement I address the following matters:

1.5.1 the steps taken by the PS Claimant in respect of identifying individuals and its application to join persons arrested as named defendants to the Shell Petrol Stations Proceedings;

1.5.2 the PS Claimant’s application for alternative service on the Named Defendants (as defined below); and

1.5.3 the Claimants’ application for directions to final hearing.

2. ON PAPER APPLICATION

2.1 As set out in the second recital to the proposed Order, the purpose of this Application is (a) to progress the claims to a final hearing and (b) to ensure that individuals who have been identified as falling within the category of Persons Unknown in respect of the Shell Petrol Station Proceedings and who ought to be joined to those Proceedings are properly joined and served with relevant documents.

2.2 The case management orders sought are thought to be uncontroversial and not to require an in person hearing. The proposed joinder is justified on the basis of the evidence in this statement (see paragraphs 3.2 to 3.4 below). However, in the event the Court is not minded to deal with all or parts of this application on paper, the Claimants invite the Court to exercise its case management powers to list the matter for a short hearing and to make a consequential adjustment to the directions for final hearing to that effect. In those circumstances, depending on the dates and associated delay, the Claimants consider that it may be necessary for a short continuation to the current Injunction Orders.

2.3 Similarly, in the event the Court *is* minded to deal with this application on paper but a final hearing cannot be listed by 12 May 2024, the Claimants consider a short continuation of the Orders of Hill J will be necessary to ensure the Injunction Orders do not simply lapse. The Claimants, in each of these circumstances, invites the Court to list a short hearing prior to 12 May 2024 with a time estimate of no more than 2 hours at which the Court will determine whether a short continuation of the Injunction Orders is justified.

3. APPLICATION TO ADD DEFENDANTS TO THE SHELL PETROL STATION PROCEEDINGS

Identification of persons involved and proposed joinder of such persons as Named Defendants

- 3.1 Pursuant to orders made in the Shell Petrol Station Proceedings on 13th March 2023 and 28 April 2023, the PS Claimant has undertaken a disclosure exercise with the relevant police forces in connection with the protest incidents which occurred at (i) the Cobham services Shell Petrol Station on 28 April 2022 and 24 August 2022, and (ii) the Acton Park and Acton Vale Shell Petrol Stations on 26 August 2022 (together the "**Service Station Protest Incidents**").
- 3.2 The disclosure exercise undertaken is summarised as follows:
- 3.2.1 May J granted the PS Claimant a third party disclosure order in respect of Surrey Police on 13 March 2023. A copy of the 13 March 2023 order is at **pages 3 – 5 of Exhibit AJ04**.
- 3.2.2 Disclosure of the names and addresses of individuals arrested at the Cobham services on 28 April 2022 and 24 August 2022, was provided by Surrey Police to the Claimant on 29 March 2023.
- 3.2.3 Further disclosure from Surrey Police was provided on 31 May 2023. The Claimant then sought further clarification from solicitors acting on behalf of Surrey Police. Access to certain files which initially were not available together with other missing information was also sought. This information and documentation was provided on 6 September 2023 (including details of the individuals involved and their addresses as advised by Surrey Police). A copy of the 29 March 2023 correspondence referred to above, which provided details of relevant individuals' names and addresses, is exhibited at **pages 6 – 8 of Exhibit AJ04**.
- 3.2.4 Hill J granted the Claimant a third party disclosure order in respect of the Metropolitan Police on 28 April 2023. A copy of the 28 April 2023 order is at **pages 9 – 12 of Exhibit AJ04**.
- 3.2.5 Disclosure by the Metropolitan Police of the names and addresses of individuals arrested at the Acton services on 26 August 2022, was provided to the Claimant on 31 May 2023, together with details of the offences for which the individuals were arrested. Solicitors for the

Claimant subsequently sought clarification from the Metropolitan Police in respect of the current status of investigations in respect of those individuals. Access to certain photographs - which had initially been omitted - was also sought. That information and documentation was provided on 31 August 2023. Copies of the pertinent correspondence and documents provided to the Claimant on 31 May 2023 (in so far as they relate to Shell Petrol Stations – information and details also having been provided by the Metropolitan Police in respect of individuals arrested at Clacket Lane motorway services (which are not subject to PS Injunction Order) is at **pages 13 – 16 of Exhibit AJ04**.

- 3.2.6 As a result of this disclosure exercise, 30 individuals were identified as having been arrested in connection with protest incidents at Acton Vale, Acton Park and Cobham services. Having reviewed the evidence available, the Claimant reached the conclusion that it would be appropriate to join those individuals that had been arrested at the protest incidents to the Shell Petrol Station Proceedings, (save for one individual, Xavier Gonzalez Trimmer, who the PS Claimant understands, following confirmation from solicitors for Surrey Police is deceased).
- 3.2.7 The PS Claimant reached that conclusion on the basis that these individuals are persons whose names and addresses have been disclosed by the relevant police authority following arrests made in the course of or as a result of the Service Station Protest Incidents and the subsequent police investigations that followed.
- 3.2.8 The persons identified during the course of the abovementioned disclosure exercise are identified in the table exhibited at **pages 17 – 19 of Exhibit AJ04** and which has been drawn up by solicitors for the PS Claimant ("**the Schedule**"). The Schedule includes details of the arrests which is based on information provided by the relevant police authorities. It also notes the outcome of subsequent correspondence with the individuals inviting them to provide undertakings (as to which, see below).

Proposed Undertakings

- 3.2.9 In accordance with the overriding objective and following the approach approved by Cotter J in *The National Highways Limited vs Persons Unknown and others* [2023] EWHC 1073 (which proposed a suitable

form of undertaking to be offered to persons identified as falling within the category of persons unknown in order to justify them not being joined as Named Defendants), on 16 October 2023 my firm, in its capacity as solicitors for the PS Claimant, wrote to 29 of the 30 individuals identified (as noted above, one individual is deceased) at the addresses provided by the relevant police force and provided the individuals with an opportunity to provide an undertaking.

- 3.2.10 The form of undertaking followed that form of undertaking annexed to Cotter J's judgment in *National Highways* at Annex B and was issued as an alternative to being formally joined as a named defendant to the Shell Petrol Station Proceedings. The correspondence provided the individuals with 28 days in which to provide the undertaking. An example letter (and which has the form of undertaking annexed) is at **pages 20 – 37** of **Exhibit AJO4**.
- 3.2.11 On 16 November 2023, my firm wrote a further letter to those individuals that had not yet provided a signed undertaking, providing for a final opportunity to provide an undertaking within seven days. An example letter is at **pages 38 – 57** of **Exhibit AJO4**. To date, no response has been received from 14 individuals, as set out in the Schedule.
- 3.2.12 The PS Claimant has received 14 signed undertakings (the "**Excluded Individuals**") – the Excluded Individuals are shown highlighted green in the Schedule. Copies of the undertakings from the Excluded Individuals is at **pages 58 – 71** of **Exhibit AJO4**.
- 3.2.13 The PS Claimant has received confirmation from one individual, Ms Ireland, that she does not intend to provide an undertaking and does not consent to being joined as a defendant to the Shell Petrol Station Proceedings. No further explanation as to Ms Ireland's position has been provided. A copy of the correspondence is at **page 72** of **Exhibit AJO4**.
- 3.2.14 Accordingly, the PS Claimant has not received undertakings in respect of a total of 15 individuals (being the 14 individuals where no response was received and the one refusal by Ms Ireland to provide an undertaking) (the "**Named Defendants**"). The Named Defendants are shown highlighted yellow in the Schedule and the one individual who is deceased is shown grey.

- 3.2.15 Proofs of delivery were obtained in respect of each of the undertaking letters, save that this firm was initially unable to obtain proof of delivery of the undertaking letters issued in respect of Mr Trowland, Ms McCormack, Ms Burns, Mr Buse, Mr Harper and Ms Harris, (although it should be noted that letters were also sent by first class post in addition to special delivery).
- 3.2.16 On, 8 November 2023, this firm therefore wrote to solicitors on behalf of Surrey Police to request updated address details for those particular individuals from whom undertakings had not been received at that point in time (undertakings having been received from Ms McCormack and Mr Buse in the interim). A copy of that letter can be found at **pages 73 - 74 of Exhibit AJ04**.
- 3.2.17 On 23 November 2023, solicitors for Surrey Policy confirmed that they did not have any updated addresses for Ms Burns or Ms Harris but did note a slight typo in the address for Mr Trowland. A copy of such correspondence can be found at **pages 75 - 77 of Exhibit AJ04**.
- 3.2.18 Signed undertakings were later received by Mr Harper and the PS Claimant subsequently became aware of an article dated 12 December 2023 ([Just Stop Oil Dartford bridge protester released from jail, says group - BBC News](#)) which reported that Mr Trowland was shortly due to be released from prison after he was jailed in connection with a separate protest incident relating to a demonstration at the Dartford Crossing in October 2022 (which is unconnected to the Proceedings). Eversheds Sutherland therefore re-issued the undertaking letter to Mr Trowland on 19 December 2023 (at the updated address) and, on 28 December 2023, Mr Trowland provided a signed undertaking.
- 3.2.19 On 9 January 2024, this firm received a returned letter that was originally addressed to Mr Holland- and in respect of which we had obtained a proof of delivery note on 17 November 2023 (**AJ04 pp 97-99**). The note on the envelope on 9 January 2024 advised that Mr Holland no longer lived at that address (**AJ04 p78**).
- 3.2.20 As such, the only individuals for whom this firm has been unable to obtain a definitive proof of delivery for are in respect of Mr Holland, Ms Burns and Ms Harris. In these circumstances, this firm (and the PS

Claimant) have no other means of being able to ascertain their current address.

- 3.3 In light of the signed undertakings received from the Excluded Individuals, which covers the activities caught by the Shell Petrol Station Injunction, the PS Claimant no longer considers it necessary (or appropriate) to pursue an application to join those individuals as named defendants.
- 3.4 However, the application for joinder is considered to be justified in respect of the Named Defendants, on the basis that they are persons who in the past participated in activities caught by the Shell Petrol Station Injunction, were arrested for committing those prohibited activities and have not provided the undertaking which was offered (see the Schedule and Schedule 1 to the Draft Order). The PS Claimant reasonably infers that there remains a risk of the Named Defendants committing the prohibited acts and given the PS Claimant's obligation to identify persons to whom the order is directed by name, where possible (see above), the Court is invited to approve the proposed joinder of those individuals. If the proposed undertaking is entered into by any of those persons in the course of the proceedings, the PS Claimant will of course agree that they can be removed as named parties (and is content for the Order to make provision for that if needs be).
4. The Named Defendants include Ms Burns and Ms Harris and, for the reasons set out below, the PS Claimant seeks an order for alternative service of the Application Documents in respect of those individuals, despite addresses which appear to be their last known addresses having been provided by the police, in order to ensure as far as possible that the documents come to their attention. I also deal with the position in respect of Mr Holland further at paragraph 5.10 below.

5. SERVICE AND ALTERNATIVE SERVICE ON NAMED DEFENDANTS

- 5.1 The QB-2022-001420 claim form, particulars of claim, supporting evidence and the PS Injunction Order, shall be referred to as the "**Application Documents**".

Service generally

- 5.2 The methods of service which the court has previously endorsed by way of alternative service on the First Defendant (Persons Unknown) in the Shell Petrol Stations Proceedings (and which for the avoidance of doubt the PS Claimant intend to continue to use) are as follows:

- 5.2.1 Uploading a copy of the Application Documents to <http://www.noticespublic.com/>;
- 5.2.2 Sending a copy of the Application Documents to the email addresses set out in Schedule 2 to the Draft Order;
- 5.2.3 Sending a copy to any person who has previously requested a copy of documents in the Shell Petrol Stations Proceedings from the PS Claimant or its solicitors, either by post or email (as was requested by that person).

Service under CPR 6.9 in respect of Named Defendants

- 5.3 The PS Claimant has obtained postal addresses for each of the Named Defendants from the relevant police force. The addresses were provided to the police by the Named Persons in the course of their arrests and therefore it is reasonable for the PS Claimant to assume that such addresses are the Named Defendants' "usual or last known address" for the purposes of CPR 6.9. Accordingly, the PS Claimant intends to serve the Application Documents upon each of the Named Defendants at the address provided by the relevant police authority and as set out in Schedule 1 to the Draft Order.

Alternative Service in respect of Ms Burns and Ms Harris

- 5.4 However, as noted above, the correspondence we have sent thus far may have failed to reach Ms Burns and Ms Harris as there are no proofs of delivery.
- 5.5 Furthermore, whilst updated addresses have been requested from the police as set out above, the PS Claimant does not know whether Ms Burns and Ms Harris still reside at the address provided and has no other means of contacting those individuals, having been unable to ascertain any alternative address for them.
- 5.6 Whilst the PS Claimant considers that the addresses provided for Ms Burns and Ms Harris from the relevant police authority are sufficient for service pursuant to CPR 6.9, being the usual or last known address, the PS Claimant wishes to do all that it can to ensure that documents are actually brought to the attention of defendants. Accordingly, and out of an abundance of caution, the PS Claimant is seeking the Court's permission to serve Ms Burns and Ms Harris by alternative methods (as described below) under CPR r.6.15 and r.6.27, in addition to service on them at their usual or last known addresses under CPR r. 6.9.
- 5.7 From a general search of the internet, colleagues of mine have identified social media accounts belonging to a Ms Burns and a Ms Harris. Photographs and content

contained in those social media accounts indicates that both individuals have carried out activities in support of Just Stop Oil. I have concluded that these accounts are owned by the same Ms Burns and Ms Harris whom the PS Claimant is seeking to be joined as named defendants in these proceedings.

5.8 Accordingly, in addition to serving at the addresses provided by the police authority (being Ms Burns' and Ms Harris' last known address in accordance with CPR 6.9) and also in addition to the methods of service on Persons Unknown set out in each of the previous orders in these proceedings, and most recently on 23 May 2023, the PS Claimant proposes to send a message to the following social media accounts of Ms Burns and Ms Harris, containing a link to the Claimant's website (<http://www.noticespublic.com/>) on which the Application Documents will have been previously uploaded and specifically noting that copies of the Application Documents are accessible via that website:

Ms Burns:

- <https://www.linkedin.com/in/tez-burns/>

Ms Harris:

- <https://www.facebook.com/lolly.harris>
- [\(1\) Louise Harris \(@louisehmusic\) / X \(twitter.com\)](#)
- <https://www.instagram.com/louiseharrismusic/>

5.9 Screen shots of pages of those websites can be found at **AJO4 pp 101-104**.

5.10 I should add that enquiries have also been made by this firm to ascertain whether Mr Holland also has social media accounts which could be used to bring this application to his attention. No such website has been identified. Thus, as part of this application, the court is asked to make an order confirming good service upon Mr Holland at his last known place of abode in accordance with CPR Rule 6.9.

5.11 In the event that any further difficulties are encountered in effecting service upon Named Defendants by the usual means prescribed under CPR Rule 6.9 I confirm that the PS Claimant will likewise endeavour to identify appropriate methods of service via social media accounts.

- 5.12 The PS Claimant intends to take each of the service steps set out above within 7 days upon receipt of the sealed order from the Court (if the PS Claimant's application is granted), which will be verified by filing a certificate of service.
- 5.13 Based on the above, the draft Order contains an order permitting the PS Claimant of the Shell Petrol Station Proceedings to serve the Application Documents on Ms Burns and Ms Harris by such alternative means and confirms that the steps set out above will constitute good service pursuant to CPR Rule 6.9, 6.15 and 6.27.
- 5.14 The draft Order also contains deemed dates of service, namely that the Named Defendants shall be deemed to have been served with this application on the latest date upon which all methods of service referred to above have been completed, such date to be verified by a certificate of service (and such date to be within 7 days upon receipt of the sealed order from the Court (if the PS Claimant's application is granted)).

6. APPLICATION FOR DIRECTIONS TO FINAL HEARING

- 6.1 The Claimants' have always been mindful that realistic and appropriate temporal limits should be placed on each injunction granted in their favour. They have also been mindful of their obligations to progress these proceedings to a final hearing. On the Claimants' behalf at the review hearing before Hill J on 25 and 26 April 2023 ([2023] EWHC 1229) Myriam Stacey KC confirmed to the Court that, whilst the Claimants would be progressing the claims, they planned to await the outcome of the Appeal to the Supreme Court in *Barking and Dagenham LBC and others v Persons Unknown* [2022] EWCA Civ 13 ("the *Barking* proceedings") before seeking directions for a final hearing. The reason for that was explained to Hill J, namely that the *Barking* proceedings, were expected to clarify a central issue of whether final injunctions are capable of being obtained against persons unknown. The relevant parts of the judgment in relation to that are [161] – [163]:

"Miss Stacey referred to the observations of the Court of Appeal in Barking and Dagenham LBC and others v Persons Unknown [2022] EWCA Civ 13 at [98] and [108] to the effect that "For as long as the court is concerned with the enforcement of an order, the action is not at end" and "there is no rule that an interim injunction can only be granted for any particular period of time. It is good practice to provide for a periodic review, even when a final order is made".

162. She made clear that the Claimants intend to await the outcome of the appeal to the Supreme Court in Barking & Dagenham, which is expected to clarify the central issue of whether final injunctions are capable of being obtained against persons unknown or whether they can only be obtained against named individuals, before seeking a final hearing on these injunctions. Both interim and final orders must be kept under review in any event. That said, she put on record that the Claimants are mindful of their obligations to progress the litigation and intend to do so by seeking directions to bring the matter to a final hearing as soon as practical once judgment in Barking & Dagenham is available. If there is a proper evidential basis to join named Defendants, that may occur, and then they can be permitted to file a Defence.

163. I accept her assurance that the proposed "backstop" period of one year is just that, in light of the matters referred to in the preceding paragraph. I am satisfied that this period strikes the correct balance between the need to keep orders under review and the express indications by JSO and other groups that their campaigns are escalating rather than being brought to an end in the near term."

- 6.2 The Supreme Court handed down its judgment in the *Barking* proceedings on 29 November 2023 and has now clarified that the court does indeed have jurisdiction to grant final injunctions against persons unknown (or "newcomers" as they are referred to in the judgment) and that a claimant still ought to identify and serve persons to whom the order is directed by name or in some other way, insofar as it is possible to do so [221].
- 6.3 Accordingly, in light of the Supreme Court judgment, and in recognition of the Claimants' obligations to progress this litigation, the Claimants have made the current application to join identified persons and for service on such persons as set out above, and for directions to bring matters to a final hearing as soon as possible.

The proposed directions

- 6.4 The Claimants have set out their proposed directions in the Draft Order annexed to this application. The directions provide a further opportunity for any Defendant to file an Acknowledgment of Service and Defences to the claims and includes safeguards for the Defendants (and any other person affected by the order or

wishing to be heard at the final hearing) by expressly providing for liberty to apply in order for any of the directions to be varied or amended on application.

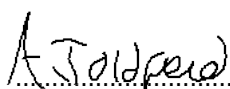
- 6.5 Paragraph 11 of the Draft Order requests that the claims be listed for a final hearing on the first available date in April 2024 (as required by paragraph 6 of each of the Injunction Orders). The current directions proposed by the Claimants anticipate that it will be possible to secure a final hearing in April 2024 and, notably, by 12 May 2024 which is when the current Injunction Orders expire.
- 6.6 If the Court is minded to deal with this application on paper, the Claimants respectfully request that the sealed order is provided to the solicitors for the Claimants as soon as possible to facilitate timely service, particularly in light of the compact timetable.
- 6.7 Paragraph 12 of the Draft Order deals with the scenario where it is not possible to secure a final hearing before the 12 May 2024. Rather than allowing the Injunction Orders to simply lapse (which would, for obvious reasons, cause great concern to the Claimants), the Claimants invite the Court to consider granting a short continuation of the injunctions on paper to cover the additional time required in order to enable the final hearing of the claims to be listed, or (if the court is not prepared to do so on paper) to list the claims for a short hearing before 12 May 2024 to consider the grant of a short continuation for that purpose.
- 6.8 I should add that if the latter option needs to be pursued, I anticipate that the court will also be asked to consider modified arrangements for the service of any order for a short extension of the injunction because of the significant logistical challenges involved in serving all the petrol stations covered by the injunction in the Shell Petrol Station Proceedings in a short timescale.
- 6.9 (The Court will note that the Draft Order also includes square brackets and explanatory notes in respect of the dates at paragraphs 6, 7, 9 and 10. To explain that further here, it is expected that the Claimants will be able to serve the order and the Application Documents within 7 days upon receipt of the sealed order from the Court. However, at present, that date is unknown.)
- 6.10 CPR 6.15(4)(c) requires that any order for service of the claim form by an alternative method must specify the period for (i) filing an acknowledgment of service; (ii) filing an admission; or (iii) filing a defence.
- 6.11 Rather than simply referring to the relevant period (which would require the Named Defendants to calculate the deadline for filing which may be difficult for

them), the Claimants propose that a specific date be inserted and have proposed a direction would calculate the date by reference to the seven-day period for the Claimants to serve the order and Application Documents and the requisite period for the Defendants to file an acknowledgment of service, admission or defence. That would in fact give the Defendants longer than the period provided for in the Court Rules in circumstances where the Claimants complete their service steps earlier than the seven-day period.

- 6.12 Paragraph 13 of the Draft Order deals with the Claimants' potential application for summary judgment. To date, the only persons to engage with the Proceedings are persons who have sought to rely on CPR 40.9 in a purported capacity of 'Interested Persons' – most notably Ms Jessica Branch who appeared before the court at the review hearing held in April 2023. No other person falling within the category of the First Defendant (persons unknown) has engaged or sought to file any defence. In light of the Court of Appeal's judgment in *National Highways Limited v Persons Unknown* [2023] EWCA Civ 182, the absence of such engagement is likely to be a relevant factor in determining whether a matter is suitable for summary judgment. The Claimants wish to wait and see if defences from the Named Defendants are filed before making a final decision in relation to a summary judgment application and will do so once the deadline for the Defendants to file a defence expires.
- 6.13 Paragraphs 17 to 19 of the Draft Order deals with service of the sealed order on the First Defendant (Persons Unknown) in each of the Proceedings (if the PS Claimant's application is granted), which is consistent with the method of service which the court has previously endorsed by way of alternative service on the First Defendant (Persons Unknown) in each of the Proceedings (most recently in the Injunction Orders).

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 made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

.....

Alison Judith Oldfield

Dated: 12 February 2024

[BUNDLE PAGE 35]

Fifth Witness Statement

Party: Claimants

Exhibit: AJO4

Date: 12 February 2024

Claim No: QB-2022-001420

Claim No: QB-2022-001241

Claim No: QB-2022-001259

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

SHELL INTERNATIONAL PETROLEUM COMPANY LIMITED

Claimant (QB-2022-001259)

SHELL U.K. OIL PRODUCTS LIMITED

Claimant (QB-2022-001420)

SHELL U.K. LIMITED

Claimant: (QB-2022-001241)

- and -

**PERSONS UNKNOWN ENTERING OR REMAINING IN OR ON THE BUILDING KNOWN AS
SHELL CENTRE TOWER, BELVEDERE ROAD, LONDON ("SHELL CENTRE TOWER") WITHOUT
THE CONSENT OF THE CLAIMANT, OR DAMAGING THE BUILDING OR DAMAGING OR
BLOCKING THE ENTRANCES TO THE SAID BUILDING**

Defendant (QB-2022-001259)

**PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY
SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR
INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN
CONNECTION WITH PROTEST CAMPAIGNS WITH THE INTENTION OF
DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION**

Defendant (QB-2022-001420)

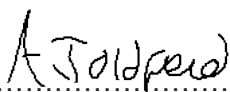
**PERSONS UNKNOWN ENTERING OR REMAINING AT THE CLAIMANT'S SITE KNOWN AS
SHELL HAVEN, STANFORD-LE-HOPE (AND AS FURTHER DEFINED IN THE PARTICULARS
OF CLAIM) WITHOUT THE CONSENT OF THE CLAIMANT, OR BLOCKING
THE ENTRANCES TO THAT SITE**

Defendant (QB-2022-001241)

EXHIBIT AJO4

[BUNDLE PAGE 36]

This is the exhibit referred to in the Fourth Witness Statement of Alison Judith Oldfield dated 12 February 2024

Signed: 

Name: Alison Judith Oldfield

Dated: 12 February 2024

[BUNDLE PAGE 37]

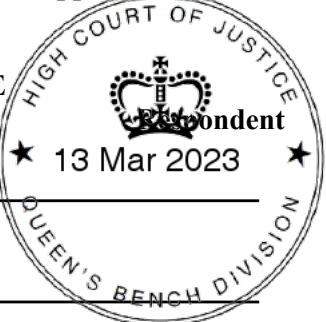
BETWEEN:-

SHELL UK OIL PRODUCTS LIMITED

-and-

THE CHIEF CONSTABLE OF SURREY POLICE

Applicant/Claimant



ORDER

QB-2022-001420

UPON the Claimant's application by notice dated 7 October 2022 for third party disclosure from the Respondent pursuant to CPR Part 31.17

AND UPON the Claimant and the Respondent having submitted a "Consent Order" for the approval of the court, which, by order of Tipples J dated 7 October 2022 was instead referred to an oral hearing

AND UPON hearing Myriam Stacey KC, Leading Counsel for the Claimant and Aaron Moss for the Respondent at an oral hearing on 8 March 2023

IT IS ORDERED THAT:

1. The Respondent shall, upon request by the Applicant, give disclosure, pursuant to CPR 31.17, of those documents in his possession identifying the names and addresses of any person who was arrested by one of her Majesty's officers of Surrey Police, or by one of her Majesty's Officers on behalf of Surrey Police, in relation to conduct connected with protests on 28 April 2022 and/or 24 August 2022 at either (1) Clacket Lane motorway services, and/or (2) the Shell Petrol Station at Cobham motorway services.
2. The Respondent shall give disclosure of the documents described in paragraph 1 of this Order within a reasonable period (being not more than 14 days) of service of this Order upon him.
3. The Respondent shall (subject to the conditions of paragraphs 4 - 6 below), on and to the extent of the request of the Claimant (who may seek some or all of the categories of documents listed below), in relation to any conduct or activity, in relation to which he has disclosed documents pursuant to paragraph 1 of this Order, provide the following in so far as that discloses any conduct and/or activity which may constitute a breach of the injunctions granted in these proceedings and/or may assist in identifying any person who might have undertaken such conduct and/or activity:

- a. arrest notes, incident logs or similar written records relating to the activity and/or conduct in question and those involved;
 - b. other still photographic material; and/or
 - c. body-worn or vehicle camera footage.
4. The Claimant shall make any request in terms of paragraphs 3a., 3b. and/or 3c above within 21 days of receipt of any documents disclosed pursuant to paragraph 1 of this Order.
5. Subject to the conditions of paragraph 6 below, the Respondent shall give disclosure of any documents and/or data described in paragraphs 3a., 3b. and/or 3c. as soon as reasonably practicable (and in any event within 28 days) following the receipt of a request made by the Claimant in accordance with paragraph 4 above.
6. In the event that the Respondent, acting reasonably, considers that the provision of any of the documents and/or data named within paragraph 3 may prejudice any ongoing criminal investigation or fall within the category of Public Interest Immunity (“PII”), the Respondent has the right to withhold provision of the documents and/or data or redact these accordingly, until such time (that is considered reasonable) when disclosure of the documents and/or data, will no longer prejudice any criminal investigation.
7. The Claimant agrees to meet the reasonable and proper costs of the Respondent in relation to compliance with the terms of this Order, if demanded, to be assessed if not agreed.
8. Without the permission of the Court, the Claimant shall make no use of any document disclosed by virtue of paragraphs 1 - 5 of this Order, other than one or more of the following uses:
 - a. applying to name and join any person as a named defendant to these proceedings and to serve the said person with any document in these proceedings;
 - b. investigating, formulating and pleading and prosecuting any claim within these proceedings arising out of any alleged disruptive protest at any of the Claimant’s sites which are (or become) the subject of these proceedings;
 - c. use for purposes of formulating, pleading and prosecuting any application for committal for contempt of court against any person for breach of any order made within these proceedings.
9. Until further order, the address and address for service of any person who is added as a defendant to these proceedings shall be redacted in any copy of any document which is served other than by means of it being sent directly to that person or their legal representative.

Reasons

The “Consent Order” as originally submitted to the court sought disclosure of a class of documents which included documents that were, by definition, not then in existence since the class included reference to any future arrests which the Surrey Police may make. Following the hearing on 8 March 2024 the terms of the proposed draft order were amended to refer to

documents relating to (i) two specified protest incidents on 28 April and 24 August 2022, together with (ii) any documents relating to any other arrests at any other protests at Shell-branded fuel stations in Surrey which may have taken place subsequently.

I approve an order covering (i) above, requiring disclosure of documents in the possession of the police relating to the two incidents referred to in the Third Witness Statement of Emma Pinkerton dated 6 October 2022 (at paragraphs 2.5 and 2.7), namely the original protests on 28 April 2022 and subsequent events on 24 August 2022.

The proposed addition of (ii) a proposed general class of documents to be disclosed relating to any arrest which Surrey Police may have made since 24 August 2022 is too general to enable the court to make an order in sufficiently specific terms as required by CPR Part 31.17(4)(a) and discussed by Vos J (as he then was) in *Constantin Medien Ag v Ecclestone and others* [2013] EWHC 2674; further or alternatively, in the absence of evidence from the Claimant giving details of where, when and in what circumstances further protests (if any) have occurred at Shell-branded fuel stations in Surrey the court is unwilling to exercise its discretion to extend the terms of the order. To the extent that the Claimant obtains information from any of its branded fuel stations in Surrey that there have been protests involving the police then it is open to the Claimant to make a further application to the court giving details of the protests and seeking further documentation from the Surrey Police in relation to such incidents.

Dated this 13 day of March 2023

Morton, Sarah

From: Lindberg, Rachel
Sent: 25 January 2024 13:05
To: Morton, Sarah
Cc: Lindberg, Rachel
Subject: FW: Shell U.K. Oil Products Limited v The Chief Constable of Surrey Police
Attachments: Shell U.K. Oil Products Limited v The Chief Constable of Surrey Police; Cobham 240822 Court Order.xls; Copy of Cobham 280422 Court Order.xls; Copy of Clacket Lane 240822 Court Order.xls; Copy of Clacket Lane 280422 Court Order.xlsx

From: Joanna Carty <Joanna.Carty@Weightmans.com>
Sent: 29 March 2023 09:03
To: Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Cc: Lauren Farrell <lauren.farrell@weightmans.com>
Subject: RE: Shell U.K. Oil Products Limited v The Chief Constable of Surrey Police

Dear Rachel,

Please find attached in compliance with paragraph 1 of the order details of those arrested at Clacket Lane and Cobham motorway services on 28 April 2022 and 24 August 2022.

The documents are password protected and the password will follow.

Please confirm safe receipt.

Kind regards

Jo

Joanna Carty
Principal Associate
Weightmans LLP

My pronouns are: She/her



Tel: 0116 253 9747 /ext 128908
DDI: 0116 242 8908
joanna.carty@weightmans.com
<https://www.weightmans.com>
135 specialism rankings and 446 individual rankings in Chambers and Legal 500



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For all other types of proceedings we will accept service of proceedings electronically if proceedings are sent to serviceofproceedings@weightmans.com

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NAME	ADDRESS
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MORGAN TROWLAND	
ELIZABETH MARY MCCORMACK	
ALFIE BESWICK	
MARK FLETCHER	
JOHN JORDAN	
ANDY REDFERN	
CHRISTOPHER FORD	
CALLUM GOODE	
STEPHANIE GOLDER	
Xavier Gonzalez TRIMMER	
BETHANY MOGIE	
PETER JOHN LAY	
LOUISE HARRIS	
LOUIS MCKECHNIE	
BENJAMIN BUCE	

NAME	ADDRESS
IRELAND Emma	
DAVIES Michael	
LAY Peter	
BURNS Tessa-Marie	
FREWER Phoebe Grace	
SHARPLES Sophie	
HARPER Gareth	
LAURIE Charles Philip	

CLAIM NO: QB-2022-001420

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BEFORE THE HONOURABLE MRS JUSTICE HILL

BETWEEN:



QB-2022-001420

SHELL UK OIL PRODUCTS LIMITED

Claimant/Applicant

-and-

**PERSONS UNKNOWN DAMAGING AND/OR BLOCKING THE USE OF OR ACCESS
TO ANY SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY
EQUIPMENT OR INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED
AGREEMENT WITH OTHERS, IN CONNECTION WITH ENVIRONMENTAL
PROTESTS CAMPAIGNS WITH THE INTENTION OF DISRUPTING THE SALE OR
SUPPLY OF FUEL TO OR FROM THE SAID STATION**

Defendants

-and-

THE COMMISSIONER OF POLICE OF THE METROPOLIS

Respondent

ORDER

UPON the Claimant's application by notice dated 19 April 2023 for third party disclosure from the Respondent pursuant to CPR Part 31.17

[BUNDLE PAGE 44]

AND UPON the Respondent indicating in correspondence that the proposed order was not opposed

AND UPON hearing Myriam Stacey KC and Joel Semakula for the Claimant on 25 and 26 April 2023

IT IS ORDERED THAT:

1. The Respondent shall, upon request by the Applicant, give disclosure, pursuant to CPR 31.17, of those documents in his possession identifying the names and addresses of any person who was arrested by one of his Majesty's officers of Metropolitan Police, or by one of his Majesty's Officers on behalf of Metropolitan Police, in relation to conduct connected with protests on 26 August 2022 at either (1) Shell Acton Park Service Station, 213-217 the Vale, London W3 7QS and/or (2) Shell Acton Vale Petrol Station at Acton Vale, 30 the Vale, W3 7RS.
2. The Respondent shall give disclosure of the documents described in paragraph 1 of this Order within a reasonable period (being not more than 14 days) of service of this Order upon him.
3. The Respondent shall (subject to the conditions of paragraphs 4 - 6 below), on and to the extent of the request of the Claimant (who may seek some or all of the categories of documents listed below), in relation to any conduct or activity, in relation to which he has disclosed documents pursuant to paragraph 1 of this Order, provide the following in so far as that discloses any conduct and/or activity which may constitute a breach of the injunctions granted in these proceedings and/or may assist in identifying any person who might have undertaken such conduct and/or activity:
 - a. arrest notes, incident logs or similar written records relating to the activity and/or conduct in question and those involved;
 - b. other still photographic material; and/or
 - c. body-worn or vehicle camera footage.

4. The Claimant shall make any request in terms of paragraphs 3a, 3b and/or 3c above within 21 days of receipt of any documents disclosed pursuant to paragraph 1 of this Order.
5. Subject to the conditions of paragraph 6 below, the Respondent shall give disclosure of any documents and/or data described in paragraphs 3a, 3b and/or 3c as soon as reasonably practicable (and in any event within 28 days) following the receipt of a request made by the Claimant in accordance with paragraph 4 above.
6. In the event that the Respondent, acting reasonably, considers that the provision of any of the documents and/or data named within paragraph 3 may prejudice any ongoing criminal investigation or fall within the category of Public Interest Immunity (“PII”), the Respondent has the right to withhold provision of the documents and/or data or redact these accordingly, until such time (that is considered reasonable) when disclosure of the documents and/or data, will no longer prejudice any criminal investigation.
7. The Claimant agrees to meet the reasonable and proper costs of the Respondent in relation to compliance with the terms of this Order, if demanded, to be assessed if not agreed.
8. Without the permission of the Court, the Claimant shall make no use of any document disclosed by virtue of paragraphs 1 - 5 of this Order, other than one or more of the following uses:
 - a. applying to name and join any person as a named defendant to these proceedings and to serve the said person with any document in these proceedings;
 - b. investigating, formulating and pleading and prosecuting any claim within these proceedings arising out of any alleged disruptive protest at any of the Claimant’s sites which are (or become) the subject of these proceedings;
 - c. use for purposes of formulating, pleading and prosecuting any application for committal for contempt of court against any person for breach of any order made within these proceedings.
9. Until further order, the address and address for service of any person who is added as a defendant to these proceedings shall be redacted in any copy of any document which

is served other than by means of it being sent directly to that person or their legal representative.

10. A sealed copy of this Order shall be served by the Claimant/Applicant on the Respondent.

Dated this 28th day of April 2023

Service of this Order

The Court has provided a sealed copy of this Order to solicitors for the Claimant/Applicant:

Eversheds Sutherland (International) LLP

Bridgewater Place

Water Lane

Leeds

LS11 5BZ

(Ref: OLDFIEA/SHELL)

Morton, Sarah

From: Lindberg, Rachel
Sent: 25 January 2024 13:04
To: Morton, Sarah
Cc: Lindberg, Rachel
Subject: FW: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure
Attachments: Names and Addresses.docx

From: Liam.P.Day@met.police.uk <Liam.P.Day@met.police.uk>
Sent: 31 May 2023 11:43
To: Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hello Rachel,

Here is the requested names and addresses.

Regards

Liam

PC Liam DAY 2466CO
MO6 Public Order Crime Team | 2nd Floor | Lambeth HQ | 109 Lambeth Road | SE1 7LP
Telephone: 0208 2460052 Internal: 740052 Mobile: 07919 547685



MO6 Public Order Planning Command

Delivering World class Public Order and Major Events policing for London - Responsible and Effective Resourcing - Leading on Crime Tasking and Preparing London for Emergencies

From: Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Sent: 31 May 2023 10:43
To: Day Liam P - MO6 Public Order Planning <Liam.P.Day@met.police.uk>
Cc: Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Thanks Liam – yes please that would be great.

We can submit a formal request for the additional information so you have it on record. You and I can then touch base about the best way to get the statements and body-worn footage sent across.

Thanks for your help.

Kind regards

Rachel Lindberg | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

E: RachellLindberg@eversheds-sutherland.com
T: +44 113 200 4093
M: 07771 838 420
[Rachel Lindberg](#) | [LinkedIn](#)

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From: Liam.P.Day@met.police.uk <Liam.P.Day@met.police.uk>
Sent: 31 May 2023 10:40
To: Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hi Rachel,

Thank you for the quick response. I can get you the names and addresses today and can pass it on to you via email if that works for you?

It will be as an attachment on a word document.

So you are aware there are no still photographs from either incident and also no CCTV due to neither premises supplying the footage before it was deleted from their system. There is only the names and addresses, six out of seven arrest statements and the body worn video of the arrests.

Regards

Liam

From: Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Sent: 31 May 2023 10:31

To: Day Liam P - MO6 Public Order Planning <Liam.P.Day@met.police.uk>
Cc: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hi Liam

Thanks for your email.

I'm afraid I have no idea what either of those two systems are! Is it possible to get access set up? Alternatively I can speak with the Tech team at our end to see what systems are available that might enable you to upload the information.

I should say, I think at this stage the disclosure request is for names and addresses of any person arrested in relation to the protests of 26 August 2022 at Action Park and Acton Vale Petrol Station (see paragraph 1 of the attached order).

Once that information is received, our client will review and consider whether it is then worth requesting the information pursuant to paragraph 3 of the Order (i.e. arrest notes, incident logs, photos and body-worn or vehicle camera footage). Clearly though, if the MPS is happy to provide all of that information up front in one pack, then that is obviously welcome.

Kind regards

Rachel Lindberg | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

E: RachelLindberg@eversheds-sutherland.com
T: +44 113 200 4093
M: 07771 838 420
[Rachel Lindberg | LinkedIn](#)

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From: Liam.P.Day@met.police.uk <Liam.P.Day@met.police.uk>
Sent: 31 May 2023 10:22
To: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hello Rachel,

I have been tasked with collecting all the correspondence requested via the High Court.

I have been told that we should use BOX to pass the documents and that you have access to Evidence.com to view the body-worn video.

Is this correct?

Regards

Liam

PC Liam DAY 2466CO
MO6 Public Order Crime Team | 2nd Floor | Lambeth HQ | 109 Lambeth Road | SE1 7LP
Telephone: 0208 2460052 Internal: 740052 Mobile: 07919 547685



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Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

I have been asked to collate the names and address of the seven people arrested in relation to the protests of 26 August 2022 at Action Park and Acton Vale Petrol Station as per paragraph 1 of the order. All details have been taken from the custody records relating to the arrests of that day.

David NIXON, [REDACTED]

Jade CALLAND, [REDACTED]

Samuel HOLLAND, [REDACTED]

Margaret REID, [REDACTED]

Stephen GINGELL, [REDACTED]

Simon REDING, [REDACTED]

Kate BRAMFIT, [REDACTED]

Regards

PC Liam DAY 2466CO

MO6 Public Order Crime Team, Metropolitan Police

[BUNDLE PAGE 51]

SCHEDULE 1

No	Name	Address	Incident / Property	Offence(s) arrested for	Undertaking provided?
1.	Morgan Trowland				Yes
2.	Elizabeth Mary McCormack (also known as Elizabeth Mary Junior)				Yes
3.	Nicola Deane (also known as Nicola Stickell)				Yes
4.	Benjamin Buse				Yes
5.	Bethany Mogie				Yes
6.	Mark Edwin Fletcher				Yes
7.	Andrew James Redfern				Yes
8.	Alfred Michael Robert Beswick				Yes
9.	Stephanie Golder				Yes
10.	Louis McKechnie				No response

[BUNDLE PAGE 52]

No	Name	Address	Incident / Property	Offence(s) arrested for	Undertaking provided?
11.	Louise Harris				No response (no proof of delivery obtained)
12.	Callum Goode				No response
13.	Christopher Ford				No response
14.	Sean Jordan (also known as Sean Irish, John Jordan, John Michael Jordan and Sean O				No response
15.	Phoebe Grace Frewer				Yes
16.	Peter John Lay				Yes
17.	Sophie Sharples				Yes
18.	Gareth Richard Harper				Yes
19.	Emma Ireland				No (refused to provide undertaking, however no further details regarding position provided)
20.	Charles Philip				No response

[BUNDLE PAGE 53]

No	Name	Address	Incident / Property	Offence(s) arrested for	Undertaking provided?
	Laurie				
21.	Michael Edward Davies also previously known as Michael Edward Jones				No response
22.	Tessa-Marie Burns (also known as Tez Burns)				No response of ed)
23.	Jade Calland				Yes
24.	Simon Reding				No respons
25.	Kate Bramfit				No respons
26.	Stephen Gingell				No respons
27.	Margaret Reid				No response
28.	David Nixon				No response
29.	Samuel Holland				No respons
30.		N/A (deceased)			

**Eversheds Sutherland
(International) LLP**
Bridgewater Place
Water Lane
Leeds
LS11 5DR
United Kingdom

T: +44 20 7497 9797
F: +44 20 7919 4919
DX 12027 Leeds-27

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**Private and Confidential
For Addressee Only**
Attn: Bethany Mogie

Date: 16th October 2023
Our Ref: LINDBER\356009-000001
Email: rachellindberg@eversheds-sutherland.com

By Special Delivery and First Class Post

Dear Bethany Mogie

Claim No: QB-2022-001420

SHELL U.K. OIL PRODUCTS LIMITED v PERSONS UNKNOWN (etc)

We act as solicitors for Shell UK Oil Products Limited (which we will refer in this letter as "**Shell**"). Our client has issued proceedings to obtain a court injunction which affects all Shell Petrol Stations in England and Wales ("**Shell Petrol Stations**"). We are writing to you as you have been identified as a person involved with protests which took place on 28 April 2022 at the Shell Petrol Station at Cobham services on the M25 at Junction 9/10, Cobham KT11 3JS (the "**Incident**").

1. Background to the proceedings

- 1.1 We are enclosing with this letter a copy of an Order (at Annex 1) which was made by the Honourable Mrs Justice Hill on 23 May 2023. That order provides you with more details of the injunction which currently affects all Shell Petrol Stations. We have also explained it in more detail in the explanatory document enclosed with this letter (which is found at Annex 2).
- 1.2 In summary, the order prevents anyone from damaging and/or blocking the use of or access to any Shell Petrol Station, or to any equipment or infrastructure upon it, by express or implied agreement with others, in connection with protest campaigns with the intention of disrupting the sale or supply of fuel to or from the said station. The detailed wording of that injunction is set out in the Order and explained further in the explanatory document enclosed.

2. Disclosure and application to join

- 2.1 During the course of the proceedings which Shell is pursuing, it has obtained a "Third Party Disclosure Order" which entitles Shell to request from The Chief Constable of Surrey Police documentation relating to the Incident. We also enclose a copy of that Third Party Disclosure Order for your information.
- 2.2 Following that disclosure exercise, you have been identified as a person that was involved with the Incident resulting in you being arrested for criminal damage and obstructing / disrupting a person engaged in lawful activity.
- 2.3 Shell is under a legal duty to seek to identify and name individuals whom it is appropriate to join as named defendants to the proceedings under a principle which was established in a case called *Canada Goose UK Ltd v Persons Unknown* [2020] EWCA Civ 303.

cloud_uk\218809340\1\lindber

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[BUNDLE PAGE 55]

2.4 Given the evidence which Shell has received as a consequence of Shell's enquiries with the Chief Constable of Surrey Police, Shell has concluded that it would be appropriate to apply to join you as a defendant to the above proceedings under the powers contained Rule 19.4 of the Civil Procedure Rules ("CPR").

3. **Next steps and form of undertaking**

3.1 Shell is, however, mindful that according to general principles which apply to anyone engaged in court proceedings, Shell should first consider whether there is any alternative to making an application to join you as a defendant, which could save time and costs whilst still ensuring that matters are dealt with promptly, efficiently and fairly.

3.2 Given that requirement, Shell believes it is appropriate for you to be invited to provide an undertaking (a promise) to the Court that you will not breach the terms of the injunction as an alternative to being formally joined as named defendant in the proceedings. The specific wording of the undertaking is set out at Annex 3 to this letter.

3.3 If you are willing to give the Court an undertaking in those terms and provided such undertaking is received within 28 days of this letter, Shell will not seek to join you to these proceedings for so long as the undertaking remains in effect and is not breached.

3.4 If you are not prepared to provide the undertaking requested, we should be grateful if you could – alternatively- confirm whether you consent to being named as a Defendant to these proceedings. We should be grateful for your confirmation as soon as possible and in any event within 28 days of this letter.

3.5 In the event we do not hear from you by this date, Shell reserves the right to apply to join you to proceedings without any further reference to you.

If you are in any doubt as to your position or have any queries regarding the contents of this letter we recommend that you seek urgent independent legal advice.

We look forward to hearing from you.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

Date: 16th October 2023

Our Ref: LINDBER\356009-000001

Page: 3

Annex 1
Order of Mrs Justice Hill on 23 May 2023

[BUNDLE PAGE 57]

Amended under Slip Rule CPR r40.12

Claim No: QB-2022-001420

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Before: Mrs Justice Hill DBE

On: 23 May 2023

BETWEEN:

SHELL U.K. OIL PRODUCTS LIMITED

- and -

PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY
SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR
INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN
CONNECTION WITH PROTEST CAMPAIGNS WITH THE INTENTION OF
DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION
Defendant



ORDER

PENAL NOTICE

IF YOU, THE DEFENDANTS, DISOBEY THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

IMPORTANT NOTICE TO DEFENDANTS

This Order prohibits you from doing the acts set out in this Order. You should read it very carefully. You are advised to consult a solicitor as soon as possible.

Any other person who knows of this Order and does anything which helps or permits the Defendants to breach the terms of this order may also be held to be in contempt of Court and may be imprisoned, fined, or have their assets seized.

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

You have the right to ask the Court to vary or discharge this Order (which is explained below).

RECITALS

UPON a review of the order of Bennathan J dated 3 May 2022 in respect of the Shell Centre Tower Proceedings

AND UPON a review of the order of Bennathan J dated 3 May 2022 in respect of the Shell Haven Proceedings

AND UPON a review of the order of Johnson J dated 17 May 2022 (as amended on 20 May 2022) in respect of the Shell Petrol Stations Proceedings ("**the 2022 Shell Petrol Stations Injunction Order**")

AND UPON hearing Myriam Stacey KC and Joel Semakula for the Claimant and no other person appearing

AND UPON hearing Stephen Simblet KC for Ms Branch and no other person appearing

AND UPON READING the documents set out in the First Schedule to this Order

AND UPON the Claimant indicating that it will provide to any Defendant copies of further evidence or other documents filed in these proceedings upon request from time-to-time at an email address provided to the Claimant

AND UPON the Claimant giving and the Court accepting the undertakings set out in Second Schedule to this Order

AND UPON the Court being satisfied having reviewed the 2022 Shell Centre Petrol Stations Injunction Order that it should be continued, for the reasons given in the judgment handed down on 23 May 2023 with neutral citation number [2023] EWHC 1229 (KB)

AND UPON the Claimant confirming that this Order is not intended to prohibit any lawful protest outside any of the Shell Petrol Stations (as defined herein) in so far as any such protest does not obstruct vehicular access to the said Shell Petrol Stations

IT IS ORDERED:

DEFINITIONS

1. For the purposes of this Order, "**Shell Petrol Station**" means all Petrol Stations in England and Wales displaying Shell branding (including any retail unit forming a part of such a petrol station, whatever the branding of the retail unit).

INJUNCTION

2. This Order shall continue to operate until trial or further order or with a backstop of 23:59 on 12 May 2024 ("the backstop date"), unless varied, discharged or extended by further order, whichever is sooner.
3. The Defendants and each of them must not do any of the acts listed in paragraphs 4 and 5 of this Order in express or implied agreement with any other person, and with the intention of disrupting the sale or supply of fuel to or from a Shell Petrol Station.
4. The acts referred to in paragraph 3 of this Order are:
 - a. directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
 - b. causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
 - c. operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
 - d. Causing damage to any part of a Shell Petrol Station, whether by:
 - i. affixing or locking themselves, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station;
 - ii. erecting any structure in, on or against any part of a Shell Petrol Station;
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
5. A Defendant who is ordered not to do something must not:
 - a. do it himself/herself/themselves or in any other way;
 - b. do it by means of another person acting on his/her/their behalf, or acting on his/her/their instructions, or by another person acting with his/her/their encouragement or assistance.

THE REVIEW

6. If and to the extent any of the Shell Orders granted on 23 May 2023 in respect of claim numbers QB-2022-001420 (Shell Petrol Stations Proceedings), QB-2022-001259 (Shell Centre Tower Proceedings) and QB-2022-001241 (Shell Haven Proceedings) remain in place on the backstop date, those Orders shall again be reviewed at a hearing to be fixed to take place in April 2024 with a time estimate of 1.5 days. For that purpose the Claimant's solicitors shall

by 4pm on 28 February 2024 apply (using one application notice) to the King's Bench Judges' Listings Office for the matter in respect of all three orders to be listed and shall provide for notice of the listing and the date as listed to be served by uploading a notice of the hearing to <http://www.noticespublic.com/> by 4pm no later than 10 days before the hearing date.

AMENDMENT OF THE CLAIM FORM AND PARTICULARS OF CLAIM

7. Pursuant to CPR r.19.4(1) and r.17.1(3), the Claimant has permission to amend the description of the Defendant in the claim form and Particulars of Claim to that in the Third Schedule.

SERVICE

8. Pursuant to CPR r.6.15 and r.6.27 and rr.81.4(c) and (d), service of this Order shall be validly effected by;
 - a. replacing the warning notices currently affixed at each Shell Petrol Station, so as to include the information at paragraph 9 below;
 - b. procuring that a notice containing the information indicated at paragraph 9 below is:
 - i. uploaded to <http://www.noticespublic.com/>;
 - ii. sent to the email addresses set out in the Fourth Schedule of this Order;
 - iii. sent to any person who has previously requested a copy of documents in these proceedings from the Claimant or its solicitors, either by post or email (as was requested by that person).
9. The notices shall (i) warn of the existence and general nature of the relevant Order, and of the consequences of breaching it; state that (ii) the relevant Order was reviewed at a hearing held on 25-6 April 2023; (iii) the relevant Order continues; (iv) the relevant Order is to be reviewed again at a hearing to be listed in April 2024; (v) any person affected by the Order may apply for it to be varied or discharged (vi) the Claimant's solicitors can be contacted for details as to the time and date of that hearing; and (vii) a copy of this order may be obtained from <http://www.noticespublic.com/>.
10. Pursuant to CPR r.6.15 and r.6.27, service of the Amended Claim Form and any ancillary documents shall be validly effected by;
 - c. uploading the Amended Claim Form and any ancillary documents <http://www.noticespublic.com/>;
 - d. sending the Amended Claim Form and any ancillary documents to the email addresses set out in the Fourth Schedule of this Order;

- e. sending the Amended Claim Form and any ancillary documents to any person who has previously requested a copy of documents in these proceedings from the Claimant or its solicitors, either by post or email (as was requested by that person).
11. Uploading a copy of this Order and the Amended Claim Form and any ancillary documents to <http://www.noticespublic.com/> combined with the taking of such steps as are set out in paragraphs 8, 9 and 10 above shall be good and sufficient service of this Order and the Amended Claim Form and any ancillary documents upon the Defendant.
12. Pursuant to CPR 6.15(4)(b) and 6.27, this Order shall be deemed to be served on the latest date on which all the methods of service referred to in paragraphs 8, 9 and 11 have been completed in respect of this Order, such date to be verified by the completion of a certificate of service or witness statement.
13. Pursuant to CPR 6.15(4)(b) and 6.27, the Amended Claim Form and any ancillary documents shall be deemed to be served on the latest date on which all the methods of service referred to in paragraphs 10 and 11 have been completed in respect of the Amended Claim Form and any ancillary documents, such date to be verified by the completion of a certificate of service or witness statement.
14. The Court will provide sealed copies of this Order and Amended Claim Form to the Claimant's solicitors for service (whose details are set out below).

FURTHER DIRECTIONS

15. As a result of the connected parties and activities caught by the terms of this Order the Court considers it appropriate for these proceedings to be managed together with claim numbers QB-2022-001259 and QB-2022-001241 (but not for those claims to be consolidated) for the time being subject to any further order or direction by the Court of its own motion or following an application by either party for the claim to be heard or considered separately.
16. Any person affected by this Order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimant's solicitors by email to the address specified below 48 hours before making such application of the nature of such application and the basis for it.
17. The Claimant has liberty to apply for further directions to progress the matter to trial or to vary or discharge this Order.

COSTS

18. Costs reserved.

COMMUNICATION WITH THE CLAIMANT

19. The Claimant's solicitors and their contact details are amended to the following:

Eversheds Sutherland (International) LLP

Bridgewater Place, Water Lane Leeds LS11 5DR

(Reference OLDFIEA/SHELL)

shell.service@eversheds-sutherland.com

First Schedule

(Documents read by the court in considering the making of this Order)

In the course of considering making of this Order, the Court read the following documents:

1. Application notice dated 30 March 2023
2. Witness Statement of Christopher Prichard-Gamble dated 30 March 2023
3. Exhibit CPG1
4. Witness Statement of Keith Garwood dated 30 March 2023
5. Exhibit KG3
6. Witness Statement of Fay Lashbrook dated 30 March 2023
7. Exhibit FL1
8. Witness Statement of Benjamin Austin dated 30 March 2023
9. Exhibit BA3
10. Witness Statement of Alison Judith Oldfield dated 29 March 2023
11. Exhibit AJO1
12. Second Witness Statement of Alison Judith Oldfield dated 19 April 2023
13. Exhibit AJO2
14. Application Notice dated 19 April 2023
15. Third Witness Statement of Alison Judith Oldfield dated 19 April 2023
16. Exhibit AJO3
17. First Witness Statement of Jessica Branch dated 24 April 2023
18. Second Witness Statement of Jessica Branch dated 26 April 2023
19. Witness Statement of Nancy Friel dated 26 April 2023

Second Schedule

The Claimant gave the following undertakings to the Court:

1. To identify and name defendants and apply to add them as named defendants to this Order as soon as reasonably practicable.
2. To pay any damages which the Defendants (or any other party served with or notified of this Order) shall sustain as a result of the making of this Order, and which the Court considers ought to be paid.

Third Schedule

(Amended description of Defendant)

[PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN CONNECTION WITH ENVIRONMENTAL PROTEST CAMPAIGNS WITH THE INTENTION OF DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION]

Fourth Schedule

(list of email addresses)

1. EXTINCTION REBELLION UK

- a. enquiries@extinctionrebellion.uk
- b. press@extinctionrebellion.uk
- c. xrvideo@protonmail.com
- d. xr-action@protonmail.com
- e. xraffinitysupport@protonmail.com
- f. xr-arrestwelfare@protonmail.com
- g. artsxr@gmail.com
- h. xr-CitizensAssembly@protonmail.com
- i. xr.connectingcommunities@gmail.com
- j. xrdemocracy@protonmail.com
- k. xrnotables@gmail.com
- l. integration@rebellion.earth
- m. xr-legal@riseup.net
- n. press@extinctionrebellion.uk
- o. xr-newsletter@protonmail.com
- p. xr-peoplesassembly@protonmail.com
- q. xrpoliceliasion@protonmail.com
- r. rebelringers@rebellion.earth
- s. xr.regenerativeculture@gmail.com
- t. xr-regionaldevelopment@protonmail.com
- u. RelationshipsXRUK@protonmail.com
- v. xr.mandates@gmail.com
- w. socialmedia@extinctionrebellion.uk
- x. xrsocialmediaevents@gmail.com
- y. eventsxr@gmail.com
- z. xrbristol.regional@protonmail.com
- aa. xrcymru@protonmail.com

bb. xr.eastengland@protonmail.com
cc. xrlondoncoord@gmail.com
dd. XRMidlands@protonmail.com
ee. xrne@protonmail.com
ff. support@xrnorth.org
gg. xrni@rebellion.earth
hh. xrscotland@gmail.com
ii. XR-SouthEastRegionalTeam@protonmail.com
jj. xr.regional.sw@protonmail.com
kk. talksandtraining.xrbristol@protonmail.com
ll. xrcymrutalksandtraining@gmail.com
mm. eoexrtnt@protonmail.com
nn. xrlondoncommunityevents@gmail.com
oo. xrmidlandstraining@protonmail.com
pp. XRNE.training@protonmail.com
qq. xrnw.training@gmail.com
rr. xryorkshire.training@gmail.com
ss. xrni.tt@rebellion.earth
tt. talksandtrainings.scotland@extinctionrebellion.uk
uu. xrttse@gmail.com
vv. xrsw.trainings@gmail.com

2. **JUST STOP OIL**

a. Ring2021@protonmail.com
b. juststopoil@protonmail.com
c. youthclimateswarm@protonmail.com

3. **YOUTH CLIMATE SWARM**

a. youthclimateswarm@protonmail.com

Annex 2

Explanatory Document – Injunctions

Please note, the below is provided for information purposes only and does not constitute legal advice. If you are unclear about anything in the contents of this letter then you should seek immediate independent legal advice.

1. What is an injunction?

- 1.1 An injunction is a Court order prohibiting a person (or persons) from doing something or, alternatively a Court order requiring a person (or persons) to do something.
- 1.2 In protest injunctions it can sometimes be difficult to identify those involved. As such, injunctions are typically granted against “persons unknown” and are described in the Court order by reference to the unlawful conduct carried out.

2. What does the Shell Petrol Station Injunction order do?

- 2.1 The Shell Petrol Station Injunction Order prevents protestors from carrying out the following activities:
 - 2.1.1 Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
 - 2.1.2 Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
 - 2.1.3 Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
 - 2.1.4 Causing damage to any part of a Shell Petrol Station, whether by:
 - 2.1.4.1 Affixing or locking themselves, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - 2.1.4.2 Erecting any structure in, on or against any part of a Shell Petrol Station.
 - 2.1.4.3 spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- 2.2 The Shell Petrol Station Injunction Order covers protestors carrying out such activities themselves or by means of another person doing so on their behalf, on their instructions or with their encouragement or assistance.

3. Why are you writing to me?

3.1 In injunction cases where the order is granted against persons unknown, once that person is identified they are no longer, by definition, "persons unknown". The Courts require the claimant (in this case, Shell) to name individuals that are identified and join them as defendants to the proceedings.

3.2 Shell has obtained disclosure from various police forces and you have been identified as a person connected to protest activities that took place on 28 April 2022 at the Shell Petrol Station at Cobham services on the M25 at Junction 9/10, Cobham KT11 3JS. As a result of that evidence, Shell has concluded that it is appropriate for you to be joined as a defendant to the proceedings.

4. What is an undertaking and why do you need one?

4.1 An undertaking is a promise to the Court, to do or not to do something. It is binding and takes effect in a similar way to a Court order. In this instance, you would be making a promise to the Court that you will not carry out any of the activities set out in Point 2 above.

4.2 Shell has concluded that it is comfortable with not joining you as a defendant to the proceedings, provided you issue an undertaking (promise) to the Court that you will not do any of the activities set out at Point 2 above.

5. What happens if I give an undertaking and then breach the terms of the Shell Petrol Injunction Order?

5.1 Breaching an undertaking to the Court is very serious and could result in you being in contempt of Court, which could in turn lead to you facing imprisonment or fines (or both).

6. What happens if I do not provide an undertaking?

6.1 If you are unwilling to provide an undertaking, Shell has concluded that it is appropriate to join you as a defendant to proceedings which is likely to eventually lead to a trial and, if the Court concludes that you breached the Shell Petrol Stations Injunction, you could be found to be in contempt of Court which could in turn result in you facing imprisonment or fines (or both).

7. Am I still allowed to protest at a Shell Petrol Station?

7.1 Shell is not seeking to prevent peaceful protest, however, the terms of the Shell Petrol Station Injunction order must be strictly adhered to. That means, not doing any of the acts set out in Point 2 above.

8. Should I take legal advice?

8.1 Yes - if you are unclear about anything in this letter or have any doubts as to your position, you should seek immediate independent legal advice.

9. **Where can I find copies of the injunction documents?**

9.1 All documents relating to the proceedings (including a copy of the Shell Petrol Stations Injunction) can be found at <https://www.noticespublic.com/>

9.2 If you require hard copies, please contact Eversheds Sutherland (International) LLP on the details below:

Email: shellrel@eversheds-sutherland.com

Post: Attn: Alison Oldfield
Eversheds Sutherland (International) LLP
Bridgewater Place
Water Lane
Leeds
LS11 5DR

Annex 3 Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed

Name

Dated

[BUNDLE PAGE 72]

**Eversheds Sutherland
(International) LLP**
Bridgewater Place
Water Lane
Leeds
LS11 5DR
United Kingdom

T: +44 20 7497 9797
F: +44 20 7919 4919
DX 12027 Leeds-27

eversheds-sutherland.com

**Private and Confidential
For Addressee Only**

Sean Jordan (also known as Sean Irish, John Jordan,
John Michael Jordan and Sean O'Rourke)

Date: 16 November 2023
Our Ref: LINDBER\356009.000001
Email: RachelLindberg@eversheds-sutherland.com

By First Class Post and Special Delivery

Dear Sean Jordan (also known as Sean Irish, John Jordan, John Michael Jordan and Sean O'Rourke)

Claim No: QB-2022-001420

SHELL U.K. OIL PRODUCTS LIMITED v PERSONS UNKNOWN (etc)

We refer to our letter dated 16 October 2023. We don't believe we have received a response from you and we enclose a further copy of that letter here by way of reminder.

In that letter, we explained that our client, Shell UK Oil Products Limited ("**Shell**") has concluded, based on information provided by The Chief Constable of Surrey Police (and as referred to in our 16 October 2023 letter) that it is appropriate to join you as a defendant to the above proceedings under the powers contained Rule 19.4 of the Civil Procedure Rules ("**CPR**").

Before we wrote to you Shell had considered whether there is any alternative to making an application to join you as a defendant, which could save time and costs whilst still ensuring that matters are dealt with promptly, efficiently and fairly. To that end we invited you to provide an undertaking (a promise) to the Court that you will not breach the terms of the injunction, within 28 days of our letter.

That date has now passed and we have not received a signed undertaking from you. Shell is prepared to offer you one final opportunity to provide the undertaking in the terms set out at Annex 3 to our 16 October 2023 letter, provided you provide the signed undertaking within **7 days of this letter** (i.e. by no later than 23 November 2023). You can sign the letter and send a copy by post or alternatively scan a copy by email on the details on the header of this letter.

If you are not prepared to provide the undertaking requested, we should be grateful if you could confirm whether you consent to being named as a Defendant to these proceedings. We should be grateful for your confirmation as soon as possible and in any event within 7 days of this letter.

In the event we do not hear from you by this date, Shell reserves the right to apply to join you to proceedings without any further reference to you.

If you are in any doubt as to your position or have any queries regarding the contents of this letter we recommend that you seek urgent independent legal advice.

We look forward to hearing from you.

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[BUNDLE PAGE 73]

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

**Eversheds Sutherland
(International) LLP**
Bridgewater Place
Water Lane
Leeds
LS11 5DR
United Kingdom

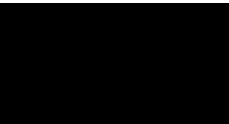
T: +44 20 7497 9797
F: +44 20 7919 4919
DX 12027 Leeds-27

eversheds-sutherland.com

**Private and Confidential
For Addressee Only**

Attn: Sean Jordan (also known as Sean Irish, John Jordan, John Michael Jordan and Sean O'Rourke)

Date: 16th October 2023
Our Ref: LINDBER\356009-000001
Email: rachellindberg@eversheds-sutherland.com



By Special Delivery and First Class Post

Dear Sean Jordan (also known as Sean Irish, John Jordan, John Michael Jordan and Sean O'Rourke)

Claim No: QB-2022-001420

SHELL U.K. OIL PRODUCTS LIMITED v PERSONS UNKNOWN (etc)

We act as solicitors for Shell UK Oil Products Limited (which we will refer in this letter as "**Shell**"). Our client has issued proceedings to obtain a court Injunction which affects all Shell Petrol Stations in England and Wales ("**Shell Petrol Stations**"). We are writing to you as you have been identified as a person involved with protests which took place on 28 April 2022 at the Shell Petrol Station at Cobham services on the M25 at Junction 9/10, Cobham KT11 3JS (the "**Incident**").

1. Background to the proceedings

- 1.1 We are enclosing with this letter a copy of an Order (at Annex 1) which was made by the Honourable Mrs Justice Hill on 23 May 2023. That order provides you with more details of the Injunction which currently affects all Shell Petrol Stations. We have also explained it in more detail in the explanatory document enclosed with this letter (which is found at Annex 2).
- 1.2 In summary, the order prevents anyone from damaging and/or blocking the use of or access to any Shell Petrol Station, or to any equipment or infrastructure upon it, by express or implied agreement with others, in connection with protest campaigns with the intention of disrupting the sale or supply of fuel to or from the said station. The detailed wording of that injunction is set out in the Order and explained further in the explanatory document enclosed.

2. Disclosure and application to join

- 2.1 During the course of the proceedings which Shell is pursuing, it has obtained a "Third Party Disclosure Order" which entitles Shell to request from The Chief Constable of Surrey Police documentation relating to the Incident. We also enclose a copy of that Third Party Disclosure Order for your information.
- 2.2 Following that disclosure exercise, you have been identified as a person that was involved with the Incident resulting in you being arrested for criminal damage and obstructing / disrupting a person engaged in lawful activity.
- 2.3 Shell is under a legal duty to seek to identify and name individuals whom it is appropriate to join as named defendants to the proceedings under a principle which

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[BUNDLE PAGE 75]

was established in a case called *Canada Goose UK Ltd v Persons Unknown* [2020] EWCA Civ 303.

- 2.4 Given the evidence which Shell has received as a consequence of Shell's enquiries with the Chief Constable of Surrey Police, Shell has concluded that it would be appropriate to apply to join you as a defendant to the above proceedings under the powers contained Rule 19.4 of the Civil Procedure Rules ("CPR").

3. **Next steps and form of undertaking**

- 3.1 Shell is, however, mindful that according to general principles which apply to anyone engaged in court proceedings, Shell should first consider whether there is any alternative to making an application to join you as a defendant, which could save time and costs whilst still ensuring that matters are dealt with promptly, efficiently and fairly.
- 3.2 Given that requirement, Shell believes it is appropriate for you to be invited to provide an undertaking (a promise) to the Court that you will not breach the terms of the injunction as an alternative to being formally joined as named defendant in the proceedings. The specific wording of the undertaking is set out at Annex 3 to this letter.
- 3.3 If you are willing to give the Court an undertaking in those terms and provided such undertaking is received within 28 days of this letter, Shell will not seek to join you to these proceedings for so long as the undertaking remains in effect and is not breached.
- 3.4 If you are not prepared to provide the undertaking requested, we should be grateful if you could – alternatively – confirm whether you consent to being named as a Defendant to these proceedings. We should be grateful for your confirmation as soon as possible and in any event within 28 days of this letter.
- 3.5 In the event we do not hear from you by this date, Shell reserves the right to apply to join you to proceedings without any further reference to you.

If you are in any doubt as to your position or have any queries regarding the contents of this letter we recommend that you seek urgent independent legal advice.

We look forward to hearing from you.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

Annex 1
Order of Mrs Justice Hill on 23 May 2023

Amended under Slip Rule CPR r40.12

Claim No: QB-2022-001420

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

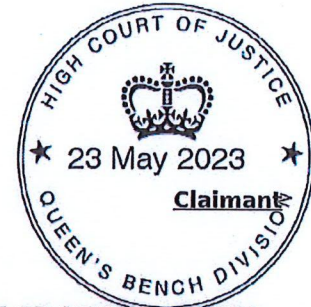
Before: Mrs Justice Hill DBE

On: 23 May 2023

BETWEEN:

SHELL U.K. OIL PRODUCTS LIMITED

- and -



PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY
SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR
INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN
CONNECTION WITH PROTEST CAMPAIGNS WITH THE INTENTION OF
DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION

Defendant

ORDER

PENAL NOTICE

IF YOU, THE DEFENDANTS, DISOBEY THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

IMPORTANT NOTICE TO DEFENDANTS

This Order prohibits you from doing the acts set out in this Order. You should read it very carefully. You are advised to consult a solicitor as soon as possible.

Any other person who knows of this Order and does anything which helps or permits the Defendants to breach the terms of this order may also be held to be in contempt of Court and may be imprisoned, fined, or have their assets seized.

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

You have the right to ask the Court to vary or discharge this Order (which is explained below).

RECITALS

UPON a review of the order of Bennathan J dated 3 May 2022 in respect of the Shell Centre Tower Proceedings

AND UPON a review of the order of Bennathan J dated 3 May 2022 in respect of the Shell Haven Proceedings

AND UPON a review of the order of Johnson J dated 17 May 2022 (as amended on 20 May 2022) in respect of the Shell Petrol Stations Proceedings ("**the 2022 Shell Petrol Stations Injunction Order**")

AND UPON hearing Myriam Stacey KC and Joel Semakula for the Claimant and no other person appearing

AND UPON hearing Stephen Simblet KC for Ms Branch and no other person appearing

AND UPON READING the documents set out in the First Schedule to this Order

AND UPON the Claimant indicating that it will provide to any Defendant copies of further evidence or other documents filed in these proceedings upon request from time-to-time at an email address provided to the Claimant

AND UPON the Claimant giving and the Court accepting the undertakings set out in Second Schedule to this Order

AND UPON the Court being satisfied having reviewed the 2022 Shell Centre Petrol Stations Injunction Order that it should be continued, for the reasons given in the judgment handed down on 23 May 2023 with neutral citation number [2023] EWHC 1229 (KB)

AND UPON the Claimant confirming that this Order is not intended to prohibit any lawful protest outside any of the Shell Petrol Stations (as defined herein) in so far as any such protest does not obstruct vehicular access to the said Shell Petrol Stations

IT IS ORDERED:

DEFINITIONS

1. For the purposes of this Order, "**Shell Petrol Station**" means all Petrol Stations in England and Wales displaying Shell branding (including any retail unit forming a part of such a petrol station, whatever the branding of the retail unit).

INJUNCTION

2. This Order shall continue to operate until trial or further order or with a backstop of 23:59 on 12 May 2024 ("the backstop date"), unless varied, discharged or extended by further order, whichever is sooner.
3. The Defendants and each of them must not do any of the acts listed in paragraphs 4 and 5 of this Order in express or implied agreement with any other person, and with the intention of disrupting the sale or supply of fuel to or from a Shell Petrol Station.
4. The acts referred to in paragraph 3 of this Order are:
 - a. directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
 - b. causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
 - c. operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
 - d. Causing damage to any part of a Shell Petrol Station, whether by:
 - i. affixing or locking themselves, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station;
 - ii. erecting any structure in, on or against any part of a Shell Petrol Station;
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
5. A Defendant who is ordered not to do something must not:
 - a. do it himself/herself/themselves or in any other way;
 - b. do it by means of another person acting on his/her/their behalf, or acting on his/her/their instructions, or by another person acting with his/her/their encouragement or assistance.

THE REVIEW

6. If and to the extent any of the Shell Orders granted on 23 May 2023 in respect of claim numbers QB-2022-001420 (Shell Petrol Stations Proceedings), QB-2022-001259 (Shell Centre Tower Proceedings) and QB-2022-001241 (Shell Haven Proceedings) remain in place on the backstop date, those Orders shall again be reviewed at a hearing to be fixed to take place in April 2024 with a time estimate of 1.5 days. For that purpose the Claimant's solicitors shall

by 4pm on 28 February 2024 apply (using one application notice) to the King's Bench Judges' Listings Office for the matter in respect of all three orders to be listed and shall provide for notice of the listing and the date as listed to be served by uploading a notice of the hearing to <http://www.noticespublic.com/> by 4pm no later than 10 days before the hearing date.

AMENDMENT OF THE CLAIM FORM AND PARTICULARS OF CLAIM

7. Pursuant to CPR r.19.4(1) and r.17.1(3), the Claimant has permission to amend the description of the Defendant in the claim form and Particulars of Claim to that in the Third Schedule.

SERVICE

8. Pursuant to CPR r.6.15 and r.6.27 and rr.81.4(c) and (d), service of this Order shall be validly effected by;
 - a. replacing the warning notices currently affixed at each Shell Petrol Station, so as to include the information at paragraph 9 below;
 - b. procuring that a notice containing the information indicated at paragraph 9 below is:
 - i. uploaded to <http://www.noticespublic.com/>;
 - ii. sent to the email addresses set out in the Fourth Schedule of this Order;
 - iii. sent to any person who has previously requested a copy of documents in these proceedings from the Claimant or its solicitors, either by post or email (as was requested by that person).
9. The notices shall (i) warn of the existence and general nature of the relevant Order, and of the consequences of breaching it; state that (ii) the relevant Order was reviewed at a hearing held on 25-6 April 2023; (iii) the relevant Order continues; (iv) the relevant Order is to be reviewed again at a hearing to be listed in April 2024; (v) any person affected by the Order may apply for it to be varied or discharged (vi) the Claimant's solicitors can be contacted for details as to the time and date of that hearing; and (vii) a copy of this order may be obtained from <http://www.noticespublic.com/>.
10. Pursuant to CPR r.6.15 and r.6.27, service of the Amended Claim Form and any ancillary documents shall be validly effected by;
 - c. uploading the Amended Claim Form and any ancillary documents <http://www.noticespublic.com/>;
 - d. sending the Amended Claim Form and any ancillary documents to the email addresses set out in the Fourth Schedule of this Order;

- e. sending the Amended Claim Form and any ancillary documents to any person who has previously requested a copy of documents in these proceedings from the Claimant or its solicitors, either by post or email (as was requested by that person).
11. Uploading a copy of this Order and the Amended Claim Form and any ancillary documents to <http://www.noticespublic.com/> combined with the taking of such steps as are set out in paragraphs 8, 9 and 10 above shall be good and sufficient service of this Order and the Amended Claim Form and any ancillary documents upon the Defendant.
12. Pursuant to CPR 6.15(4)(b) and 6.27, this Order shall be deemed to be served on the latest date on which all the methods of service referred to in paragraphs 8, 9 and 11 have been completed in respect of this Order, such date to be verified by the completion of a certificate of service or witness statement.
13. Pursuant to CPR 6.15(4)(b) and 6.27, the Amended Claim Form and any ancillary documents shall be deemed to be served on the latest date on which all the methods of service referred to in paragraphs 10 and 11 have been completed in respect of the Amended Claim Form and any ancillary documents, such date to be verified by the completion of a certificate of service or witness statement.
14. The Court will provide sealed copies of this Order and Amended Claim Form to the Claimant's solicitors for service (whose details are set out below).

FURTHER DIRECTIONS

15. As a result of the connected parties and activities caught by the terms of this Order the Court considers it appropriate for these proceedings to be managed together with claim numbers QB-2022-001259 and QB-2022-001241 (but not for those claims to be consolidated) for the time being subject to any further order or direction by the Court of its own motion or following an application by either party for the claim to be heard or considered separately.
16. Any person affected by this Order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimant's solicitors by email to the address specified below 48 hours before making such application of the nature of such application and the basis for it.
17. The Claimant has liberty to apply for further directions to progress the matter to trial or to vary or discharge this Order.

COSTS

18. Costs reserved.

COMMUNICATION WITH THE CLAIMANT

19. The Claimant's solicitors and their contact details are amended to the following:

Eversheds Sutherland (International) LLP

Bridgewater Place, Water Lane Leeds LS11 5DR

(Reference OLDFIEA/SHELL)

shell.service@eversheds-sutherland.com

First Schedule

(Documents read by the court in considering the making of this Order)

In the course of considering making of this Order, the Court read the following documents:

1. Application notice dated 30 March 2023
2. Witness Statement of Christopher Prichard-Gamble dated 30 March 2023
3. Exhibit CPG1
4. Witness Statement of Keith Garwood dated 30 March 2023
5. Exhibit KG3
6. Witness Statement of Fay Lashbrook dated 30 March 2023
7. Exhibit FL1
8. Witness Statement of Benjamin Austin dated 30 March 2023
9. Exhibit BA3
10. Witness Statement of Alison Judith Oldfield dated 29 March 2023
11. Exhibit AJO1
12. Second Witness Statement of Alison Judith Oldfield dated 19 April 2023
13. Exhibit AJO2
14. Application Notice dated 19 April 2023
15. Third Witness Statement of Alison Judith Oldfield dated 19 April 2023
16. Exhibit AJO3
17. First Witness Statement of Jessica Branch dated 24 April 2023
18. Second Witness Statement of Jessica Branch dated 26 April 2023
19. Witness Statement of Nancy Friel dated 26 April 2023

Second Schedule

The Claimant gave the following undertakings to the Court:

1. To identify and name defendants and apply to add them as named defendants to this Order as soon as reasonably practicable.
2. To pay any damages which the Defendants (or any other party served with or notified of this Order) shall sustain as a result of the making of this Order, and which the Court considers ought to be paid.

Third Schedule

(Amended description of Defendant)

[PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN CONNECTION WITH ENVIRONMENTAL PROTEST CAMPAIGNS WITH THE INTENTION OF DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION]

Fourth Schedule

(list of email addresses)

1. EXTINCTION REBELLION UK

- a. enquiries@extinctionrebellion.uk
- b. press@extinctionrebellion.uk
- c. xrvideo@protonmail.com
- d. xr-action@protonmail.com
- e. xraffinitysupport@protonmail.com
- f. xr-arrestwelfare@protonmail.com
- g. artsxr@gmail.com
- h. xr-CitizensAssembly@protonmail.com
- i. xr.connectingcommunities@gmail.com
- j. xrdemocracy@protonmail.com
- k. xrnotables@gmail.com
- l. integration@rebellion.earth
- m. xr-legal@riseup.net
- n. press@extinctionrebellion.uk
- o. xr-newsletter@protonmail.com
- p. xr-peoplesassembly@protonmail.com
- q. xrpoliceliason@protonmail.com
- r. rebelringers@rebellion.earth
- s. xr.regenerativeculture@gmail.com
- t. xr-regionaldevelopment@protonmail.com
- u. RelationshipsXRUK@protonmail.com
- v. xr.mandates@gmail.com
- w. socialmedia@extinctionrebellion.uk
- x. xrsocialmediaevents@gmail.com
- y. eventsxr@gmail.com
- z. xrbristol.regional@protonmail.com
- aa. xrcymru@protonmail.com

bb. xr.eastengland@protonmail.com
cc. xrlondoncoord@gmail.com
dd. XRMidlands@protonmail.com
ee. xrne@protonmail.com
ff. support@xrnorth.org
gg. xrni@rebellion.earth
hh. xrscotland@gmail.com
ii. XR-SouthEastRegionalTeam@protonmail.com
jj. xr.regional.sw@protonmail.com
kk. talksandtraining.xrbristol@protonmail.com
ll. xrcymrutalksandtraining@gmail.com
mm. eoexrtnt@protonmail.com
nn. xrlondoncommunityevents@gmail.com
oo. xrmidlandstraining@protonmail.com
pp. XRNE.training@protonmail.com
qq. xrnw.training@gmail.com
rr. xryorkshire.training@gmail.com
ss. xrni.tt@rebellion.earth
tt. talksandtrainings.scotland@extinctionrebellion.uk
uu. xrttse@gmail.com
vv. xrsw.trainings@gmail.com

2. **JUST STOP OIL**

- a. Ring2021@protonmail.com
- b. juststopoil@protonmail.com
- c. youthclimateswarm@protonmail.com

3. **YOUTH CLIMATE SWARM**

- a. youthclimateswarm@protonmail.com

Annex 2

Explanatory Document – Injunctions

Please note, the below is provided for information purposes only and does not constitute legal advice. If you are unclear about anything in the contents of this letter then you should seek immediate independent legal advice.

1. What is an injunction?

- 1.1 An injunction is a Court order prohibiting a person (or persons) from doing something or, alternatively a Court order requiring a person (or persons) to do something.
- 1.2 In protest injunctions it can sometimes be difficult to identify those involved. As such, injunctions are typically granted against "persons unknown" and are described in the Court order by reference to the unlawful conduct carried out.

2. What does the Shell Petrol Station Injunction order do?

- 2.1 The Shell Petrol Station Injunction Order prevents protestors from carrying out the following activities:
 - 2.1.1 Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
 - 2.1.2 Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
 - 2.1.3 Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
 - 2.1.4 Causing damage to any part of a Shell Petrol Station, whether by:
 - 2.1.4.1 Affixing or locking themselves, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - 2.1.4.2 Erecting any structure in, on or against any part of a Shell Petrol Station.
 - 2.1.4.3 spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- 2.2 The Shell Petrol Station Injunction Order covers protestors carrying out such activities themselves or by means of another person doing so on their behalf, on their instructions or with their encouragement or assistance.

3. Why are you writing to me?

- 3.1 In injunction cases where the order is granted against persons unknown, once that person is identified they are no longer, by definition, "persons unknown". The Courts require the claimant (in this case, Shell) to name individuals that are identified and join them as defendants to the proceedings.
- 3.2 Shell has obtained disclosure from various police forces and you have been identified as a person connected to protest activities that took place on 28 April 2022 at the Shell Petrol Station at Cobham services on the M25 at Junction 9/10, Cobham KT11 3JS. As a result of that evidence, Shell has concluded that it is appropriate for you to be joined as a defendant to the proceedings.

4. What is an undertaking and why do you need one?

- 4.1 An undertaking is a promise to the Court, to do or not to do something. It is binding and takes effect in a similar way to a Court order. In this instance, you would be making a promise to the Court that you will not carry out any of the activities set out in Point 2 above.
- 4.2 Shell has concluded that it is comfortable with not joining you as a defendant to the proceedings, provided you issue an undertaking (promise) to the Court that you will not do any of the activities set out at Point 2 above.

5. What happens if I give an undertaking and then breach the terms of the Shell Petrol Injunction Order?

- 5.1 Breaching an undertaking to the Court is very serious and could result in you being in contempt of Court, which could in turn lead to you facing imprisonment or fines (or both).

6. What happens if I do not provide an undertaking?

- 6.1 If you are unwilling to provide an undertaking, Shell has concluded that it is appropriate to join you as a defendant to proceedings which is likely to eventually lead to a trial and, if the Court concludes that you breached the Shell Petrol Stations Injunction, you could be found to be in contempt of Court which could in turn result in you facing imprisonment or fines (or both).

7. Am I still allowed to protest at a Shell Petrol Station?

- 7.1 Shell is not seeking to prevent peaceful protest, however, the terms of the Shell Petrol Station Injunction order must be strictly adhered to. That means, not doing any of the acts set out in Point 2 above.

8. Should I take legal advice?

- 8.1 Yes - if you are unclear about anything in this letter or have any doubts as to your position, you should seek immediate independent legal advice.

9. **Where can I find copies of the injunction documents?**

- 9.1 All documents relating to the proceedings (including a copy of the Shell Petrol Stations Injunction) can be found at <https://www.noticespublic.com/>
- 9.2 If you require hard copies, please contact Eversheds Sutherland (International) LLP on the details below:

Email: shellrel@eversheds-sutherland.com

Post: Attn: Alison Oldfield
Eversheds Sutherland (International) LLP
Bridgewater Place
Water Lane
Leeds
LS11 5DR

Annex 3 Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed

Name

Dated

Annex 3 Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
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 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
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- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed

Name

ALFIE BESWICK ✓

Dated

23/11/23

[BUNDLE PAGE 93]

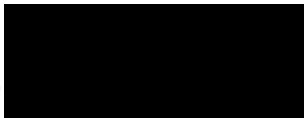
Annex 3 Undertaking

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- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed .



Name Benjamin Buse

Dated 19/10/2023.....

[BUNDLE PAGE 94]

Annex 3 Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signe

Name Elizabeth McCormack

Dated 23/10/23

Annex 3 Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed

Name

SARETH HARPER

Dated

14/11/2023

[BUNDLE PAGE 96]

Annex 3 Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed



Name

JADE CALLAND

Dated

2/11/23

[BUNDLE PAGE 97]

Annex 3
Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signature



Name

Morgan Trowland

Dated

28/10/2023

ES

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed .

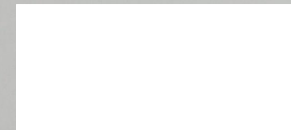


Name

10th November 2023

Dated

MISS IV STICKELLS



[BUNDLE PAGE 99]

Annex 3 Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
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Signed



Name PETER LAY

Dated 23/11/23

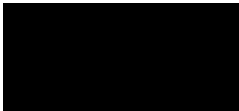
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I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed



Name Phoebe Frewer

Dated 9th November 2023

IRLAND

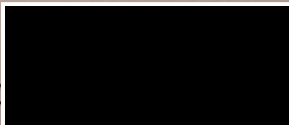
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I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed



Name Sophie Sharples

Dated 12/11/23

[BUNDLE PAGE 102]

**Annex 3
Undertaking**

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

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Signed



Name STEPHANIE GOLDER

Dated 23/10/2023

Annex 3 Undertaking

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Signed

Name ANDY REDFERN

Dated 9/11/2023

[BUNDLE PAGE 104]

**Annex 3
Undertaking**

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Signed

Name MARK FIERHER

Dated 13/11/23

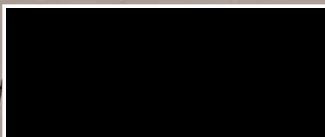
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I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed



Name Bethany Mogie

Dated 2 November 2023

From: emma ireland <[REDACTED]>
Sent: 23 November 2023 14:36
To: Lindberg, Rachel
Subject: Claim No: QB-2022-001420

Dear Rachel Lindberg,

Re: LINDBER\356009.000001

I am writing in response to your letter regarding Shell uk oil products limited:

Thank you for asking whether I ‘consent to being named as a defendant to these proceedings’. My response is that I do not consent to this.

Thank you for asking me to consider signing an undertaking. I have decided not to sign the undertaking.

For clarity, my not signing the undertaking is done with out any admission of civil or criminal liability.

Sending love, light, courage, and gratitude.

Yours Sincerely,

Emma Ireland

For the attention of
Joanna Carty
Lauren Farrell
Weightmans LLP
100 Old Street
Liverpool
L3 9QJ

Date: 08 November 2023
Our Ref: LINDBER\356009.000001
Email: RachellLindberg@Eversheds-Sutherland.com

**By Special Delivery and Email (joanna.carty@weightmans.com and
lauren.farrell@weightmans.com)**

Dear Weightmans LLP

Our Client: Shell U.K. Oil Products Limited

Your client: The Chief Constable of Surrey Police

Claim No: QB-2022-001420

As you are aware, we are instructed by Shell U.K. Oil Products Limited ("**SUKOP**"). You act on behalf of The Chief Constable of Surrey Police.

We refer to our previous correspondence dated 23 March 2023 in which we requested your client's disclosure of documents within your client's possession which identify the names and addresses of any person who was arrested by one of his Majesty's officers of Surrey Police, or by one of his Majesty's officers on behalf of Surrey Police, in relation to conduct connected with protests on 28 April 2022 and 24 August 2022 at (1) Clacket Lane motorway services and (2) the Shell Petrol Station at Cobham motorway services (the "**Disclosure Exercise**"). Such request was made pursuant to paragraph 1 of the Order of May J dated 13 March 2023 (the "**Order**").

Our client has invited individuals identified from the Disclosure Exercise to provide undertakings that they will not breach the terms of the Shell Petrol Stations Injunction. In doing so, correspondence has been returned to us by Royal Mail which states that the "recipient is no longer at that address". Accordingly, please could we kindly request that your client provides updated addresses for each of the individuals identified as part of the Disclosure Exercise and, specifically the current addresses for the following individuals: -

Incident	Individual
Cobham 24.08.22	Tessa-Marie Burns
	Gareth Richard Harper
Cobham 28.04.22	Louise Harris
	Morgan Trowland

Additionally, we are aware from an ITV news article dated 30 October 2023 that certain individuals have since been convicted in relation to the protests at Cobham motorway

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[BUNDLE PAGE 108]

services. Please could your client therefore also provide a further update as to the status of the investigations.

We should be grateful if you would provide such disclosure as soon as possible and, in any event, within 7 days of this letter.

We confirm our client agrees to meet your client's reasonable and proper costs in relation to complying with the Order.

We look forward to hearing from you.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

Lindberg, Rachel

From: Morton, Sarah
Sent: 23 November 2023 09:11
To: Joanna Carty
Cc: Shell REL
Subject: RE: Shell U.K. Oil Products Limited v Persons Unknown (Claim No: QB-2022-001420) - Disclosure [ES-CLOUD_UK.FID10845365]

Hi Jo,

Thank you for your assistance and providing the below update in regard to the addresses of the named individuals.

Many thanks,

Sarah

Sarah Morton | Trainee Solicitor | Real Estate Dispute Resolution | Eversheds Sutherland

M: + 44 7385392430

www.eversheds-sutherland.com

Eversheds Sutherland

Helping our clients, our people and our communities to thrive

From: Joanna Carty <Joanna.Carty@Weightmans.com>
Sent: 23 November 2023 07:56
To: Morton, Sarah <SarahMorton@eversheds-sutherland.com>
Subject: RE: Shell U.K. Oil Products Limited v Persons Unknown (Claim No: QB-2022-001420) - Disclosure [ES-CLOUD_UK.FID10845365]

Hi Sarah,

I hope this email finds you well.

Further to the attached, my client has now checked the niche system and the addresses they have for Tessa Marie Burns, Gareth Harper and Louise Harris are the same as previously provided.

In relation to Morgan Trowland – the address is the same but a minor typo has been noted it should be [REDACTED] rather than [REDACTED]

Kind regards

Jo

Joanna Carty
Principal Associate
Weightmans LLP

My pronouns are: She/her



Tel: 0116 253 9747 /ext 128908

DDI: 0116 242 8908

joanna.carty@weightmans.com

<https://www.weightmans.com>

146 specialism rankings and 453 individual rankings in Chambers and Legal 500



INSURANCE LAW
GLOBAL



LEGALINK
INTERNATIONAL BUT PERSONAL

Please note that our central postal address for all offices is 100 Old Hall Street, Liverpool, L3 9QJ.

Our Birmingham office has moved. It is now located in the centre of Birmingham's business district at 103 Colmore Row, Birmingham B3 3AG. . Telephone numbers remain the same.

Please consider our environment and send correspondence by email where possible. Only if absolutely necessary send correspondence by hard copy. Also consider whether you need to print this message.

If you are serving proceedings via the Damages Claim Portal please ensure you use dcp@weightmans.com as the defendant solicitors email address.

For all other types of proceedings we will accept service of proceedings electronically if proceedings are sent to serviceofproceedings@weightmans.com

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[BUNDLE PAGE 111]

Pour voir ce pied de page en français, cliquez [ici](#)
Para ver este pie de página en español, haga clic [aquí](#)

Cyber crime and fraud alert

Please be aware that we do not send notifications of changes to our bank details by email. Fraudsters have been impersonating law firms and some clients of law firms have been tricked into forwarding monies to them. If you receive an email that appears to come from us, providing different bank details to the ones we supplied at the outset of the matter or indicating a change in our bank details, please contact the fee earner dealing with your matter by telephone immediately. Do not reply to the email or act on any information contained in it. We will not accept responsibility if you transfer money into an incorrect account. Nothing in this email can be considered to create a binding contract

Terms and conditions of business

Our standard terms of business apply to every retainer we enter into. They can be accessed on our website at <https://www.weightmans.com/media/m4dhyjwo/weightmans-terms-conditions.pdf>

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Large Letter

150g

32-013 721 9001-4E7 F9F 786



SP 2620 6057 4GB

Samuel Holland



Return Address
Eversheds
Sutherland LLP
One Wood Street
London
EC2V 7WS

Customer Ref:
14186

Does not live
here

Royal Mail UK's lowest average parcel carbon footprint 218g CO2e

RACHEL LINDEERS

09 FEB 2024

**Eversheds Sutherland
(International) LLP**
Bridgewater Place
Water Lane
Leeds
LS11 5DR
United Kingdom

T: +44 20 7497 9797
F: +44 20 7919 4919
DX 12027 Leeds-27

eversheds-sutherland.com

**Private and Confidential
For Addressee Only**
Attn: Samuel Holland



Date: 16th October 2023
Our Ref: LINDBER\356009-000001
Email: rachellindberg@eversheds-sutherland.com

By Special Delivery and First Class Post

Dear Samuel Holland

Claim No: QB-2022-001420

SHELL U.K. OIL PRODUCTS LIMITED v PERSONS UNKNOWN (etc)

We act as solicitors for Shell UK Oil Products Limited (which we will refer in this letter as "**Shell**"). Our client has issued proceedings to obtain a court injunction which affects all Shell Petrol Stations in England and Wales ("**Shell Petrol Stations**"). We are writing to you as you have been identified as a person involved with protests which took place on 26 August 2022 at the Shell Petrol Stations at Shell Action Park Service Station 213-217 the Vale, London W3 7QS and Shell Acton Vale Petrol Station at Acton Vale, 30 the Vale, W3 7RS (the "**Incident**").

1. Background to the proceedings

- 1.1 We are enclosing with this letter a copy of an Order (at Annex 1) which was made by the Honourable Mrs Justice Hill on 23 May 2023. That order provides you with more details of the injunction which currently affects all Shell Petrol Stations. We have also explained it in more detail in the explanatory document enclosed with this letter (which is found at Annex 2).
- 1.2 In summary, the order prevents anyone from damaging and/or blocking the use of or access to any Shell Petrol Station, or to any equipment or infrastructure upon it, by express or implied agreement with others, in connection with protest campaigns with the intention of disrupting the sale or supply of fuel to or from the said station. The detailed wording of that injunction is set out in the Order and explained further in the explanatory document enclosed.

2. Disclosure and application to join

- 2.1 During the course of the proceedings which Shell is pursuing, it has obtained a "Third Party Disclosure Order" which entitles Shell to request from The Commissioner of Police of the Metropolis, documentation relating to the Incident. We also enclose a copy of that Third Party Disclosure Order for your information.
- 2.2 Following that disclosure exercise, you have been identified as a person that was involved with the Incident resulting in you being arrested.
- 2.3 Shell is under a legal duty to seek to identify and name individuals whom it is appropriate to join as named defendants to the proceedings under a principle which was established in a case called *Canada Goose UK Ltd v Persons Unknown* [2020] EWCA Civ 303.

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[BUNDLE PAGE 114]

- 2.4 Given the evidence which Shell has received as a consequence of Shell's enquiries with the Commissioner of Police of the Metropolis, Shell has concluded that it would be appropriate to apply to join you as a defendant to the above proceedings under the powers contained Rule 19.4 of the Civil Procedure Rules ("CPR").
3. **Next steps and form of undertaking**
- 3.1 Shell is, however, mindful that according to general principles which apply to anyone engaged in court proceedings, Shell should first consider whether there is any alternative to making an application to join you as a defendant, which could save time and costs whilst still ensuring that matters are dealt with promptly, efficiently and fairly.
- 3.2 Given that requirement, Shell believes it is appropriate for you to be invited to provide an undertaking (a promise) to the Court that you will not breach the terms of the injunction as an alternative to being formally joined as named defendant in the proceedings. The specific wording of the undertaking is set out at Annex 3 to this letter.
- 3.3 If you are willing to give the Court an undertaking in those terms and provided such undertaking is received within 28 days of this letter, Shell will not seek to join you to these proceedings for so long as the undertaking remains in effect and is not breached.
- 3.4 If you are not prepared to provide the undertaking requested, we should be grateful if you could – alternatively- confirm whether you consent to being named as a Defendant to these proceedings. We should be grateful for your confirmation as soon as possible and in any event within 28 days of this letter.
- 3.5 In the event we do not hear from you by this date, Shell reserves the right to apply to join you to proceedings without any further reference to you.

If you are in any doubt as to your position or have any queries regarding the contents of this letter we recommend that you seek urgent independent legal advice.

We look forward to hearing from you.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

Date: 16th October 2023
Our Ref: LINDBER\356009-000001
Page: 3

Annex 1
Order of Mrs Justice Hill on 23 May 2023

[BUNDLE PAGE 116]

Amended under Slip Rule CPR r40.12

Claim No: QB-2022-001420

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Before: Mrs Justice Hill DBE

On: 23 May 2023

BETWEEN:

SHELL U.K. OIL PRODUCTS LIMITED

- and -



**PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY
SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR
INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN
CONNECTION WITH PROTEST CAMPAIGNS WITH THE INTENTION OF
DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION**

Defendant

ORDER

PENAL NOTICE

**IF YOU, THE DEFENDANTS, DISOBEY THIS ORDER YOU MAY BE HELD IN CONTEMPT OF
COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.**

IMPORTANT NOTICE TO DEFENDANTS

**This Order prohibits you from doing the acts set out in this Order. You should read it
very carefully. You are advised to consult a solicitor as soon as possible.**

**Any other person who knows of this Order and does anything which helps or permits the
Defendants to breach the terms of this order may also be held to be in contempt of
Court and may be imprisoned, fined, or have their assets seized.**

**A Defendant who is an individual who is ordered not to do something must not do it
himself or in any other way. He must not do it through others acting on his behalf or on
his instructions or with his encouragement.**

You have the right to ask the Court to vary or discharge this Order (which is explained below).

RECITALS

UPON a review of the order of Bennathan J dated 3 May 2022 in respect of the Shell Centre Tower Proceedings

AND UPON a review of the order of Bennathan J dated 3 May 2022 in respect of the Shell Haven Proceedings

AND UPON a review of the order of Johnson J dated 17 May 2022 (as amended on 20 May 2022) in respect of the Shell Petrol Stations Proceedings ("**the 2022 Shell Petrol Stations Injunction Order**")

AND UPON hearing Myriam Stacey KC and Joel Semakula for the Claimant and no other person appearing

AND UPON hearing Stephen Simblet KC for Ms Branch and no other person appearing

AND UPON READING the documents set out in the First Schedule to this Order

AND UPON the Claimant indicating that it will provide to any Defendant copies of further evidence or other documents filed in these proceedings upon request from time-to-time at an email address provided to the Claimant

AND UPON the Claimant giving and the Court accepting the undertakings set out in Second Schedule to this Order

AND UPON the Court being satisfied having reviewed the 2022 Shell Centre Petrol Stations Injunction Order that it should be continued, for the reasons given in the judgment handed down on 23 May 2023 with neutral citation number [2023] EWHC 1229 (KB)

AND UPON the Claimant confirming that this Order is not intended to prohibit any lawful protest outside any of the Shell Petrol Stations (as defined herein) in so far as any such protest does not obstruct vehicular access to the said Shell Petrol Stations

IT IS ORDERED:

DEFINITIONS

1. For the purposes of this Order, "**Shell Petrol Station**" means all Petrol Stations in England and Wales displaying Shell branding (including any retail unit forming a part of such a petrol station, whatever the branding of the retail unit).

INJUNCTION

2. This Order shall continue to operate until trial or further order or with a backstop of 23:59 on 12 May 2024 ("the backstop date"), unless varied, discharged or extended by further order, whichever is sooner.
3. The Defendants and each of them must not do any of the acts listed in paragraphs 4 and 5 of this Order in express or implied agreement with any other person, and with the intention of disrupting the sale or supply of fuel to or from a Shell Petrol Station.
4. The acts referred to in paragraph 3 of this Order are:
 - a. directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
 - b. causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
 - c. operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
 - d. Causing damage to any part of a Shell Petrol Station, whether by:
 - i. affixing or locking themselves, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station;
 - ii. erecting any structure in, on or against any part of a Shell Petrol Station;
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
5. A Defendant who is ordered not to do something must not:
 - a. do it himself/herself/themselves or in any other way;
 - b. do it by means of another person acting on his/her/their behalf, or acting on his/her/their instructions, or by another person acting with his/her/their encouragement or assistance.

THE REVIEW

6. If and to the extent any of the Shell Orders granted on 23 May 2023 in respect of claim numbers QB-2022-001420 (Shell Petrol Stations Proceedings), QB-2022-001259 (Shell Centre Tower Proceedings) and QB-2022-001241 (Shell Haven Proceedings) remain in place on the backstop date, those Orders shall again be reviewed at a hearing to be fixed to take place in April 2024 with a time estimate of 1.5 days. For that purpose the Claimant's solicitors shall

by 4pm on 28 February 2024 apply (using one application notice) to the King's Bench Judges' Listings Office for the matter in respect of all three orders to be listed and shall provide for notice of the listing and the date as listed to be served by uploading a notice of the hearing to <http://www.noticespublic.com/> by 4pm no later than 10 days before the hearing date.

AMENDMENT OF THE CLAIM FORM AND PARTICULARS OF CLAIM

7. Pursuant to CPR r.19.4(1) and r.17.1(3), the Claimant has permission to amend the description of the Defendant in the claim form and Particulars of Claim to that in the Third Schedule.

SERVICE

8. Pursuant to CPR r.6.15 and r.6.27 and rr.81.4(c) and (d), service of this Order shall be validly effected by;
- a. replacing the warning notices currently affixed at each Shell Petrol Station, so as to include the information at paragraph 9 below;
 - b. procuring that a notice containing the information indicated at paragraph 9 below is:
 - i. uploaded to <http://www.noticespublic.com/>;
 - ii. sent to the email addresses set out in the Fourth Schedule of this Order;
 - iii. sent to any person who has previously requested a copy of documents in these proceedings from the Claimant or its solicitors, either by post or email (as was requested by that person).
9. The notices shall (i) warn of the existence and general nature of the relevant Order, and of the consequences of breaching it; state that (ii) the relevant Order was reviewed at a hearing held on 25-6 April 2023; (iii) the relevant Order continues; (iv) the relevant Order is to be reviewed again at a hearing to be listed in April 2024; (v) any person affected by the Order may apply for it to be varied or discharged (vi) the Claimant's solicitors can be contacted for details as to the time and date of that hearing; and (vii) a copy of this order may be obtained from <http://www.noticespublic.com/>.
10. Pursuant to CPR r.6.15 and r.6.27, service of the Amended Claim Form and any ancillary documents shall be validly effected by;
- c. uploading the Amended Claim Form and any ancillary documents <http://www.noticespublic.com/>;
 - d. sending the Amended Claim Form and any ancillary documents to the email addresses set out in the Fourth Schedule of this Order;

- e. sending the Amended Claim Form and any ancillary documents to any person who has previously requested a copy of documents in these proceedings from the Claimant or its solicitors, either by post or email (as was requested by that person).
11. Uploading a copy of this Order and the Amended Claim Form and any ancillary documents to <http://www.noticespublic.com/> combined with the taking of such steps as are set out in paragraphs 8, 9 and 10 above shall be good and sufficient service of this Order and the Amended Claim Form and any ancillary documents upon the Defendant.
12. Pursuant to CPR 6.15(4)(b) and 6.27, this Order shall be deemed to be served on the latest date on which all the methods of service referred to in paragraphs 8, 9 and 11 have been completed in respect of this Order, such date to be verified by the completion of a certificate of service or witness statement.
13. Pursuant to CPR 6.15(4)(b) and 6.27, the Amended Claim Form and any ancillary documents shall be deemed to be served on the latest date on which all the methods of service referred to in paragraphs 10 and 11 have been completed in respect of the Amended Claim Form and any ancillary documents, such date to be verified by the completion of a certificate of service or witness statement.
14. The Court will provide sealed copies of this Order and Amended Claim Form to the Claimant's solicitors for service (whose details are set out below).

FURTHER DIRECTIONS

15. As a result of the connected parties and activities caught by the terms of this Order the Court considers it appropriate for these proceedings to be managed together with claim numbers QB-2022-001259 and QB-2022-001241 (but not for those claims to be consolidated) for the time being subject to any further order or direction by the Court of its own motion or following an application by either party for the claim to be heard or considered separately.
16. Any person affected by this Order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimant's solicitors by email to the address specified below 48 hours before making such application of the nature of such application and the basis for it.
17. The Claimant has liberty to apply for further directions to progress the matter to trial or to vary or discharge this Order.

COSTS

18. Costs reserved.

COMMUNICATION WITH THE CLAIMANT

19. The Claimant's solicitors and their contact details are amended to the following:

Eversheds Sutherland (International) LLP

Bridgewater Place, Water Lane Leeds LS11 5DR

(Reference OLDFIEA/SHELL)

shell.service@eversheds-sutherland.com

First Schedule

(Documents read by the court in considering the making of this Order)

In the course of considering making of this Order, the Court read the following documents:

1. Application notice dated 30 March 2023
2. Witness Statement of Christopher Prichard-Gamble dated 30 March 2023
3. Exhibit CPG1
4. Witness Statement of Keith Garwood dated 30 March 2023
5. Exhibit KG3
6. Witness Statement of Fay Lashbrook dated 30 March 2023
7. Exhibit FL1
8. Witness Statement of Benjamin Austin dated 30 March 2023
9. Exhibit BA3
10. Witness Statement of Alison Judith Oldfield dated 29 March 2023
11. Exhibit AJO1
12. Second Witness Statement of Alison Judith Oldfield dated 19 April 2023
13. Exhibit AJO2
14. Application Notice dated 19 April 2023
15. Third Witness Statement of Alison Judith Oldfield dated 19 April 2023
16. Exhibit AJO3
17. First Witness Statement of Jessica Branch dated 24 April 2023
18. Second Witness Statement of Jessica Branch dated 26 April 2023
19. Witness Statement of Nancy Friel dated 26 April 2023

Second Schedule

The Claimant gave the following undertakings to the Court:

1. To identify and name defendants and apply to add them as named defendants to this Order as soon as reasonably practicable.
2. To pay any damages which the Defendants (or any other party served with or notified of this Order) shall sustain as a result of the making of this Order, and which the Court considers ought to be paid.

Third Schedule

(Amended description of Defendant)

[PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN CONNECTION WITH ENVIRONMENTAL PROTEST CAMPAIGNS WITH THE INTENTION OF DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION]

Fourth Schedule

(list of email addresses)

1. EXTINCTION REBELLION UK

- a. enquiries@extinctionrebellion.uk
- b. press@extinctionrebellion.uk
- c. xrvideo@protonmail.com
- d. xr-action@protonmail.com
- e. xraffinitysupport@protonmail.com
- f. xr-arrestwelfare@protonmail.com
- g. artsxr@gmail.com
- h. xr-CitizensAssembly@protonmail.com
- i. xr.connectingcommunities@gmail.com
- j. xrdemocracy@protonmail.com
- k. xrnotables@gmail.com
- l. integration@rebellion.earth
- m. xr-legal@riseup.net
- n. press@extinctionrebellion.uk
- o. xr-newsletter@protonmail.com
- p. xr-peoplesassembly@protonmail.com
- q. xrpolicellaisson@protonmail.com
- r. rebelringers@rebellion.earth
- s. xr.regenerativeculture@gmail.com
- t. xr-regionaldevelopment@protonmail.com
- u. RelationshipsXRUK@protonmail.com
- v. xr.mandates@gmail.com
- w. socialmedia@extinctionrebellion.uk
- x. xrsocialmediaevents@gmail.com
- y. eventsxr@gmail.com
- z. xrbristol.regional@protonmail.com
- aa. xrcymru@protonmail.com

bb. xr.eastengland@protonmail.com
cc. xrlondoncoord@gmail.com
dd. XRMidlands@protonmail.com
ee. xrne@protonmail.com
ff. support@xrnorth.org
gg. xrni@rebellion.earth
hh. xrscotland@gmail.com
ii. XR-SouthEastRegionalTeam@protonmail.com
jj. xr.regional.sw@protonmail.com
kk. talksandtraining.xrbristol@protonmail.com
ll. xrcymrutalksandtraining@gmail.com
mm. eoextnt@protonmail.com
nn. xrlondoncommunityevents@gmail.com
oo. xrmidlandstraining@protonmail.com
pp. XRNE.training@protonmail.com
qq. xrnw.training@gmail.com
rr. xryorkshire.training@gmail.com
ss. xrni.tt@rebellion.earth
tt. talksandtrainings.scotland@extinctionrebellion.uk
uu. xrttse@gmail.com
vv. xrsw.trainings@gmail.com

2. **JUST STOP OIL**

a. Ring2021@protonmail.com
b. juststopoil@protonmail.com
c. youthclimateswarm@protonmail.com

3. **YOUTH CLIMATE SWARM**

a. youthclimateswarm@protonmail.com

Annex 2

Explanatory Document – Injunctions

Please note, the below is provided for information purposes only and does not constitute legal advice. If you are unclear about anything in the contents of this letter then you should seek immediate independent legal advice.

1. What is an injunction?

- 1.1 An injunction is a Court order prohibiting a person (or persons) from doing something or, alternatively a Court order requiring a person (or persons) to do something.
- 1.2 In protest injunctions it can sometimes be difficult to identify those involved. As such, injunctions are typically granted against "persons unknown" and are described in the Court order by reference to the unlawful conduct carried out.

2. What does the Shell Petrol Station Injunction order do?

- 2.1 The Shell Petrol Station Injunction Order prevents protestors from carrying out the following activities:
 - 2.1.1 Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
 - 2.1.2 Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
 - 2.1.3 Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
 - 2.1.4 Causing damage to any part of a Shell Petrol Station, whether by:
 - 2.1.4.1 Affixing or locking themselves, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - 2.1.4.2 Erecting any structure in, on or against any part of a Shell Petrol Station.
 - 2.1.4.3 spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- 2.2 The Shell Petrol Station Injunction Order covers protestors carrying out such activities themselves or by means of another person doing so on their behalf, on their instructions or with their encouragement or assistance.

3. **Why are you writing to me?**

3.1 In injunction cases where the order is granted against persons unknown, once that person is identified they are no longer, by definition, "persons unknown". The Courts require the claimant (In this case, Shell) to name individuals that are identified and join them as defendants to the proceedings.

3.2 Shell has obtained disclosure from various police forces and you have been identified as a person connected to protest activities that took place on 26 August 2022 at the Shell Petrol Stations at Shell Action Park Service Station 213-217 the Vale, London W3 7QS and / or Shell Acton Vale Petrol Station at Acton Vale, 30 the Vale, W3 7RS. As a result of that evidence, Shell has concluded that it is appropriate for you to be joined as a defendant to the proceedings.

4. **What is an undertaking and why do you need one?**

4.1 An undertaking is a promise to the Court, to do or not to do something. It is binding and takes effect in a similar way to a Court order. In this instance, you would be making a promise to the Court that you will not carry out any of the activities set out in Point 2 above.

4.2 Shell has concluded that it is comfortable with not joining you as a defendant to the proceedings, provided you issue an undertaking (promise) to the Court that you will not do any of the activities set out at Point 2 above.

5. **What happens if I give an undertaking and then breach the terms of the Shell Petrol Injunction Order?**

5.1 Breaching an undertaking to the Court is very serious and could result in you being in contempt of Court, which could in turn lead to you facing imprisonment or fines (or both).

6. **What happens if I do not provide an undertaking?**

6.1 If you are unwilling to provide an undertaking, Shell has concluded that it is appropriate to join you as a defendant to proceedings which is likely to eventually lead to a trial and, if the Court concludes that you breached the Shell Petrol Stations Injunction, you could be found to be in contempt of Court which could in turn result in you facing imprisonment or fines (or both).

7. **Am I still allowed to protest at a Shell Petrol Station?**

7.1 Shell is not seeking to prevent peaceful protest, however, the terms of the Shell Petrol Station Injunction order must be strictly adhered to. That means, not doing any of the acts set out in Point 2 above.

8. **Should I take legal advice?**

8.1 Yes - If you are unclear about anything in this letter or have any doubts as to your position, you should seek immediate independent legal advice.

9. **Where can I find copies of the injunction documents?**

9.1 All documents relating to the proceedings (including a copy of the Shell Petrol Stations Injunction) can be found at <https://www.noticespublic.com/>

9.2 If you require hard copies, please contact Eversheds Sutherland (International) LLP on the details below:

Email: shellrel@eversheds-sutherland.com

Post: Attn: Alison Oldfield
Eversheds Sutherland (International) LLP
Bridgewater Place
Water Lane
Leeds
LS11 5DR

Annex 3 Undertaking

I promise to the Court that during the period of months up to 12 May 2024 (or until trial or further order), I will not engage in the following conduct:

- a) Directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt or to a building within the Shell Petrol Station.
- b) Causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
- c) Operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
- d) Causing damage to any part of a Shell Petrol Station, whether by:
 - i. Affixing or locking myself, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - ii. Erecting any structure in, on or against any part of a Shell Petrol Station.
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
- e) I confirm I will not carry out such activities myself, by means of another person doing so on my behalf, or on my instructions with my encouragement or assistance.

I confirm that I understand what is covered by the promises which I have given and also that if I break any of my promises to the Court I may be fined, my assets may be seized or I may be sent to prison for contempt of Court.

Signed

Name

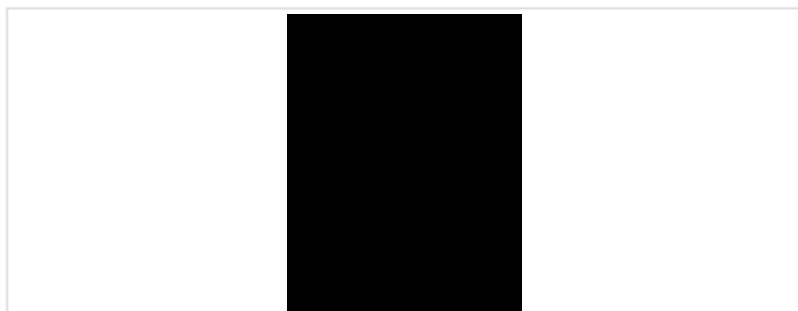
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Signed for by: HOLLAND

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1 pm

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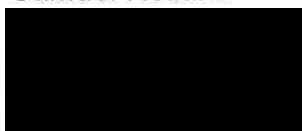
150g

32-013 721 9001-4E7 F9F 786



SP 2620 6057 4GB

Samuel Holland



Return Address
Eversheds
Sutherland LLP
One Wood Street
London
EC2V 7WS

Customer Ref:
14186

Royal Mail: UK's lowest average parcel carbon footprint 218g CO₂e

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Delivered

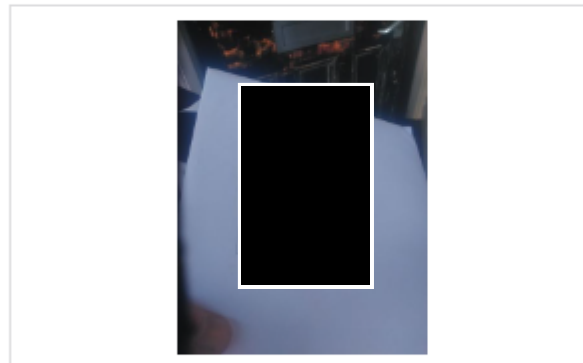
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SP262063099GB

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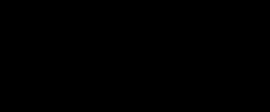
Signed for by: HOLLABD

Delivered at: 12:29, Friday 17 November 2023

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Tez Burns (They/Them) · 3rd

Co-Owner of G & T Bicycles, Physics Graduate

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G & T Bicycles

Swansea University

About

I am a Co-owner of G & T Bikes, a new not-for-profit start-up in Swansea whose mission is to reuse, recycle or repair bicycles and e-bikes and get them to the people of Swansea as affordably as possible.

I also volunteer with BikeAbility Wales the inclusive cycling charity, have worked recently as a landscape gardener, and graduated with a 2.1 BSc degree in Physics from Swansea University

[BUNDLE PAGE 136]



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Louise Harris

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Intro

JUST STOP OIL

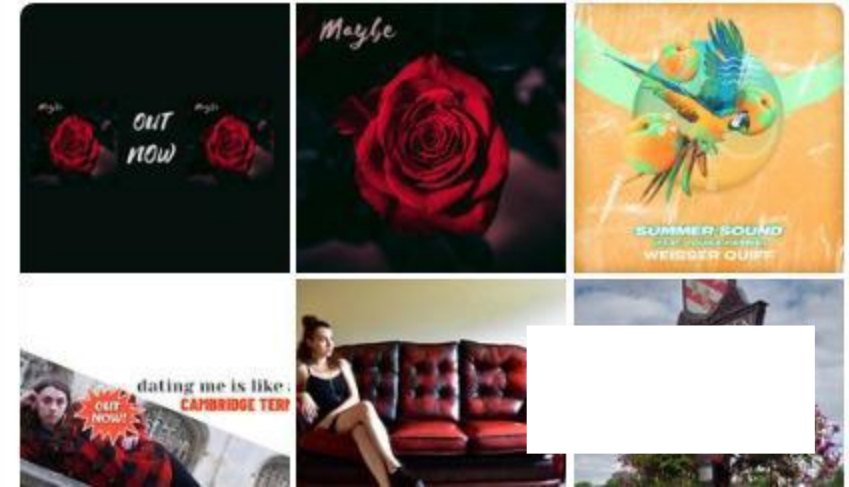
Singer-Songwriter at Louise Harris



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@itswillmanning @bigtop40
TAG BOTH THOSE ACCOUNTS BUT ESPECIALLY WILL MANNING IN THE COMMENTS...
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16
5
7

[BUNDLE PAGE 137]



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Louise Harris

2,170 posts



Follow

Louise Harris

@louisehmusic

I'm that girl who cried on the gantry above the M25 @juststop_oil

♥ WE TRIED ♥

sync: ferociouskwame@gmail.com

other enquiries: louiseharrismusic@gmail.com

distrokid.com/hyperfollow/lo... Joined December 2012

611 Following 2,141 Followers

Not followed by anyone you're following

Posts

Replies

Media

Likes



Louise Harris @louisehmusic · Jan 27

Stop my beautiful friend, Marcus, from being deported away from his family. Marcus is one of the JSO QE2 Bridge climbers, a non violent protestor, who is currently in prison.

Sign the petition in reply & please RT this - we need as many signatures as possible before 4th Feb 🙏❤️



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[BUNDLE PAGE 138]

[AJ04 - 103]



louiseharrismusic

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384 posts

5,843 followers

1,031 following

Louise Harris
Musician

i'm that girl who cried on the gantry above the M25

♥ WE TRIED ♥

enquiries: louiseharrismusic@gmail.com

sync: ferociouskwame@gmail.com

distrokid.com/hyperfollow/louiseharris/we-tried



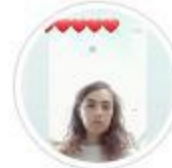
Tunes 5



thoughts



We Tried



Music Shit 8



Idiots 9



Music Shit 7



CAM TERM 5

POSTS

REELS

TAGGED

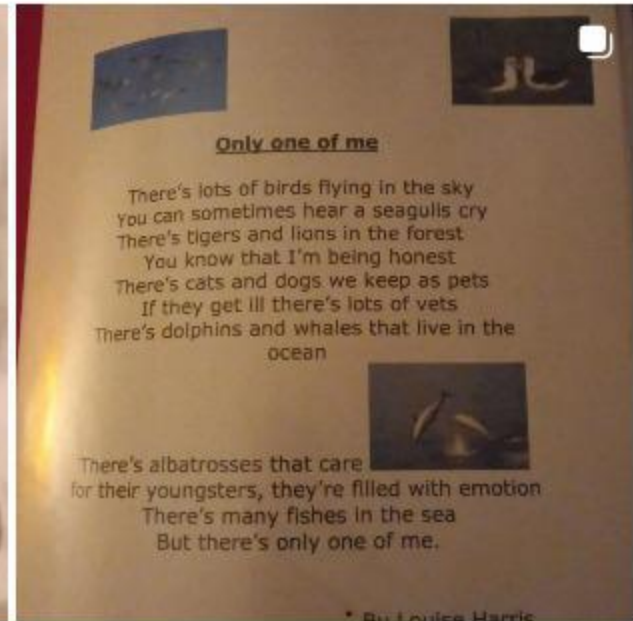


We Tried

102,977 streams

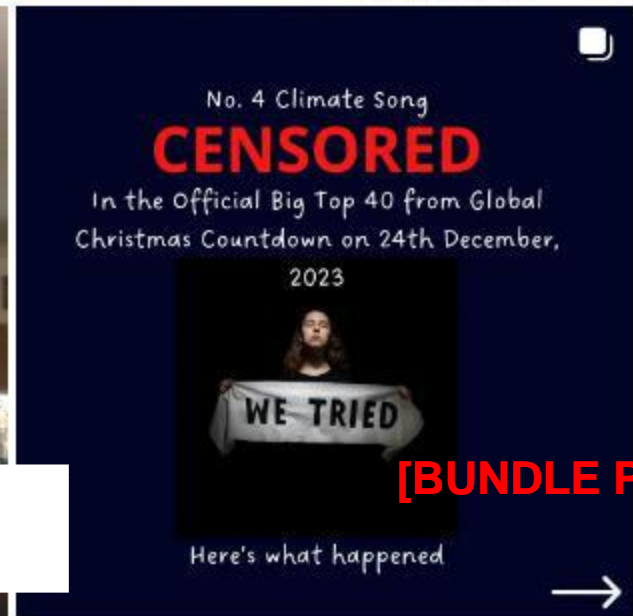
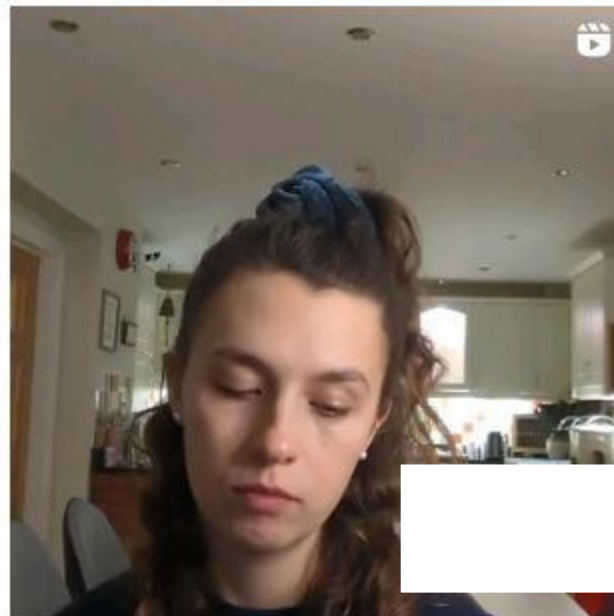
ALL-TIME

Create Canvas



Climate Album

1. We Tried
2. Everyone's happy
3. Wonder
4. I cried up on a gantry
5. The ones who make it out / Come with me
6. Disobey
7. Drunk driving
8. Where did I go?
9. Gingerbread man
10. For Xavi
11. Common Ground
12. What was all this for?
13. Party til the world ends



[BUNDLE PAGE 139]



QB-2022-001259
QB-2022-001420
QB-2022-001241

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
MR JUSTICE FORDHAM
14th February 2024



BETWEEN

SHELL INTERNATIONAL PETROLEUM COMPANY LIMITED

Claimant (QB-2022-001259)

SHELL U.K. OIL PRODUCTS LIMITED

Claimant (QB-2022-001420)

SHELL U.K. LIMITED

Claimant (QB-2022-001241)

- and -

PERSONS UNKNOWN ENTERING OR REMAINING IN OR ON THE
BUILDING KNOWN AS SHELL CENTRE TOWER, BELVEDERE ROAD,
LONDON ("SHELL CENTRE TOWER") WITHOUT THE CONSENT OF THE
CLAIMANT, OR DAMAGING THE BUILDING OR DAMAGING OR
BLOCKING THE ENTRANCES TO THE SAID BUILDING

Defendant (QB-2022-001259)

PERSONS UNKNOWN ENTERING OR REMAINING AT THE CLAIMANT'S
SITE KNOWN AS SHELL HAVEN, STANFORD-LE-HOPE (AND AS
FURTHER DEFINED IN THE PARTICULARS OF CLAIM) WITHOUT THE
CONSENT OF THE CLAIMANT, OR BLOCKING
THE ENTRANCES TO THAT SITE

Defendant (QB-2022-001241)

PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR
ACCESS TO ANY SHELL PETROL STATION IN ENGLAND AND WALES,
OR TO ANY EQUIPMENT OR INFRASTRUCTURE UPON IT, BY EXPRESS
OR IMPLIED AGREEMENT WITH OTHERS, IN CONNECTION WITH
PROTEST CAMPAIGNS WITH THE INTENTION OF
DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID
STATION

Defendant (QB-2022-001420)

UPON the Claimants' Application dated 12 February 2024 for (a) permission to add certain individuals as Defendants to claim QB-2022-001420 and (b) directions as to service; and (c) directions for final hearings for each of the claims and for the claims to continue to be managed together.

AND UPON considering the covering letter (12 February 2024), witness statement of Alison Judith Oldfield (12 February 2024) and accompanying documents.

IT IS ORDERED THAT:

1. The Application is adjourned into open court with a time estimate of 2 hours.



Observations.

- (1) The Court is being invited (see covering letter): (a) on the papers, to make what are said to be “uncontroversial” case-management directions and joinder of defendants as said to be “justified” by the witness statement; or (b) to direct a 2 hour hearing. I am not prepared to do (a); I have done (b).
- (2) The circumstances as I have understood them include these. There has, for a long time, been a 12.5.24 backstop and a 28.2.24 applications deadline. Disclosure orders were made back in the first part of 2023. Letters were ultimately written to potential defendants in the autumn of 2023. The N244 now comes, in mid-February 2024. It expressly records that the proposed named defendants “should be served with this application”. And yet it asks the Court to make the Order sought by the application, on the papers, without more ado. To illustrate the position, one proposed defendant said by email (23.11.23) that she did not consent to joinder. The fact that individuals were told that “Shell reserves the right to apply to join you to proceedings without any further reference to you”, does not mean the Court should accede to joinder, on the papers, without any further notification. It is not just joinder; but joinder accompanied by a heavily-expedited timetable. This application, in my judgment, needs a proper ventilation; and I decline to do any of what is sought on the papers.

Fordham J

DATED 14th February 2024

BY ORDER OF THE COURT

[REDACTED]


From: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>
Sent: Thursday, February 29, 2024 9:45 AM
To: [REDACTED]
Subject: RE: Shell v Persons Unknown (QB-2022-001420)

Dear Sirs

Please take this email as notification of the hearing.

Regards

Rupkiran Bhamra (Mon-Fri 7am-2:30pm)
Team Leader
King's Bench Judge's Listing Office
King's Bench Division | HMCTS | Royal Courts of Justice | Strand, London | WC2A 2LL
Phone: 020 3936 8957
Web: www.gov.uk/hmcts

 HM Courts & Tribunals Service

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From: [REDACTED]
Sent: 29 February 2024 09:30
To: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>
Subject: RE: Shell v Persons Unknown (QB-2022-001420)

Dear all,

Thank you very much for confirming. Please can I check if the court will be issuing a notice of hearing, that we can serve on the offer side.

Kind regards,

Ruby

From: KB Judges Listing Office <KBJudgesListingOffice@Justice.gov.uk>

Sent: Thursday, February 29, 2024 5:43 AM

To: [REDACTED]

Subject: RE: Shell v Persons Unknown (QB-2022-001420)

Dear Sirs

Further to your email below the application has been relisted for 11th March 2024 for 2 hours in person before a High Court Judge.

The Judge and time of the hearing will be confirmed the working day before on the cause list.

Regards

Rupkiran Bhamra (Mon-Fri 7am-2:30pm)

Team Leader

King's Bench Judge's Listing Office

King's Bench Division | HMCTS | Royal Courts of Justice | Strand, London | WC2A 2LL

Phone: 020 3936 8957

Web: www.gov.uk/hmcts



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Weightmans LLP
100 Old Hall Street
Liverpool
L3 9QJ

Date: 23 March 2023
Our Ref: LINDBER\L&DM-00000049
Email: rachellindberg@eversheds-sutherland.com

Attn: Joanna Carty and Lauren Farrell

By Special Delivery and by email
(joanna.carty@weightmans.com and
lauren.farrell@weightmans.com)

Dear Weightmans LLP

Our Client: Shell U.K. Oil Products Limited

Your client: The Chief Constable of Surrey Police

Claim No: QB-2022-001420

As you are aware, we are instructed by Shell U.K. Oil Products Limited ("**SUKOP**"). You act on behalf of The Chief Constable of Surrey Police.

Further to the hearing on 8 March 2023, we enclose, by way of service, the Order of May J dated 13 March 2023 (the "**Order**").

Pursuant to paragraph 1 of the Order, for and on behalf of our client we hereby request that your client gives disclosure of those documents within your client's possession which identify the names and addresses of any person who was arrested by one of his Majesty's officers of Surrey Police, or by one of his Majesty's officers on behalf of Surrey Police, in relation to conduct connected with protests on 28 April 2022 and 24 August 2022 at (1) Clacket Lane motorway services and (2) the Shell Petrol Station at Cobham motorway services.

We should be grateful if you would provide such disclosure as soon as possible and, in any event, by no later than 14 days in accordance with paragraph 2 of the Order, so that our client can then consider what (if any) documents it requires your client to provide pursuant to paragraph 3a-c of the Order.

In order to further assist your client with its search, our client is aware from news reports that at least four individuals were arrested in relation to the incidents, reported as being Nathan McGovern, Amber Alexander, Louis Hawkins and Rosa Sharkey.

We confirm our client agrees to meet your client's reasonable and proper costs in relation to complying with this order.

We look forward to hearing from you.

Yours faithfully

cloud_uk\211744883\3\lindber

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

Enc Order

Weightmans LLP
100 Old Hall Street
Liverpool
L3 9QJ

Date: 6 April 2023
Our Ref: LINDBER\L&DM-00000049
Email: rachellindberg@eversheds-sutherland.com

Attn: Joanna Carty and Lauren Farrell

By Special Delivery and by email
(joanna.carty@weightmans.com and
lauren.farrell@weightmans.com)

Dear Weightmans LLP

Our Client: Shell U.K. Oil Products Limited

Your client: The Chief Constable of Surrey Police

Claim No: QB-2022-001420

As you are aware, we are instructed by Shell U.K. Oil Products Limited ("**SUKOP**"). You act on behalf of The Chief Constable of Surrey Police.

We refer to our previous correspondence and to the Order of May J dated 13 March 2023 (the "**Order**").

We are grateful for your client's prompt response to our letter of 23 March 2023 in providing the information requested pursuant to paragraph 1 of the Order.

Pursuant to paragraph 3 of the Order, for and on behalf of our client we hereby request that your client now provides the following in so far as that discloses any conduct and/or activity which may constitute a breach of the injunction granted in the above proceedings and/or may assist in identifying any person who might have undertaken such conduct and/or activity:

- a. arrest notes, incident logs or similar written records relating to the activity and/or conduct in question and those involved;
- b. other still photographic material; and/or
- c. body-worn or vehicle camera footage.

We should be grateful if your client is also able to confirm which incident the information relates to (i.e. the protests on 28 April 2022 or the 24 August 2022) and which petrol station (i.e. Clacket Lane or Cobham).

We should be grateful if you would provide such disclosure as soon as possible and, in any event, by no later than 28 days in accordance with paragraph 5 of the Order.

We confirm our client agrees to meet your client's reasonable and proper costs in relation to complying with the terms of the Order.

We look forward to hearing from you.








Yours faithfully

cloud_uk\212524461\1\lindber

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

From: Joanna Carty
Sent: 19/04/2023 6:55
To: Lindberg, Rachel
Cc: Oldfield, Alison; Wright, Alexander

 Message  image001.png (6 KB)  image002.png (1 KB)  image003.png (2 KB)  image004.png (3 KB)
 image005.png (5 KB)  RE: Shell U.K. Oil Products Limited v The Chief Constable of Surrey Police

Hi Rachel,

I have discussed the disclosure request with my client following his return from leave and whilst it is being progressed, it is highly unlikely that the documents will be available by the hearing on 25 April 2023. There are a number of documents to be gathered, reviewed and redacted where necessary in accordance with paragraph 6 of the order.

I will let you know if the position changes.

Kind regards

Jo

Joanna Carty
Principal Associate
Weightmans LLP

My pronouns are: She/her



Tel: 0116 253 9747 /ext 128908

DDI: 0116 242 8908

joanna.carty@weightmans.com








<https://www.weightmans.com>

135 specialism rankings and 446 individual rankings in Chambers and Legal 500



Please note that our central postal address for all offices is 100 Old Hall Street, Liverpool, L3 9QJ.

From: Joanna Carty
Sent: 27/04/2023 7:37
To: Lindberg, Rachel; Lauren Farrell
Cc: Oldfield, Alison; Wright, Alexander

 Message  image001.png (6 KB)  image002.png (1 KB)  image003.png (2 KB)  image004.png (3 KB)
 image005.png (5 KB)  RE: Shell U.K. Oil Products Limited v The Chief Constable of Surrey Police

Dear Rachel,

My client has been going through the documents. There is a large quantity of documents and as in most cases the criminal case is ongoing they are being carefully scrutinised to determine what can be disclosed and what may need to be redacted to avoid prejudicing the criminal investigation / revealing matters subject to PII.

In the circumstances, my client would be grateful for a 28 day extension of time to provide the documents by 1 June 2023.

I should be grateful if you could confirm whether you are agreeable to same.

Kind regards

Jo

Joanna Carty
Principal Associate
Weightmans LLP

My pronouns are: She/her



Tel: 0116 253 9747 /ext 128908

DDI: 0116 242 8908

joanna.carty@weightmans.com

<https://www.weightmans.com>

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INSURANCE LAW
GLOBAL

Commissioner of the Metropolitan Police Service
Directorate of Legal Services
10 Lamb's Conduit Street
London
WC1N 3NR

Date: 5 May 2023
Our Ref: 356009-000001
Email: rachellindberg@eversheds-sutherland.com

By Special Delivery and by email
(Julia.Bartholomew@met.police.uk)

Dear Commissioner of the Metropolitan Police Service

Our Client: Shell U.K. Oil Products Limited

Your client: The Commissioner of the Metropolitan Police Service

Claim No: QB-2022-001420

As you are aware, we are instructed by Shell U.K. Oil Products Limited ("**SUKOP**").

We refer to the Sealed Order of Hill J dated 28 April 2023 relating to third party disclosure (the "**Order**").

Pursuant to paragraph 1 of the Order, for and on behalf of our client we hereby request that your client gives disclosure of those documents within your client's possession which identify the names and addresses of any person who was arrested by one of his Majesty's officers of Metropolitan Police, or by one of his Majesty's officers on behalf of Metropolitan Police, in relation to conduct connected with protests on 26 August 2022 at either (1) Shell Acton Park Service Station 213-217 the Vale, London W3 7QS and/or (2) Shell Acton Vale Petrol Station at Acton Vale, 30 the Vale, W3 7RS.

We should be grateful if you would provide such disclosure as soon as possible and, in any event, by no later than 14 days from the date of this letter in accordance with paragraph 2 of the Order, so that our client can then consider what (if any) further documents it requires your client to provide pursuant to paragraph 3a-c of the Order.

We look forward to hearing from you.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

cloud_uk\213745450\2\lindber

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[BUNDLE PAGE 150]

Lindberg, Rachel

From: Julia.Bartholomew@met.police.uk
Sent: 22 May 2023 11:44
To: Lindberg, Rachel
Cc: Shell REL; Russ.Harvey@met.police.uk
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Dear Rachel,

Thanks you for your letter of 5th May. I am afraid I had overlooked this until your email on Friday and so I have only this morning passed it on to the public order crime team. I have cc'd in DS Russell Harvey who is the injunctions SPOC. We hope to be able to provide you with the disclosure sought 14 days from now. Given the events in question were now some 8 months ago I trust this will not cause any inconvenience.

In future please can you include DS Harvey in any correspondence relating to request for 3rd party disclosure against the MPS? This will help to ensure such requests are dealt with expeditiously.

Kind Regards

Julia

Julia Bartholomew | Barrister | Head of Operational Advice Team | Directorate of Legal Services
MetPhone 767364 | **Telephone** 020 7230 7364/ 07917 488023 | **Email** Julia.bartholomew@met.police.uk **Address**
10 Lamb's Conduit Street, London WC1N 3NR

Our teams in the Directorate of Legal Services do a blend of working in the office and remotely. It would therefore be helpful, other than where it is unavoidable, to send all correspondence by email to ensure that it reaches the intended recipient in a timely way

From: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Sent: 19 May 2023 11:37
To: Bartholomew Julia - HQ Directorate of Legal Services <Julia.Bartholomew@met.police.uk>
Cc: Shell REL <ShellREL@eversheds-sutherland.com>; Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Dear Julia

Further to the attached, please could you confirm your client is in a position to provide the information requested pursuant to Hill J's 28 April 2023 Order, by COB today?

Kind regards

Rachel Lindberg | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

E: RachelLindberg@eversheds-sutherland.com

T: +44 113 200 4093

M: 07771 838 420

[Rachel Lindberg | LinkedIn](#)

www.eversheds-sutherland.com

Eversheds Sutherland

[BUNDLE PAGE 151]

From: Lindberg, Rachel
Sent: 05 May 2023 16:09
To: 'Julia.Bartholomew@met.police.uk' <Julia.Bartholomew@met.police.uk>
Cc: Shell REL <ShellREL@eversheds-sutherland.com>; Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Dear Julia

Please see attached correspondence.

We look forward to hearing from you.

Kind regards

Rachel Lindberg | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

E: RachelLindberg@eversheds-sutherland.com

T: +44 113 200 4093

M: 07771 838 420

[Rachel Lindberg | LinkedIn](#)

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[BUNDLE PAGE 152]

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Weightmans LLP
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Eversheds Sutherland
Bridgewater Place
Water Lane
Leeds
LS11 5DR

Contact: Joanna Carty
T: 0116 242 8908
E: joanna.carty@weightmans.com
Office: Leicester
Our ref: 451638-6202/JCart/1946

Email only: RachelLindberg@eversheds-sutherland.com

Your ref:

31 May 2023

Dear Sirs

Shell U.K Oil Products Limited v Persons Unknown

We write further to the above matter and the order of 13 March 2022.

We now enclose a link to the documents disclosed pursuant to that Order via a ShareFile.
<https://weightmans.sharefile.eu/f/fod50e4f-6770-4666-b935-fc599c33b311>

Please let us know whether you have any difficulties with the access and whether you require any additional persons to be added to the Sharefile.

Yours faithfully

Weightmans LLP

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[BUNDLE PAGE 154]

Page 2

Our ref: 451638-6202/JCart/1946

Your ref:

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Commissioner of the Metropolitan Police Service
Directorate of Legal Services
10 Lamb's Conduit Street
London
WC1N 3NR

Date: 8th June 2023
Our Ref: 356009-000001
Email: rachellindberg@eversheds-sutherland.com

By email (Julia.Bartholomew@met.police.uk and
Russ.Harvey@met.police.uk)

Dear Commissioner of the Metropolitan Police Service

Our Client: Shell U.K. Oil Products Limited

Your client: The Commissioner of the Metropolitan Police Service

Claim No: QB-2022-001420

As you are aware, we are instructed by Shell U.K. Oil Products Limited ("**SUKOP**").

We refer to our previous correspondence and to the Sealed Order of Hill J dated 28 April 2023 relating to third party disclosure (the "**Order**").

We are grateful for your client's response to our letter of 5 May 2023 in providing the information requested pursuant to paragraph 1 of the Order.

Pursuant to paragraph 3 of the Order, for and on behalf of our client we hereby request that your client now provides the following in so far as that discloses any conduct and/or activity which may constitute a breach of the injunction granted in the above proceedings and/or may assist in identifying any person who might have undertaken such conduct and/or activity:

- a. arrest notes, incident logs or similar written records relating to the activity and/or conduct in question and those involved;
- b. other still photographic material; and/or
- c. body-worn or vehicle camera footage.

We should be grateful if you would provide such disclosure as soon as possible and, in any event, by no later than 28 days in accordance with paragraph 5 of the Order.

We look forward to hearing from you.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

cloud_uk\214654819\1\lindber

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[BUNDLE PAGE 156]

Lindberg, Rachel

From: Liam.P.Day@met.police.uk
Sent: 28 June 2023 11:26
To: Grayston, Isabelle
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hi Izzy,

Yes that is correct, 6 arrest statements and the list of names and addresses. One of the arrest statements is missing as the officer is on long-term sick so we won't be able to hand that over to you.

I will get the BWV links added and hopefully you will be able to view them as you will only need to sign up to evidence.com

Regards

Liam

From: Grayston, Isabelle <IsabelleGrayston@eversheds-sutherland.com>
Sent: 28 June 2023 11:20
To: Day Liam P - MO6 Public Order Planning <Liam.P.Day@met.police.uk>
Cc: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hi Liam,

Thanks for sending this invite through – I can confirm I've accessed the files.

There are currently 7 documents showing – is this correct?

Many thanks
Izzy

Isabelle Grayston | Trainee Solicitor | Real Estate Dispute Resolution | Eversheds Sutherland

T: + 44 113 200 4624
M: + 44 7775 548063

www.linkedin.com/in/isabelle-grayston

www.eversheds-sutherland.com

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From: Liam.P.Day@met.police.uk <Liam.P.Day@met.police.uk>
Sent: 28 June 2023 11:11
To: Grayston, Isabelle <IsabelleGrayston@eversheds-sutherland.com>
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hi Izzy,

I have added you to a box file titled 'Shell Injunction'

[BUNDLE PAGE 157]

Please let me know if it works on your end

Regards

Liam

From: Grayston, Isabelle <IsabelleGrayston@eversheds-sutherland.com>

Sent: 27 June 2023 14:36

To: Day Liam P - MO6 Public Order Planning <Liam.P.Day@met.police.uk>

Cc: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>

Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hi Liam,

Thanks for your time on the phone.

As discussed, I will pick up with the team to see if they have access to Evidence.com.

In the meantime, please could you look into whether you would be able to share the documents on a file share link set up by us?

Many thanks

Izzy

Isabelle Grayston | Trainee Solicitor | Real Estate Dispute Resolution | Eversheds Sutherland

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www.linkedin.com/in/isabelle-grayston

www.eversheds-sutherland.com

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From: Grayston, Isabelle

Sent: 27 June 2023 14:06

To: 'Liam.P.Day@met.police.uk' <Liam.P.Day@met.police.uk>

Cc: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>

Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hi Liam,

As a quick introduction I'm a trainee assisting Rachel in this matter.

I have just tried your mobile so please disregard the missed call from the number in my signature.

In relation to passing the documents requested, we have not used BOX or Evidence.com previously – please could you confirm if this is something we can be set up with access to?

Many thanks

Izzy

Isabelle Grayston | Trainee Solicitor | Real Estate Dispute Resolution | Eversheds Sutherland

T: + 44 113 200 4624

M: + 44 7775 548063

www.linkedin.com/in/isabelle-grayston

www.eversheds-sutherland.com

[BUNDLE PAGE 158]

From: Liam.P.Day@met.police.uk <Liam.P.Day@met.police.uk>

Sent: 31 May 2023 10:22

To: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>

Subject: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hello Rachel,

I have been tasked with collecting all the correspondence requested via the High Court.

I have been told that we should use BOX to pass the documents and that you have access to Evidence.com to view the body-worn video.

Is this correct?

Regards

Liam

PC Liam DAY 2466CO

MO6 Public Order Crime Team | 2nd Floor | Lambeth HQ | 109 Lambeth Road | SE1 7LP

Telephone: 0208 2460052 Internal: 740052 Mobile: 07919 547685



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Lindberg, Rachel

From: Christopher.Arnold@met.police.uk
Sent: 05 July 2023 18:02
To: Grayston, Isabelle
Cc: Lindberg, Rachel; Liam.P.Day@met.police.uk
Subject: RE: BWV links Shell Injunction

Good afternoon

I believe those 13 e-mails you received would have been from me as yesterday morning I did some admin and re-added you to permission to view BWV clips.

I believe you are taken to a different log on page is because there are two platforms for evidence.com: Evidence.com and UK.Evidence.Com.

Unfortunately being logged into one doesn't allow you to view on the other and you need a separate sign on, this has caused me problems in the past to.

However I believe you have all our links and from what you have said I believe you can view them.

It may be the case that you need to check the URL on the word document against what is in the address bar when you click on the link.

I hope that helps

Kind regards

Chris

DS Chris Arnold | Police Officer | Met Ops 6 Crime Team | Metropolitan Police Service

Email Christopher.Arnold@met.pnn.police.uk | Address 109 Lambeth Road, SE1 7LP | Mobile 07586741855

From: Grayston, Isabelle <IsabelleGrayston@eversheds-sutherland.com>
Sent: 05 July 2023 17:35
To: Arnold Christopher - MO6 Public Order Planning <Christopher.Arnold@met.police.uk>
Cc: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: RE: BWV links Shell Injunction

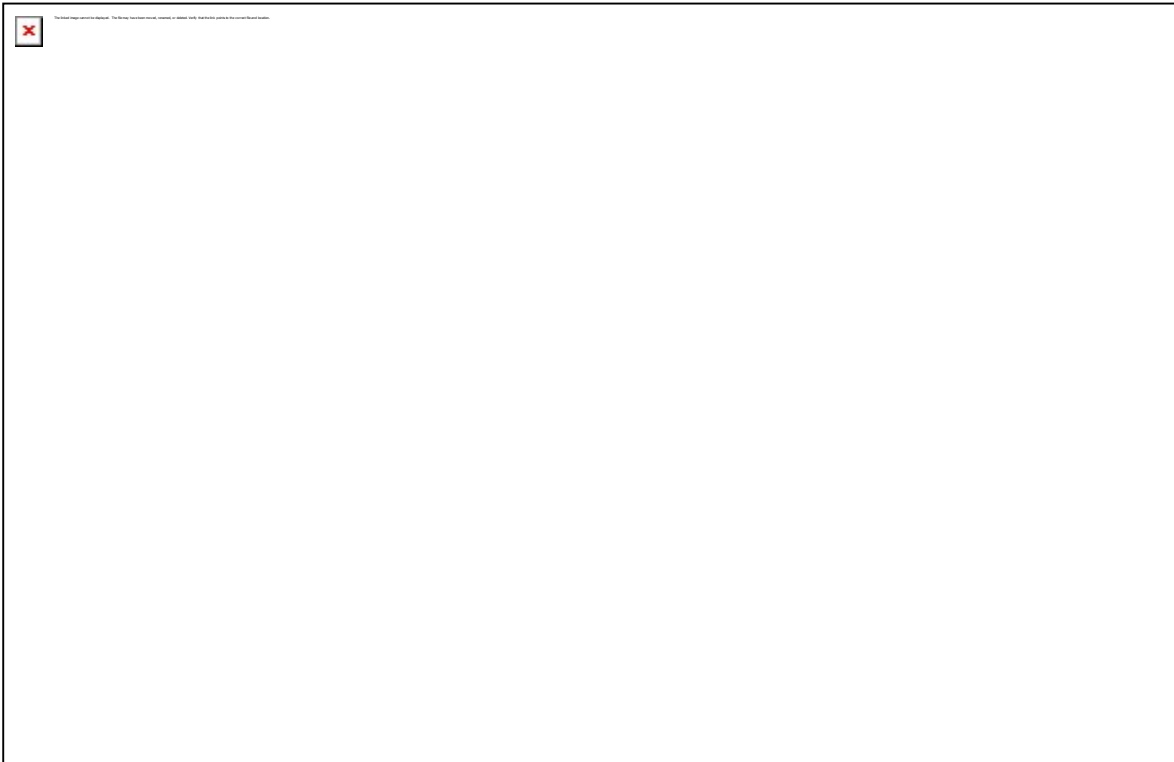
Hi Chris,

Thanks for your emails.

I have a number of emails received yesterday morning sharing 13 videos via Axon – I am able to access these.

I also received a slightly different email from Axon with an "invitation to view" a video. To confirm, this was one of the 13 videos referred to above.

I am unable to access the links via the URLs provided – despite being logged into Evidence.com the url links take me to the following page:



Please could you confirm if you are able to share the url links in the same way as the 13 videos we are able to access?

Many thanks
Izzy

Isabelle Grayston | Trainee Solicitor | Real Estate Dispute Resolution | Eversheds Sutherland

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M: + 44 7775 548063

www.linkedin.com/in/isabelle-grayston

www.eversheds-sutherland.com

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From: Christopher.Arnold@met.police.uk <Christopher.Arnold@met.police.uk>

Sent: 04 July 2023 08:00

To: Grayston, Isabelle <IsabelleGrayston@eversheds-sutherland.com>

Subject: FW: BWV links Shell Injunction

Good morning again Isabelle

I noticed that the second link from PC Mallarkey wasn't pasted as a hyperlink, below is the URL as a hyperlink

Kind regards

Chris Arnold

<https://share.uk.evidence.com/share/BiTVxivl>

DS Chris Arnold | Police Officer | Met Ops 6 Crime Team | Metropolitan Police Service

Email Christopher.Arnold@met.pnn.police.uk | Address 109 Lambeth Road, SE1 7LP | Mobile 07586741855

From: Day Liam P - MO6 Public Order Planning <Liam.P.Day@met.police.uk>

Sent: 03 July 2023 14:44

[BUNDLE PAGE 162]

To: Arnold Christopher - MO6 Public Order Planning <Christopher.Arnold@met.police.uk>
Subject: FW: BWV links Shell Injunction

From: Day Liam P - MO6 Public Order Planning
Sent: 30 June 2023 15:16
To: Grayston, Isabelle <IsabelleGrayston@eversheds-sutherland.com>
Subject: BWV links Shell Injunction

Hello Izzy,

I am unable to add the BWV links via the box so have attached them to this email. Please let me know if they work or not as I will try and sort it before I go away for the week.

Regards

Liam
PC Liam DAY 2466CO
MO6 Public Order Crime Team | 2nd Floor | Lambeth HQ | 109 Lambeth Road | SE1 7LP
Telephone: 0208 2460052 Internal: 740052 Mobile: 07919 547685



MO6 Public Order Planning Command

[Delivering World class Public Order and Major Events policing for London - Responsible and Effective Resourcing - Leading on Crime Tasking and Preparing London for Emergencies](#)

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Lindberg, Rachel

From: Liam.P.Day@met.police.uk
Sent: 19 June 2023 17:05
To: Lindberg, Rachel
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Hello Rachel,

I have six of the seven arrest statements, the officer for the missing one is on long-term sick. There is no still photographic material but there is body-worn footage.

How would you like all of this to be passed to you? If you are able to supply me with an encrypted hard drive I can download the footage onto that and then hand deliver it to your london office.

Regards

Liam

PC Liam DAY 2466CO

MO6 Public Order Crime Team | 2nd Floor | Lambeth HQ | 109 Lambeth Road | SE1 7LP
Telephone: 0208 2460052 Internal: 740052 Mobile: 07919 547685



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From: Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Sent: 08 June 2023 15:29
To: Bartholomew Julia - HQ Directorate of Legal Services <Julia.Bartholomew@met.police.uk>; Harvey Russell - MO6 Public Order Planning <Russ.Harvey@met.police.uk>
Cc: Shell REL <ShellREL@eversheds-sutherland.com>; Day Liam P - MO6 Public Order Planning <Liam.P.Day@met.police.uk>; Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Subject: RE: Shell v Persons Unknown // QB-2022-001420 (Petrol Stations) - Third Party Disclosure

Dear Commissioner of the Metropolitan Police Service

Please see attached correspondence.

Yours faithfully

Rachel Lindberg | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

E: RachellLindberg@eversheds-sutherland.com

T: +44 113 200 4093

M: 07771 838 420

[Rachel Lindberg | LinkedIn](#)

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[BUNDLE PAGE 165]

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Weightmans LLP
100 Old Hall Street
Liverpool
L3 9QJ

Date: 22 June 2023
Our Ref: 356009-000001

Email: rachellindberg@eversheds-sutherland.com

BY EMAIL ONLY TO joanna.carty@weightmans.com

Dear Weightmans LLP

Shell U.K Oil Products Limited v Persons Unknown (Claim No: QB-2022-0001420)

We write further to our previous correspondence in respect of the above. We thank you for the information provided by your client pursuant to the Order of May J dated 13 March 2023.

Having reviewed the information provided by your clients, it appears there are a few files that cannot be accessed / appear to be missing and a few points which we would be grateful for your client's clarification. These are set out below:

1. There are certain files we have not been able to open/access. Such files are all showing as "0 KB" on the sharefile link provided by your firm, which would suggest an issue occurred during the upload (rather than download) stage. The unopenable videos are as follows:
 - 1.1 All videos in "Cobham 240822 > Photo & Video Exhibits";
 - 1.2 The following videos in "Cobham 280422" (found within each individual's subfolder):
 - 1.2.1 Item 64 – BW Compilation of Benjamin Buse;
 - 1.2.2 Item 61 – CCTV Compilation of Bethany Mogie;
 - 1.2.3 Item 63 – BWV Compilation of Bethany Mogie;
 - 1.2.4 Item 69 – BWV Footage of Elizabeth McCormack;
 - 1.2.5 Item 60 – CCTV Compilation of Louis McKechnie;
 - 1.2.6 Item 62 – BWV Compilation of Louis McKechnie;
 - 1.2.7 Item 65 – CCTV Compilation of Mark Fletcher;
 - 1.2.8 Item 68 – BWV Footage of Peter Lay;
 - 1.2.9 Item 66 – BWV Footage of Stephanie Golder.

cloud_uk\215172166\1\lindber

2. The custody record and evidence relating to Xavier Gonzalez Trimmer has been omitted from the information pack. Please could your client provide this as soon as possible or clarify why such information has not been provided.
3. Please could your client clarify what the different progress statuses mean for each individual (for example, some are described as "interim" or "postal requisition").
4. In some instances, the arrested individual's name that is stated on the custody record differs to what is referred to on the Police National Computer database. Similarly others also refer to an alias' (See John Jordan for example). Is your client able to provide clarity as to which name is correct (i.e. that on the PNC or that stated on the custody record). We assume the alias are precisely that and not an official name of the individual but should be grateful if your client could confirm. This will be important to our client in ensuring it refers to the correct name of the individual if and when joining individuals to proceedings.
5. Each of the individuals whose records have been provided appears to have been granted conditional bail (effectively restricting the individual from entering Surrey or petrol stations / forecourts in Surrey). No information is provided as to how long bail has been granted. Please could your client provide an explanation as to the current status of each individual's bail status, including confirmation as to how long conditional bail has been granted for and changes (if any) to the bail conditions originally granted.

We should be grateful for the above information / clarifications as soon as possible and, in any event, within 14 days of this letter.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP



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Leeds
LS11 5DR

Contact: Joanna Carty
T: 0116 242 8908
E: joanna.carty@weightmans.com
Office: Leicester
Our ref: 451638-6202/JCart/1946

Email only: RachelLindberg@eversheds-sutherland.com

Your ref:

6 July 2023

Dear Sirs

Third party disclosure – Cobham Service Station (Op Dance)

Thank you for your letter of 22 June 2023.


In respect of the points that you have made we can confirm the following, using the numbering in your letter for ease of reference:

1. There was an error in the upload of the footage to the ShareFile in respect of all video's in Cobham 2408222 and in respect of items 64,61,63,69,60,62,65,68 and 66 for Cobham 280422.
 - 1.1 The footage in respect of all videos in Cobham 240822 has now been uploaded to the ShareFile. We should be grateful if you could confirm safe receipt.
 - 1.2 We are asking our client to re-upload the footage for onwards transmission, however unfortunately due to our client contact for Cobham 280422 being on annual leave until 6 July 2023 we are unable to provide this by the date requested and will look to do so as soon as possible following our client contacts return and within 7 days of their return.
2. In respect of the custody record and evidence in relation to Xavier Gonzalez Trimmer clarification from the client has been sought but this matter was dealt with by the same client contact that is currently on annual leave and therefore we seek an extension to be able to fully respond until 13 July 2023.
3. We can confirm that the differences in progress statuses are as follows:

[BUNDLE PAGE 169]

- a) The term "Interim" is used to show the charges authorised by Police or CPS to send them to court and until the case is finalised with a verdict from court.
 - b) The term "Postal Requisition" is a legal document notifying the person that a decision has been made to prosecute the offence(s) at court. If they are charged with an offence and are to be prosecuted in court, they may receive a postal requisition letter outlining the offence and the location and date for the court hearing.
4. In terms of the individual's name, the usual position is that the correct name is that shown on the PNC database. However, there is a caveat to this in that sometimes people give different names, or variations of their name to police when arrested. When their fingerprint is run through PNC it will bring back the results with a different name they may have provided or previously had (if name was changed). Thus, to say which is correct is difficult as they could have given his name as the alias when first arrested and PNC would have been created under that name. All subsequent names will be logged on to the PNC ID as aliases. So in short they may be identifying themselves with the PNC name or the Custody Record name. Take example of Tessa BURNS who in custody gave the name Tez BURNS and identifies herself as Tez
5. In terms of the conditional bail, we can confirm as follows:
- a) Cobham 24.08.2022: The eight suspects for this incident were all bailed with the condition of not to enter the county of Surrey, however on 23rd February 2023 the bail was changed to "Released under investigation" effectively meaning no conditions were imposed anymore and that they no longer needed to return for a bail surrender. (when CPS authorised charges it was dealt via Postal requisition).
 - b) Cobham 28.04.22 – our client contact is currently on annual leave and we seek an extension until 13 July 2023.
 - c) Clacket 24.08.22 – our client contact is currently on annual leave and we seek an extension until 13 July 2023.
 - d) Cobham 28.04.22 – our client contact is currently on annual leave and we seek an extension until 13 July 2023.

Yours faithfully



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Page 3

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Your ref:

so in the course of providing our services, or where we are obliged to do so by law. This may include courts, tribunals, government bodies, crime prevention agencies, solicitors for other parties or others with an involvement in this case including where necessary other professional and service providers. It will be processed (including, where appropriate, special category data) in accordance with our obligations including in relation to data privacy.

We and our clients pass information to the Claims and Underwriting Exchange Register (CUE), Experian and the Motor Insurance Anti-Fraud and Theft Register (MIAFTR) run by the Motor Insurers Bureau (MIB), and exchange information with the Insurance Fraud Bureau (IFB) to help us check information provided and to prevent fraudulent claims. In dealing with your claim, we will search these registers and other databases for these purposes. If false or inaccurate information is provided, or fraud is identified, details will be processed and passed to others for the prevention of fraud.

We also process personal data (including special categories of personal data) and personal data relating to criminal offences of claimants and other third parties with appropriate safeguards for subsequent anonymised data use for statistical analysis purposes or data aggregation, for research and future planning for our business. This includes collection, use and sharing of such anonymised data with third parties for the purposes of management of claims. For more information about how we use your personal information please see the privacy notice on our website at (www.weightmans.com)



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Office: Leicester
Our ref: 451638-6202/JCart/1946

Email only: RachelLindberg@eversheds-sutherland.com

Your ref:

14 July 2023

Dear Sirs

Third party disclosure – Cobham Service Station (Op Dance)

We write further to above matter by way of update to the points raised in our letter of 6 July 2023 in response to your letter of 22 June 2023.

1. in respect of the remaining footage for Cobham 28.04.22 our client contact for this incident is in the process of re-uploading the footage for onwards transmission. We hope to be in a position to provide this you shortly.
2. In respect of the custody record and evidence in relation to Xavier Gonzalez Trimmer. We have been advised by our client that Mr Trimmer is now deceased and therefore we should be grateful if it could be confirmed whether this information is still required.
3. We are able to provide an update in respect of the conditional bail position for Cobham 28.04.22 as set out below. We are continuing to seek details in respect of Clacket 24.08.22 and Clacket 28.04.22 and will revert as soon as possible.

Cobham 24.08.22

All suspects were released on Police Conditional Bail, before being brought back to be charged. A number of the cases have proceeded to court as set out below:

BESWICK – Convicted
FORD – Convicted
BUSE – Convicted

[BUNDLE PAGE 172]

Page 2

Our ref: 451638-6202/JCart/1946

Your ref:

GOODE – Convicted
McCORMACK – Convicted
STICKELL – Found Not Guilty
TROWLAND – Found Not Guilty
FLETCHER – Charges Withdrawn

The remaining 6 are due to go to trial on 23/10/2023 and will remain on court conditional bail until the matter is dealt with:

JORDAN
MOGIE
GOLDER
LAY
HARRIS
McKECHNIE

Yours faithfully



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We and our clients pass information to the Claims and Underwriting Exchange Register (CUE), Experian and the Motor Insurance Anti-Fraud and Theft Register (MIAFTR) run by the Motor Insurers Bureau (MIB), and exchange information with the Insurance Fraud Bureau (IFB) to help us check information provided and to prevent fraudulent claims. In dealing with your claim, we will search

[BUNDLE PAGE 173]

Page 3

Our ref: 451638-6202/JCart/1946

Your ref:

these registers and other databases for these purposes. If false or inaccurate information is provided, or fraud is identified, details will be processed and passed to others for the prevention of fraud.

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Lindberg, Rachel

From: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Sent: 02 August 2023 11:18
To: Joanna Carty
Cc: Lindberg, Rachel
Subject: RE: Shell U.K Oil Products Limited v Persons Unknown (Claim No: QB-2022-0001420)

This message originated from outside our organisation and was sent to Joanna Carty. The sender name was Lindberg, Rachel and the sender's email address was rachel.lindberg@eversheds-sutherland.com

Apologies – you have kindly provided an update on the bail position for Cobham 28.04.2022, but we would also be grateful for an update on Cobham 24.08.22 (Laurie, Ireland, Harper, Davies, Lay, Frewer, Sharples, Burns).

Kind regards

Rachel Lindberg | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

E: RachelLindberg@eversheds-sutherland.com

T: +44 113 200 4093

M: 07771 838 420

[Rachel Lindberg | LinkedIn](#)

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From: Lindberg, Rachel
Sent: 02 August 2023 11:07
To: 'Joanna Carty' <Joanna.Carty@Weightmans.com>
Cc: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: RE: Shell U.K Oil Products Limited v Persons Unknown (Claim No: QB-2022-0001420)

Dear Jo

Many thanks for the below – I will take a look at the re-uploaded files.

I think you were also going to see if there was an update in respect of the conditional bail position for Clacket 24.08.22 and 28.04.22. We are very grateful for the update on the convictions for Cobham 24.08.22 and would be grateful if you could provide a further update on the outcome of the trials scheduled for 23 October 2023.

Many thanks again for your assistance.

Kind regards

Rachel Lindberg | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

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[BUNDLE PAGE 175]

From: Joanna Carty <Joanna.Carty@Weightmans.com>
Sent: 31 July 2023 21:52
To: Lindberg, Rachel <RachellLindberg@eversheds-sutherland.com>
Subject: RE: Shell U.K Oil Products Limited v Persons Unknown (Claim No: QB-2022-0001420)

Evening Rachel,

Many thanks for you email.

Apologies, owing to both mine and the clients work pressures, this took a little longer than anticipated but the remaining footage for Cobham 28.04.22 should now be re – uploaded to the Sharefile.

I should be grateful if you could let me know if it has come through safely your end.

Kind regards

Jo

Joanna Carty
Principal Associate
Weightmans LLP

My pronouns are: She/her



Tel: 0116 253 9747 /ext 128908

DDI: 0116 242 8908

joanna.carty@weightmans.com

<https://www.weightmans.com>

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[BUNDLE PAGE 176]

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Lindberg, Rachel

From: Joanna Carty <Joanna.Carty@Weightmans.com>
Sent: 08 August 2023 09:27
To: Lindberg, Rachel
Subject: RE: Shell U.K Oil Products Limited v Persons Unknown (Claim No: QB-2022-0001420)
Attachments: RE: Shell U.K Oil Products Limited v Persons Unknown (Claim No: QB-2022-0001420)

Hi Rachel,

Thank you for the attached.

I am just chasing for a reply in respect of Clacket 24.08.22 and 28.4.22.

In respect of Cobham 24.08.22, my apologies I have noticed a typo in the dates in my letters confirming the position. To clarify:

- Our letter of 6 July 2023 sets out at paragraph 5a an update on the bail conditions for the suspects concerning the incident on 24.08.22.
- Our letter of 14 July 2023 sets out at paragraph 3 an update of the bail conditions for the suspects concerning the incident on 28.04.22

Kind regards

Jo

Joanna Carty
Principal Associate
Weightmans LLP

My pronouns are: She/her



Tel: 0116 253 9747 /ext 128908

DDI: 0116 242 8908

joanna.carty@weightmans.com

<https://www.weightmans.com>

135 specialism rankings and 446 individual rankings in Chambers and Legal 500



[BUNDLE PAGE 179]

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Our Birmingham office has moved. It is now located in the centre of Birmingham's business district at 103 Colmore Row, Birmingham B3 3AG. . Telephone numbers remain the same.

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Commissioner of the Metropolitan Police Service
Directorate of Legal Services
10 Lamb's Conduit Street
London
WC1N 3NR

Date: 18 August 2023
Our Ref: 356009-000001
Email: rachellindberg@eversheds-sutherland.com

By Special Delivery and by email
(Julia.Bartholomew@met.police.uk and
Russ.Harvey@met.police.uk)

Dear Commissioner of the Metropolitan Police Service

Our Client: Shell U.K. Oil Products Limited

Your client: The Commissioner of the Metropolitan Police Service

Claim No: QB-2022-001420

We refer to our previous correspondence in respect of the above. We thank you for the information provided by your client pursuant to the Order of Hill J dated 28 April 2023 relating to third party disclosure (the "**Order**").

Having reviewed the information, it appears some information is missing /there are a few points in respect of which we would be grateful for your client's clarification:

- (a) Copies of the photographs showing damage to the petrol pumps, which are referred to in the witness statement of Constable George Zealey, have not been provided (i.e. Exhibit GBZ/04 and GBZ/05). Please provide copies by return;
- (b) What is the current status of the investigation for each individual? I.e. bail granted / charges dropped/ convicted / found not guilty / awaiting trial etc.;
- (c) To the extent that any individuals have been granted bail, please confirm whether bail was conditional (and if so, details of the conditions attached); and
- (d) To the extent that trials are pending, please confirm the anticipated date(s) of trial.

We should be grateful for the above information / clarifications as soon as possible and, in any event, within 14 days of this letter.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

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[BUNDLE PAGE 181]

Lindberg, Rachel

From: Liam.P.Day@met.police.uk
Sent: 31 August 2023 14:51
To: Lindberg, Rachel
Subject: RE: Photos of Damage to Shell Pumps, 26th August 2022

Hi Rachel,

It is as long as the investigation takes to complete. I really want these cases finished with so will try and get them done as soon as possible.

Regards

Liam

From: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Sent: 31 August 2023 14:49
To: Day Liam P - MO6 Public Order Planning <Liam.P.Day@met.police.uk>
Cc: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: RE: Photos of Damage to Shell Pumps, 26th August 2022

Thanks very much, Liam.

Forgive my ignorance, but is there any time limit on how long the individuals are likely to be release pending investigation (or is the answer simply, as long as it takes for the investigation to conclude)?

Yes please to updates regarding those that are charged.

Kind regards

Rachel Lindberg | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

E: RachelLindberg@eversheds-sutherland.com
T: +44 113 200 4093
Rachel Lindberg | LinkedIn

www.eversheds-sutherland.com

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-----Original Message-----

From: Liam.P.Day@met.police.uk <Liam.P.Day@met.police.uk>
Sent: 31 August 2023 13:31
To: Lindberg, Rachel <RachelLindberg@eversheds-sutherland.com>
Subject: Photos of Damage to Shell Pumps, 26th August 2022

Hello Rachel,

Sorry this went to my drafts folder instead of being sent to you.

[BUNDLE PAGE 182]

- a. Here are the two photos of the damage taken by PC George Zealey (GBZ/04 and 05).
- b. The investigation is still ongoing and everyone has been released under investigation.
- c. N/A
- d. N/A

I am happy to keep you informed when people are charged etc if you wish?

Regards

Liam
PC Liam DAY 2466CO
MO6 Public Order Crime Team

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Water Lane
Leeds
LS11 5DR

Contact: Joanna Carty

T: 0116 242 8908

E: joanna.carty@weightmans.com

Office: Leicester

Our ref: 451638-6202/JCart/1946/CAH

Your ref:

6 September 2023

Dear Sirs

Third party disclosure – Cobham Service Station (Op Dance)

We write further to our recent correspondence and can now confirm the bail conditions in respect of the protests on 28 April 2022 for Clacket Petrol Station as enclosed.

Please confirm safe receipt.

Yours faithfully

Weightmans LLP

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[BUNDLE PAGE 185]

Page 2

Our ref: 451638-6202/JCart/1946

Your ref:

these registers and other databases for these purposes. If false or inaccurate information is provided, or fraud is identified, details will be processed and passed to others for the prevention of fraud.

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For the attention of
Joanna Carty
Lauren Farrell
Weightmans LLP
100 Old Street
Liverpool
L3 9QJ

Date: 08 November 2023
Our Ref: LINDBER\356009.000001
Email: RachellLindberg@Eversheds-Sutherland.com

**By Special Delivery and Email (joanna.carty@weightmans.com and
lauren.farrell@weightmans.com)**

Dear Weightmans LLP

Our Client: Shell U.K. Oil Products Limited

Your client: The Chief Constable of Surrey Police

Claim No: QB-2022-001420

As you are aware, we are instructed by Shell U.K. Oil Products Limited ("**SUKOP**"). You act on behalf of The Chief Constable of Surrey Police.

We refer to our previous correspondence dated 23 March 2023 in which we requested your client's disclosure of documents within your client's possession which identify the names and addresses of any person who was arrested by one of his Majesty's officers of Surrey Police, or by one of his Majesty's officers on behalf of Surrey Police, in relation to conduct connected with protests on 28 April 2022 and 24 August 2022 at (1) Clacket Lane motorway services and (2) the Shell Petrol Station at Cobham motorway services (the "**Disclosure Exercise**"). Such request was made pursuant to paragraph 1 of the Order of May J dated 13 March 2023 (the "**Order**").

Our client has invited individuals identified from the Disclosure Exercise to provide undertakings that they will not breach the terms of the Shell Petrol Stations Injunction. In doing so, correspondence has been returned to us by Royal Mail which states that the "recipient is no longer at that address". Accordingly, please could we kindly request that your client provides updated addresses for each of the individuals identified as part of the Disclosure Exercise and, specifically the current addresses for the following individuals: -

Incident	Individual
Cobham 24.08.22	Tessa-Marie Burns
	Gareth Richard Harper
Cobham 28.04.22	Louise Harris
	Morgan Trowland

Additionally, we are aware from an ITV news article dated 30 October 2023 that certain individuals have since been convicted in relation to the protests at Cobham motorway

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services. Please could your client therefore also provide a further update as to the status of the investigations.

We should be grateful if you would provide such disclosure as soon as possible and, in any event, within 7 days of this letter.

We confirm our client agrees to meet your client's reasonable and proper costs in relation to complying with the Order.

We look forward to hearing from you.

Yours faithfully

Eversheds Sutherland (International) LLP

Eversheds Sutherland (International) LLP

Eversheds Sutherland
Bridgewater Place
Water Lane
Leeds
LS11 5DR

Contact: Joanna Carty
T: 0116 242 8908
E: joanna.carty@weightmans.com
Office: Leicester
Our ref: 451638-6202/JCart/1946

Your ref:

15 November 2023

Dear Sirs

Third party disclosure – Cobham Service Station (Op Dance)

Thank you for your letter of 8 November 2023.

We can provide an update as follows:

The following people attended Lewes Crown Court on Friday 27th October for sentencing in relation to the damage caused at Cobham Services on Thursday 28th April 2022.

- Sean Jordan, [REDACTED] pleaded guilty to Criminal Damage and Aggravated Trespass and was sentenced to 8 and a half months imprisonment, suspended for 18 months and 200 hours of unpaid work.
- Bethany Mogie, [REDACTED], pleaded guilty to Criminal Damage and Aggravated Trespass and was sentenced to 15 months imprisonment, suspended for 18 months and 200 hours of unpaid work.
- Stephanie Golder, [REDACTED], pleaded guilty to Criminal Damage and Aggravated Trespass and was sentenced to 6 months imprisonment, suspended for 18 months and 200 hours of unpaid work.
- Louis McKechnie, [REDACTED] [REDACTED] pleaded guilty to Criminal Damage and Aggravated Trespass and was sentenced to 17 months imprisonment, suspended for 18 months and 200 hours of unpaid work.

[BUNDLE PAGE 189]

- Louise Harris, [REDACTED], pleaded guilty to Criminal Damage and Aggravated Trespass and was sentenced to 8 and a half months imprisonment, suspended for 18 months and 200 hours of unpaid work.
- Peter Lay, [REDACTED], pleaded guilty to Criminal Damage and Aggravated Trespass and was sentenced to 8 and a half months imprisonment, suspended for 18 months and 200 hours of unpaid work.

In terms of addresses for Tessa- Marie Burns, Gareth Harper, Louise Harris and Morgan Trowland if you could provide their addresses my client contact will be able to check if it accords with their records and if not let you know the new address.

Yours faithfully



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