

**Seventh Witness Statement**

**Party: Claimants**

**Exhibit: AJ07**

**Date: 14 March 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)**

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**Seventh Witness Statement of Alison Judith Oldfield**

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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 AJO7**.
- 1.4 The purpose of this witness statement is to confirm the steps taken to serve various named individuals with the Order of Soole J dated 13<sup>th</sup> March 2024. That Order ("**the 13th March 2024 Order**") advised the Defendants of the listing of the adjourned hearing in respect of the Claimants' application dated 12 February 2024.

**SERVICE OF DOCUMENTS**

**2. Upon the Proposed Defendants**

- 2.1 On Wednesday 13<sup>th</sup> March 2024 copies of the 13<sup>th</sup> March 2024 Order was sent by first class post and special delivery to each of the individuals whom the Claimant in proceedings QB-2022-001420 ("**the Shell Petrol Stations Claimant**") proposes should be joined as Defendants to those Proceedings. I shall refer to those individuals as "**the Named Individuals**".
- 2.2 There is now exhibited to this witness statement at **Exhibit AJO7** pages 1-4 an example of the letter (which was sent in identical terms) to each of the Named Individuals.
- 2.3 I have exhibited at **AJO7** pages 5 and 6 a special delivery postal tracker which contains details of which of the packages sent by special delivery were successfully delivered and signed for as at 1pm on Thursday 14<sup>th</sup> March 2024. I have also exhibited a list of the relevant Special Delivery numbers and copies of those signature pages at pages 7-21 and 31-33 of **Exhibit AJO7**. It can be seen from those pages that a total of 6 of those Named Individuals were successfully served with the 13<sup>th</sup> March 2024 Order by special delivery.
- 2.4 As I have said, in addition to sending the 13<sup>th</sup> March 2024 Order by special delivery, a copy was also sent to each Named Individual by first class post in accordance with the provisions of CPR Rule 6.15.
- 2.5 In addition a message was also posted on the Facebook page of Louise Harris as follows :

Dear Louise Harris

*On 5 March 2024 we sent you a message to let you know that our client Shell UK Oil Limited had issued an application to join you as defendant in its injunction proceedings. We subsequently let you know on 8 March 2024 that the hearing to hear such application was listed to take place on 11 March 2024.*

*Further to that hearing, we have now received an Order from Mr Justice Soole ordering that the hearing of our client's application dated 12 February 2024 is adjourned (part heard) until 3pm on Friday 15th March.*

*You will find a copy of the Sealed Order dated 13 March 2024 at: <https://www.noticespublic.com/>*

2.6 As was explained to the court at the hearing on 11<sup>th</sup> March 2024 it has not been possible to upload a similar message to the LinkedIn account of Tez Burns (as we originally envisaged) because Ms Burns has not responded to our initial message of 5<sup>th</sup> March 2024 and it has not therefore been possible to communicate further via this means with Ms Burns. Notwithstanding that fact, as I explained at paragraph 3.11 of my fifth witness statement our initial message to Ms Burns provided her with a link to the <http://www.noticespublic.com/> website. As I explain below, a copy of the 13<sup>th</sup> March 2024 Order has also been uploaded onto that website.

2.7 Finally we also sent a copy of the 13<sup>th</sup> March 2024 Order to :

2.7.1 Charles Philip Laurie by email (as well as post) in the light of his request that we should do so - and notwithstanding that he had (at that stage) yet to provide written confirmation that he would accept service of documents by email in accordance with CPR Practice Direction 17.1 paragraph 4.1);

2.7.2 Emma Ireland by email as well as post because she has previously corresponded with us by email.

2.8 Copies of the emails to Mr Laurie and Ms Ireland are at pp 34-35 of **Exhibit AJ07**.

### **3. Service Upon the First Defendant.**

3.1 I am now asked to confirm the steps taken to serve the 13<sup>th</sup> March 2024 Order upon Persons Unknown – on the basis that those methods could also have brought the 13<sup>th</sup> March 2024 Order to the attention of the Named Individuals.

3.2 In accordance with the provisions of Paragraph 4 of the Order of Mrs Justice Hill dated 28 April 2023 (referred to at paragraph 3.16 of my fifth witness statement) the following steps were taken to provide notice of the adjourned hearing on the First Defendants.

3.2.1 By sending them to each of the email addresses listed Schedule 2 of Hill J’s Order dated 28 April 2023;

3.2.2 By uploading them onto the website <http://www.noticespublic.com/> on 13<sup>th</sup> March 2023

3.2.3 By sending them to any person who has previously requested a cop of the Claim Documents from any of the Claimants in these consolidated proceedings.

*Service upon the Schedule 2 email addresses*

3.3 I set out the detail of the timing and subject line of the email in the table below. Those emails were sent from an email address, shell.service@eversheds-sutherland.com, which Eversheds Sutherland has created in order to serve the various documents in this matter. My colleagues, Alex Wright (Principal Associate) and Bethany Taylor (Associate), and I have access to and control of this dedicated email address.

Item No.	Document(s) Served	Subject	Email date/time (Exhibit Reference)
	13 <sup>th</sup> March 2024 Order	Shell U.K Oil Products Limited v Persons Unknown (QB-2022-001240), Shell UK Limited v Persons Unknown (QB-0222-001241) Shell International Petroleum Company Limited (QB-2022-001259)- Court Order	13.03.24 15:59 <b>AJO7</b> p36

3.4 17 automatic responses were received in response to the above emails. Having reviewed the timings of the automated responses, I believe that:

3.4.1 9 automatic responses were received on 13 March 2024 from [artsxr@gmail.com](mailto:artsxr@gmail.com), [xrsw.trainings@gmail.com](mailto:xrsw.trainings@gmail.com), [press@extinctionrebellion.uk](mailto:press@extinctionrebellion.uk), [xrlondoncommunityevents@gmail.com](mailto:xrlondoncommunityevents@gmail.com), [xr.connectingcommunities@gmail.com](mailto:xr.connectingcommunities@gmail.com), [xrsocialmediaevents@gmail.com](mailto:xrsocialmediaevents@gmail.com), [xr-action@protonmail.com](mailto:xr-action@protonmail.com), [xr-legal@riseup.net](mailto:xr-legal@riseup.net) and [xrlondoncoord@gmail.com](mailto:xrlondoncoord@gmail.com) which appear to be automatic

tailored responses to any emails received. A copy of the relevant emails are exhibited at pages 37-46 of **Exhibit AJO7**

- 3.4.2 7 of these automatic responses were received on 13 March 2024 from [eoexrtnt@protonmail.com](mailto:eoexrtnt@protonmail.com); [xrmidlandstraining@protonmail.com](mailto:xrmidlandstraining@protonmail.com); [xrpoliceliason@protonmail.com](mailto:xrpoliceliason@protonmail.com) [xrpeopleassembly@protonmail.com](mailto:xrpeopleassembly@protonmail.com) [xrdemocracy@protonmail.com](mailto:xrdemocracy@protonmail.com) [youthclimateswarm@protonmail.com](mailto:youthclimateswarm@protonmail.com) [xr-regionaldevelopment@protonmail.com](mailto:xr-regionaldevelopment@protonmail.com) noting the "mailbox quota exceeded" or "mailbox full" (exhibited at **pages** 47-53 of **Exhibit AJO7**). I understand from this firm's IT team that these emails were properly sent but will not have been delivered to / received by the recipient mailbox as the mailboxes were full.
- 3.4.3 An automatic response was received from [support@xrnorth.org](mailto:support@xrnorth.org) saying that the "recipient email address possibly incorrect" - page 54 of **Exhibit AJO7**
- 3.5 Apart from the automated response referred to at paragraph 3.4 no responses from any of the other email addresses were received. I have no reason to believe that the emails sent to the other 34 email addresses to which the email of 13th March 2024 was sent were not delivered or received, and no other 'bounce back' or delivery failure notifications in this regard were received.
- 3.6 I therefore consider that the remaining 43 emails sent to the email addresses linked to Extinction Rebellion and Just Stop Oil (being those from whom no bounce back was received) were delivered.
- 3.7 In respect of Youth Climate Swarm, [youthclimateswarm@protonmail.com](mailto:youthclimateswarm@protonmail.com), was the only email address provided for within the addresses listed in the Order of 28 April 2023. I do not consider that there are further steps which could reasonably be taken in respect of effecting service of the 13<sup>th</sup> March 2024 Order on this group. This firm's IT team believes that this email was properly sent but will not have been delivered to / received by the recipient mailbox as the mailboxes were full.
- 3.8 As well as constituting the steps required in relation to service of 13<sup>th</sup> March 2024 Order upon the email addresses referred to at Paragraph 4 of the Order dated 28 April 2023, the process I have described also provided an additional means by which the Named Individuals could become aware of the adjourned hearing of the application to joined them as named persons in these proceedings.

#### *Service upon other addresses*

- 3.9 Finally, I would add for completeness a copy of the 13<sup>th</sup> March 2024 Order was sent to the following other addresses by first class post and special delivery on 13<sup>th</sup> March 2024:
- 3.9.1 Bindmans LLP solicitors. That firm had previously indicated it was instructed on behalf of Jessica Branch who applied to be heard as an interested party in the

proceedings at the hearing of the Claimant's previous application to extend the injunction in April 2023;

3.9.2 Ms Jessica Branch ;

3.9.3 Michael Gibson ;

3.10 Copies of those letters are at pages 22-30 of **Exhibit AJO7**

3.11 And the following individuals, who had previously indicated a wish to receive documents in the proceedings, were served with a copy of the Order of 13th March 2024 by email on 13<sup>th</sup> March 2024;

3.11.1 Alice Hardy at Bindmans LLP;

3.11.2 Nick Hoffman;

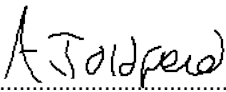
3.11.3 Michaela Marc; and

3.11.4 Raphael Dalzell

3.12 Copies of those emails are at pages 55-58 of **AJO7**

#### **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.

  
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**Alison Judith Oldfield**

**Dated:**14th March 2024