

Claimant: Shell UK Ltd, Shell International
Petroleum Company Ltd, Shell UK Oil Products
Ltd
Name of Witness : Nancy Friel
Statement No : 1
Exhibits :
Date : 26 April 2023

Claim No: QB-2022-001241 (“Shell Haven Proceedings”)

Claim No: QB-2022-001259 (“Shell Centre Tower Proceedings”)

Claim No: QB-2022-001420 (“Shell Petrol Stations Proceedings”)

IN THE HIGH COURT OF JUSTICE

KINGS BENCH DIVISION

B E T W E E N :

(1) SHELL U.K. LIMITED

Claimant: (QB-2022-001241)

(2) SHELL INTERNATIONAL PETROLEUM COMPANY LIMITED

Claimant (QB-2022-001259)

(3) SHELL U.K. OIL PRODUCTS LIMITED

Claimant (QB-2022-001420)

-and-

PERSONS UNKNOWN

Defendants

STATEMENT OF NANCY FRIEL

I, **Nancy Friel** of 120 London Road, St Leonards-On-Sea, England TN37 6LT, **WILL SAY AS FOLLOWS:-**

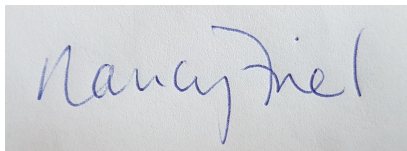
1. I make this statement in support of my challenge to the Claimants' applications to extend three injunctions.

2. The statements I make are from my own knowledge or belief unless otherwise stated. If not from my own knowledge I will identify the source. My solicitor drafted this statement having spoken to me on the phone and then emailed it to me for signature.
3. I make this statement in relation to my appearance at the review hearing of the Shell Petrol Stations injunction before Mr Justice Johnson on 13 May 2022.
4. I am an environmental activist. I regularly participate in demonstrations organised by Extinction Rebellion (XR) in relation to the climate change emergency (CCE).
5. I became aware of the Shell Petrol Stations injunction in April 2022. It concerned me because of its breadth and because I consider that petrol stations are a good location to carry out a protest in relation to the use of fossil fuels, in order to bring their contribution to the CCE to the attention of people using the petrol stations, in the hope that that may persuade them to reconsider their use of fossil fuels in the future. I was concerned that the injunction would make it too risky to participate in such protests.
6. I spoke to my solicitors, Hodge Jones and Allen, about this injunction. They informed me that they did not have capacity to represent me at the return hearing on 13 May 2022 but offered dates when they and counsel would be able to do so. Accordingly I attended the hearing unrepresented and requested an adjournment in order to bring the challenge with legal representation, giving alternative dates on which my solicitors and counsel would be able to attend. I also mentioned that judgment was awaited on another injunction matter; *Thurrock and Adams v Persons Unknown*, which also concerned petrol stations. I said it was expected in a week or so and would be important and relevant to this matter.
7. Unfortunately Johnson J declined to grant an adjournment, on the grounds that:
 - a) The original application was made in somewhat emergency circumstances and so it was appropriate that it is brought into open court at the earliest practical time, so that the Claimant's arguments could be heard.
 - b) This did not prejudice mine or anyone else's rights or arguments. That is because we could hear the arguments in open court and at any point in the future, we could make an application to vary the order or have it set aside if we wished.

c) It remained appropriate to ventilate the matter in open court now, notwithstanding the pending *Thurrock* judgment. If the order was made in terms that were too wide an application could be made in light of that judgment.

8. Just after refusing my request for an adjournment, Mr Justice Johnson commented that he had an appointment at 12.15 so he had limited time and was keen to resolve the hearing at 12. I understood that that was why the start time of the hearing had been brought forward to 10am, having previously been listed at 10.30am. The Claimant's counsel suggested that Johnson J should wait to allow for any defendants to arrive, given that the hearing had been listed to start at 10.30am. Johnson J decided to press ahead, but said that he would restart the hearing should any defendants arrive. This exchange is evident from paragraphs 2.1 and 2.2 of the attendance note of the hearing.

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

NANCY FRIEL

DATED 26 April 2023.....