

**Stephen Ian Brown**  
**Second Witness Statement**  
**Party: Claimant**  
**Exhibit: SIB2**  
**Date: 22 April 2022**

**IN THE HIGH COURT OF JUSTICE**  
**BETWEEN**

**Claim No: QB-2022-001241**

**SHELL U.K. LIMITED**

**Claimant**

**- and -**

**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**

**Defendants**

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**SECOND WITNESS STATEMENT OF  
STEPHEN IAN BROWN**

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I, **STEPHEN IAN BROWN** of Shell Centre, York Road, London SE1 7NA will say as follows:

- 1.1 I am a Distribution Operations Manager employed by Shell International Petroleum Company Limited which is within the same group of companies as the Claimant.
- 1.2 I make this statement from facts that are within my own knowledge and belief, except where otherwise stated. Where facts are not within my own knowledge or belief, I have stated the source of my knowledge and confirm they are true to the best of my knowledge and belief.
- 1.3 I attach to this witness statement a paginated bundle of true copy documents (“**Exhibit SIB2**”) to which I refer in this witness statement. References in this statement to page numbers are to page numbers in Exhibit SIB2.
- 1.4 I previously gave a witness statement dated 13 April 2022 in connection with this matter (my “**First Witness Statement**”). Terms defined in my First Witness Statement are adopted herein.

## **2. PURPOSE OF THE STATEMENT**

2.1 This statement has been prepared in support of the Claimant's application for the continuation of injunctive relief granted under an Order dated 14 April 2022 made by Mr Justice Sweeting in respect of the Claimant's Shell Haven Terminal ("**Shell Haven**") (the "**Shell Haven Order**"). The purpose of my statement is to comment on the following issues in support of the Claimant's application:

2.1.1 Protestor action since 14 April 2022;

2.1.2 Risk of further action; and

2.1.3 Ongoing health and safety concerns.

2.2 The injunction was originally sought against individuals associated with the campaign groups known as Just Stop Oil ("**JSO**"), Extinction Rebellion ("**XR**") and Youth Climate Swarm ("**YCS**"). However I understand that the express reference to these groups has been removed and the Shell Haven Order in fact restricts certain activities/the conduct of any "person unknown" in relation to Shell Haven.

## **3. PROTESTOR ACTION SINCE 14 APRIL 2022**

3.1 Since I provided my First Witness Statement, there have been further incidents (including at or in the vicinity of Shell Haven) caused by protesters that I understand to be affiliated with XR, JSO or YCS as well as actions taken by unattributed protestors. I have referred to the various groups of protestors, their objectives and acts of civil resistance in my First Witness Statement at paragraph 7. Whichever organisation the protestors are associated with, they all appear to have the same goal of disrupting the business activities of the Claimant and other similar companies. Such incidents continue to cause widespread disruption and pose serious health and safety risks both to the protestors and the general public.

3.2 On 15 April 2022, protestors set up roadblocks and began to "tanker surf" on major tanker routes to and from the Inter and Navigator Terminals which are in the vicinity of Shell Haven in Essex and also on the Thames Estuary. In an article published by JSO, which can be found on **pages 1 - 5 of Exhibit SIB2**, I note it was said that the actions were expected to impact fuel availability at pumps across England. The phrase "tanker surf" is one that I have seen used by JSO and XR, and I understand it to mean protestors climbing on top of tankers and attempting to glue or otherwise attach themselves to the tanker in order to prevent it from moving. This causes very real risk to themselves and to the driver and all those who must then try to remove the protestors from the vehicle. That is particularly the case where the tanker is loaded, as the fuel being transported is highly flammable.

3.3 Also on 15 April 2022, at 03:41am, six protestors breached the fence line at the rear of the Claimant's terminal at Kingsbury which backs onto farmland owned by Essar Midlands Limited.

The protesters managed to damage the fence line and make their way to three areas within the terminal. Four protesters climbed a gantry, with two gluing themselves to it and the other two locking themselves together using metal tubing, another protester climbed atop a parked tanker, gluing his hand to its roof, and the sixth protester climbed atop the gantry roof. Such actions by the protesters caused the terminal to shut down for thirteen hours due to elevated safety risks associated with unauthorised persons being in vicinity of fuel operations and potentially with ignition sources (for example lighters or phones). Pictures taken by the Claimant's security team are enclosed at **pages 6 - 7 of Exhibit SIB2**.

3.4 A further article from the East Anglian Daily Times, at **pages 8 – 11 of Exhibit SIB2**, reports a number of arrests being made at oil depots in south Essex on 15 April 2022 in relation to protest activity and refers to the shortage of fuel in the region which has been the result of the extensive protest actions. Government figures quoted state that garages in the East of England were only 19% full of petrol and 23% full of diesel at the start of the week commencing 11 April 2022.

3.5 On 18 April 2022 JSO published a press release on its website, which can be found at **pages 12 - 15 of Exhibit SIB2**, referring to the arrests which had been made over the Easter weekend. The arrests were for aggravated trespass, breaches of a High Court injunction and breaches of bail conditions. A spokesperson for JSO is quoted as saying that the activists had "*each pledged to do what is non-violently necessary to make our government stop all new oil and gas projects in the UK*". JSO and XR have made numerous similar pledges, referred to in paragraph 7 of my First Witness Statement, making it clear that they intend to continue with their sustained campaign of civil disruption.

#### **4. RISK OF FURTHER ACTION**

4.1 On 13 April 2022, XR published a press release on its website which can be found at **pages 16 - 22 of Exhibit SIB2**, referring to the events of that day where protesters glued themselves to points around the Claimant's headquarters in London. The publication states that "*the police are protecting the real criminals*" and "*Shell are climate criminals*". It also contains a letter, addressed to the Claimant's employees, encouraging them to "jump ship" or "whistleblow for the planet".

4.2 In a press release dated 19 April 2022 published on JSO's website, it was announced that JSO has decided to suspend all activities until 25 April 2022 which JSO said was to give the Prime Minister the opportunity to make a statement on behalf of the Government that it will immediately halt all future licensing and consents for the exploration, development and production of fossil fuels in the UK. A copy of this can be found at **pages 23 - 26 of Exhibit SIB2**.

4.3 The press release included a copy of a letter addressed to the Prime Minister dated 19 April 2022 which stated, inter alia, that if the Prime Minister did not fulfil his duty to the people, then JSO "*will be left with no choice but to escalate our campaign of civil resistance*".

4.4 Notwithstanding the brief suspension of protestor activity, the warning in JSO's letter to the Prime Minister reaffirms its plans to continue to cause disruption unless the government meets JSO's demands in full and ends all future licensing and consents for the exploration, development and production of fossil fuels in the UK.

4.5 On 15 February 2022, the Leader Podcast by the Evening Standard, uploaded an interview with Craig Scudder, a spokesperson for Insulate Britain, a campaign which has teamed up with JSO to stop future licensing and consents for the exploration, development and production of fossil fuels in the UK. The podcast can be found on Youtube at <https://www.youtube.com/watch?v=v5v8hIzxDf4>. Mr Scudder spoke about upcoming planned protests and stated that "(02:57) *There are plans to do extreme protests, yes. If you want to have a look at what is coming down the road you should have a Google of the 2000 fuel protests. It was mainly the haulage industry who said enough is enough. Petrol and diesel prices were spiralling because of government policy and taxes. They brought the country to a standstill and that is what we are looking to do.... Is there a worry that taking this kind of action will damage the reputation of IB? (04:00) Nobody said it would be popular in 2000 when lorry drivers blocked oil refineries but the Government did bend, and we are going to force them to bend this time. Just Stop Oil have a lot more people than IB ready to take action.*"

4.6 Evidence of the intention to continue to cause mass disruption was also set out in my First Witness Statement, in particular at section 7 where I referred to various quotes from both XR and JSO regarding a potentially indefinite continuation of civil resistance. Most recently, it was reported on 17 April 2022 that XR's "*week of action is expected to draw to a close today, but Extinction Rebellion plans to protest on at least three more weekends over the coming months – specifically April 23, 24 and 30, and May 1, 7 and 8.*" A copy of that report can be found at **pages 27 - 38 of Exhibit SIB2.**

4.7 In my view, the risk of further protestor action therefore remains high. The articles and the incidents referred to in this witness statement and in my First Witness Statement demonstrate to me that the protesters intend to continue protest activities of a similar nature on an ongoing basis and are willing to risk repeated arrests to further their agenda and cause serious disruption. I therefore expect similar protestor activity to continue at various terminals, including Shell Haven, for an extended period.

## **5. ONGOING HEALTH AND SAFETY CONCERNS**

5.1 As mentioned in paragraphs 6.4 to 6.8 of my First Witness Statement, Shell Haven is used for the storage and supply of fuel which is a highly flammable and hazardous substance. Notwithstanding increased security measures and numerous statements by fuel companies on the dangers of protestor actions at such sites, it is clear to me from the incidents which have continued to unfold that the protesters have not been deterred from continuing to endanger their own and the public's health and safety.

5.2 The Claimant's primary concern remains the health and safety of its employees, the public and the protesters. It is also concerned by threats to the security of energy supply as well as the protection of its assets. As there are hazardous substances involved, any protestors carrying out activities of the type that I have described in my First Witness Statement and this witness statement at a terminal like Shell Haven risk putting themselves and Shell's employees, contractors, the police and members of the public in very significant danger.

#### **STATEMENT OF TRUTH**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.



Signed: ...

Name: Stephen Ian Brown

Position: Distribution Operation Manger – UK & BENEFRUX

Dated: 22 April 2022

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**SECOND WITNESS STATEMENT OF  
STEPHEN IAN BROWN**

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**Cannon Place  
78 Cannon Street  
London EC4N 6AF**

**Ref: O10051.00007**  
**Solicitors for the Claimant**

**Stephen Ian Brown**  
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**WITNESS STATEMENT OF  
STEPHEN IAN BROWN  
EXHIBIT "SIB2"**

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This is the exhibit marked "SIB2" referred to in the Second Witness Statement of Stephen Ian Brown dated 22 April 2022.

**Signed**



**Dated** 22 April 2022