

**Paul Eilering**  
**First Witness Statement**

**Party: Claimants**

**Exhibit: PE1**

**Date: 1 July 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 AND 14 OTHERS**

**Defendants (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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**First Witness Statement of Paul Eilering**

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I, Paul Eilering of Shell Centre, York Road, London SE1 7NA **WILL SAY AS FOLLOWS:**

1. **INTRODUCTION**

1.1 I am the Interim Cluster Security Manager for the Shell business' UK assets, with responsibility for keeping relevant assets in the UK (as well as other locations) secure. Whilst the security of the Shell Haven oil refinery and Shell Centre Tower, Belvedere London are not within my direct line of responsibility, I provide a strategic overview of all of the various threats to the Shell business within the UK, which includes threats posed by activism. The relevant site security teams then implement the appropriate risk mitigation measures at the relevant sites. Previously, I was globally responsible for Executive Protection and Event Security, as the dedicated Security Manager across Southern Europe and Asia.

1.2 I am employed by Shell International B.V. ("**SIBV**"), which is within the same group of companies as the Claimants in the subject proceedings, being:

1.2.1 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 ("**SIPC**") is the Claimant;

1.2.2 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 ("**SUKOP**"); and

1.2.3 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 ("**Shell UK**").

(SIPC, SUKOP and Shell UK together being "**the Claimants**") and the Shell Centre Tower Proceedings, the Shell Petrol Stations Proceedings and the Shell Haven Proceedings together being "**the Proceedings**")

1.3 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.

1.4 References to page numbers in this statement are to page numbers in **Exhibit PE1**.

1.5 I am duly authorised to make this statement on behalf of each of the Claimants.

## 2. **PURPOSE OF THIS WITNESS STATEMENT**

2.1 This witness statement is intended to address the following:

2.1.1 to update the Court as to the current position in relation to direct-action protest activity at each of the sites subject to the Proceedings;

2.1.2 to update the Court as to targeted protestor activity against the wider business of Shell and business and protestor activity against the energy sector generally and set out examples of protestor tactics employed more recently;

2.1.3 to set out the harm caused to the Claimants by virtue of the protest activity; and

2.1.4 to explain why the Claimants believe that further direct-action protest activity at or in the vicinity of the Shell Sites could cause irreparable damage to the Claimants and third parties, unless restrained by further injunction, and why the grant of a final injunction is therefore necessary and appropriate.

2.2 I have read the previous witness statements provided by Christopher Prichard-Gamble dated 30 March 2023 and 14 March 2024 (“**CPG1**” and “**CPG2**”, respectively). I have temporarily assumed Mr Prichard-Gamble’s role whilst he is on paternity leave.

2.3 This statement is made in support of the Claimants’ application for a final hearing and pursuant to each of the injunction orders (as detailed below). Each of the injunctions are due to expire, as follows:

2.3.1 in respect of the Shell Centre Tower Proceedings (“**the Shell Centre Tower Injunction Order**”) – this injunction is due to expire on 12 November 2024 (or the date which corresponds with 4 weeks after the date of final hearing (whichever is later));

2.3.2 in respect of the Shell Petrol Stations Proceedings (“**the Shell Petrol Stations Injunction Order**”) – this injunction is due to expire on 12

November 2024 (or the date which corresponds with 4 weeks after the date of final hearing (whichever is later); and

2.3.3 in respect of the Shell Haven Proceedings (“**the Shell Haven Injunction Order**”) – this injunction is due to expire on 12 November 2024 (or the date which corresponds with 4 weeks after the date of final hearing (whichever is later).

(the Shell Centre Tower Injunction Order, the Shell Petrol Stations Injunction Order and the Shell Haven Injunction Order together being “**the Injunction Orders**”).

2.4 I would like to make clear out the outset that, as referenced in [13] of the judgment of Cotter J at the last review hearing ([2024] EWHC 1546), the Claimants have not sought orders which stop protestors from undertaking peaceful protests whether near the Shell Sites or otherwise. That remains the case. The Claimants’ concern continues to be the need to reinforce its proprietary rights and to mitigate the serious health, safety and wellbeing risks (to the Claimants’ employees, contractors, visitors and indeed protestors themselves) posed by the kind of unlawful actions and activities which prompted the Claimants to seek injunctive relief back in April 2022. Each of the Injunction Orders have been carefully considered and drawn so as to ensure that they are not too wide and only prohibit activity which would be clearly unlawful.

2.5 As Lord Walney put it in his May 2024 report titled “Protecting our Democracy from Coercion”, “*noble causes such as the battle against climate change have been hijacked by extremist groups determined to bypass democratic norms and cause maximum disruption to society.*” He said there must be a “*balance*” between protecting peaceful protest and ensuring “*unlawful disruption is made more difficult.*” - pages 199A and 199B of **Exhibit PE1**.

2.6 The Injunction Orders have been obeyed and have acted as an effective deterrent against unlawful protest activity. They continue to have that deterrent effect and ensure that damage and harm is avoided. As I will explain in this statement, ongoing protest activity, although extensive, has been self-described by protestors as non-violent direct action and therefore has not breached the terms of the Injunction Orders (at least as regards the Claimants’ properties).

2.7 That said, the level of protestor activity both at Shell Sites (as defined below) and as against the oil/gas industry and organisations connected to the use of (and

funding towards the use of) fossil fuels generally, is still very much prevalent and appears, particularly in the last few months or so, to be gaining further momentum. Similarly, the scale of protestor activity demonstrates to me that the Claimants, the Shell Sites (as defined below) and the wider business of Shell remain a key target for protestor activity.

2.8 Additionally, and as far as I am aware, campaigners have not provided confirmation or assurances that they will no longer target the Claimants by engaging in unlawful activity. As such, it is clear to me that there is still a very real risk that without the protection of the Injunction Orders, protest activity would very likely return to the levels of unlawful activity previously experienced.

2.9 For example, I am aware of an article in which Just Stop Oil were quoted saying *"whilst governments are allowing oil corporations to run amok destroying our communities, the actions of individuals mean very little. Failure to defend the people they represent will mean Just Stop Oil supporters, along with citizens from Austria, Canada, Norway, the Netherlands and Switzerland will join in resistance this summer, if their own governments do not take a meaningful action."* pages 279-286 of **Exhibit PE1**.

2.10 It is against that backdrop that I consider the Injunction Orders remain necessary to mitigate the serious health, safety and wellbeing risks to the Claimants' employees, contractors and visitors (and indeed the protestors themselves) which unlawful actions at the Shell Sites present.

### 3. **BACKGROUND**

3.1 The sites which are subject to the Injunction Orders, comprise:

3.1.1 Shell Centre Tower, Belvedere Road, London ("**Shell Centre Tower**");

3.1.2 Shell Petrol Stations in England and Wales ("**the Shell Petrol Stations**"); and

3.1.3 Shell Haven, Stanford Le-Hope, Manor Way ("**Shell Haven**"),

3.1.4 (Shell Centre Tower, the Shell Petrol Stations and Shell Haven together being "**the Shell Sites**").

All of these Shell Sites have on-going operational significance for the Claimants' business and are all integral to the Claimants' operations, supply chain and consumer network - the points as set out more fully in paragraph 5 of CPG1 remain

relevant in that regard. For that reason too, they remain an attractive target for protestors.

Specifically:

#### Shell Centre Tower

- 3.2 Shell Centre Tower remains Shell's global headquarters. It forms part of Shell Centre and fronts onto Belvedere Road, which in turn fronts onto Jubilee Gardens and overlooks the River Thames. It is made up of 25 floors and has a total office area of 41,875 sqm. There are also two levels underground.
- 3.3 There remains around 5,000 individuals registered to the Shell Centre from the wider business of Shell (i.e. Shell employees) globally (although my understanding is that the building's capacity remains at around 3,000). The daily number of staff, contractors and visitors at Shell Centre Tower varies on a day-to-day basis, but on average is between 1,500-2,500.
- 3.4 Further details regarding Shell Centre Tower and the protestor activity leading up to the grant of the Injunction Orders is set out in Keith Garwood's witness statements dated 14 April 2022, 22 April 2022 and 30 March 2023.

#### Shell Petrol Stations

- 3.5 Shell remains the world's largest single branded retailer serving approximately 33 million customers per day and provides fuels to a variety of markets. There are currently approximately 1,098 Shell Petrol Stations in total across England and Wales.
- 3.6 Further details relating to the Shell Petrol Stations and the protestor activity leading up to the Injunction Orders are set out in Ben Austin's witness statements dated 3 May 2022, 10 May 2022, 30 March 2023 and 14 March 2024.

#### Shell Haven

- 3.7 Shell Haven remains a critical terminal from which Shell UK picks up products and distributes them between over thirty other terminals. It is unique in that its only purpose is the import and distribution of aviation fuel.
- 3.8 Multiple airports are serviced by Shell Haven via direct pipelines, such as Heathrow, Gatwick and Stansted. The aviation fuel is otherwise distributed by road and by

pipeline, with the main United Kingdom Oil pipeline running to Stanlow Refinery in the North-West.

3.9 Further details relating to Shell Haven and the protestor activity leading up to the Injunction Orders are set out in Stephen Brown's witness statements dated 13 April 2022 and 22 April 2022 and Fay Lashbrook's witness statement dated 30 March 2023.

### 3.10 **Background to the Injunction Orders**

3.11 Mr Prichard-Gamble previously set out the background to the Claimants' previous injunction applications in these proceedings in CPG1. That background continues to remain relevant context for the upcoming final hearing. In particular:

3.11.1 Details as to the incidents which led up to the original injunctions being granted are set out at paragraphs 3.1 to 3.4 of CPG1.

3.11.2 The procedural background to the Injunction Orders is then set out in CPG1 at paragraph 4.1.

3.11.3 The incidents which occurred between the original grant of the injunctions in 2022 and prior to the renewal hearing in April 2023 are set out in CPG1 at paragraphs 6.1 to 6.10.

3.11.4 The injunctions were most recently renewed at a hearing which took place on 17 April 2024 (the "**April 2024 Renewal Hearing**").

3.11.5 The incidents which occurred between the renewal hearing in April 2023 and prior to the April 2024 Renewal Hearing (and which the Court considered when making the Injunction Orders) are set out in CPG2 at paragraph 4.

3.11.6 This statement considers the incidents which have occurred since the April 2024 Renewal Hearing.

## 4. **INCIDENTS OF DIRECT-ACTION PROTEST AGAINST THE CLAIMANTS AND THE WIDER SHELL BUSINESS SINCE THE APRIL RENEWAL HEARING**

4.1 The Claimants' solicitors, Eversheds Sutherland (International) LLP, have prepared a chronology detailing the incidents which they have been able to identify of instances since the 2024 April Renewal Hearing of direct-action protest against the Claimants, the wider Shell business and the wider oil/gas industry and operators

within it (including organisations connected to the use of (and funding towards the use of) fossil fuels generally). A copy of this chronology is exhibited at pages 1-17 of **Exhibit PE1** ("the Chronology").

4.2 It will be evident from the Chronology that:

4.2.1 as far as I am aware, there have not been any incidents of unlawful breach of the Injunction Orders at any of the locations covered by the current injunctions; however

4.2.2 protests have regularly occurred outside the Claimants' premises, most often Shell Centre Tower and occasionally with significant numbers of protestors being present (to which I refer to further below).

4.2.3 Protestors continue to target Shell senior executives as part of a more recent tactic employed by activists. I am aware from my previous role within executive protection that the extent of such actions can be extreme (for example, senior executives have previously received death threats via social media). Although such threats are rarely credible it is understandably very concerning for the individuals involved. More recently, two protestors left a message for Shell's CEO and deposited a "tiny violin" with reception as a result of separate court proceedings between Shell and Greenpeace. Another senior executive, was doorstepped outside of Shell Centre Tower. Pages 57, 72 and 239 of **Exhibit PE1**.

4.2.4 Protestor activity targeting the wider Shell business and the use of fossil fuels generally is not slowing. Protestor activity - unlawful as well as lawful - targeting the wider Shell business, and the wider oil/gas industry and key stakeholders within it, continues unabated. In 2023, protestors appeared to focus some of their attention on high-profile sports events, popular art galleries and museums and places of historical and cultural significance, presumably to attract as much attention as possible. That trend appears to have continued (see, for example, the incidents referred to in paragraph 66 below).

4.3 In the circumstances, I believe the Injunction Orders are currently having their desired effect in acting as a deterrent against unlawful protestor activity.

4.4 The Shell Sites are firmly within the category of sites which are at risk. Part and parcel of my role involves assessing the risk to the Shell Sites (and the wider



assets of Shell). In doing so, me and my team assess information provided to us from a range of open source providers. Me and my team try as best as we can to monitor and reduce the protestor risk to the wider business of Shell, but the unpredictable nature of protests, the protestors themselves and the various groups involved in protestor activity makes it impossible to accurately and proactively plan for protests. We often find ourselves being reactive to situations that arise rather than being able to effectively manage future risk, hence the need for the injunctive relief.

4.5 Similarly, protocols are in place in respect of event organisation and a risk assessment must be carried out, so that my team can advise on and action the appropriate security levels and mitigation steps. For example, we will consider whether the event is at an external location, whether the details of the event are available to the public, whether attendance is open to the public etc. This is the case whether it is a Shell specific event or an event sponsored by Shell or where Shell has a member of staff speaking at the event.

4.6 Despite all of the steps and protocols in place, it is nonetheless impossible for the Claimants to know in advance which of its particular sites might be targeted or the scale of the activity planned.

4.7 The campaigns show no sign of stopping and I note that recently, Just Stop Oil issued a warning that it plans to target airports over the summer as part of its continued campaign of "civil resistance". Pages 114-115, 132, 224-225 and 302-303 of **Exhibit PE1**. Just Stop Oil has also promised to "overwhelm" UK police forces ahead of the general election with more than 3,000 supporters being readied to take part and to receive "training" in non-violent resistance and what to expect when they are arrested. Pages 224-225 of **Exhibit PE1**.

4.8 Furthermore, given the continued prevalence of extreme (and unlawful) protest activity (which I explain further below), and which continues to be encouraged by protestor groups, I am concerned that without the protection of the Injunction Orders such unlawful activity would return to the Shell Sites.

## 5. **Protestor activity at the Shell Sites, Shell's wider business, the oil and gas industry, the use and funding of the use of fossil fuels and other key stakeholders**

5.1 It is evident that Shell Centre Tower remains an attractive target for protestor activity against Shell and the wider Shell business.

- 5.2 In just a matter of months since the 2024 April Renewal Hearing, I am aware that there has been a total of 16 separate protest incidents at Shell Centre Tower. Fortunately, the incidents have all been non-violent direct action.
- 5.3 In addition to direct action against Shell at the Shell Sites, protestors continue to target Shell more generally and the wider oil and gas industry and key stakeholders within it as well as protesting against organisations alleged to have connections to the use of (and funding towards the use of) fossil fuels.
- 5.4 The Shell Annual General Meeting ("**AGM**") took place on 21 May 2024 at InterContinental Hotel in London. In light of the previous incidents at Shell's AGM as per paragraph 6.6.2 of CPG1, the risk of protestor action is viewed as so high that protocols have been established and a security response team was put into place. In monetary terms, the security cost to Shell was around £250,000 for its most recent AGM.
- 5.5 We are aware that a group of protestors have purchased shares in the Shell business, presumably to purposefully disrupt Shell AGMs. For the most recent AGM, we therefore strategically grouped together those individual shareholders that have minority holdings and that were known to us for previously disrupting the AGM. We allocated them seats in a specific area of the room to enable security to facilitate quick and efficient ejection in the event it became necessary. Despite all of these measures in place, it is still impossible to predict what actions protestors will take. At the AGM protestors began singing and chanting and interrupting speakers each time they tried to move on with the meeting's agenda. There was also a drum band and a choir. After a period of grace, protestors were then asked to stop and to sit down so that the meeting could continue. Eventually protestors were asked to leave and, unfortunately, 38 people then had to be ejected from the AGM. Overall the meeting was held up for around half an hour whilst security dealt with this. Page 193 - 195 of **Exhibit PE1**.
- 5.6 On 6 June 2024, Shell's chairman Andrew Mackenzie was accosted by activists of Fossil Free London outside of the Shell Centre Tower. They then proceeded to boast about having "got him" on X by posting "*We confronted Shell's chair of the board Andrew Mackenzie outside Shell's HQ this morning where he had a meeting today. Shell stays silent. They have no answers. They just run away.*" Page 239 of **Exhibit PE1**.

- 5.7 Other recent national and international incidents that I am aware of targeting the fossil fuel industry since early March 2024 include those summarised below, in chronological order:
- 5.7.1 18 March 2024 – Crowds of Extinction Rebellion protestors gathered outside GB News's headquarters in London and proceeded to throw paint over the glass-front and held up placards reading: "Cut ties to the fossil fuels". Pages 38-39 of **Exhibit PE1**
  - 5.7.2 19 March 2024 - Climate activists protested outside York council's offices as city planners arrived to discuss the latest plans to dual the A1237 York outer ring road. They waved banners and chanted 'no more roads, no more cars, climate justice will be ours!'. Pages 40-41 of **Exhibit PE1**
  - 5.7.3 20 March 2024 - As Emily Thornberry was delivering her opening remarks at the Institute for Government, two Just Stop Oil activists interrupted and stood up to confront the Labour frontbencher. Protestors threw orange confetti and began shouting their demands at the assembly. Page 42 of **Exhibit PE1**
  - 5.7.4 21 March 2024 - Activists from Extinction Rebellion protested outside of the Broad Street branch of Barclays Bank as delegates attended a climate event. Campaigners say that, while Barclays "has made progress," its new climate policy was inadequate, allowing the bank to continue funding fossil fuel projects. Page 47 of **Exhibit PE1**
  - 5.7.5 23 March 2024 – In the Netherlands, police arrested 31 climate activists from Extinction Rebellion and Scientist Rebellion at Eindhoven Airport after activists tried to enter the airport grounds through a fence. Page 52 of **Exhibit PE1**
  - 5.7.6 24 March 2024 - Activists staged a march to mark one year since the oil spill in Poole Harbour. Extinction Rebellion groups from Bournemouth, Christchurch, Poole, Wimborne and Purbeck were joined by East Dorset Friends of the Earth, Bournemouth and Poole Greenpeace, Cycling Rebellion and other environmentalists from across the southwest. Pages 55-56 of **Exhibit PE1**
  - 5.7.7 27 March 2024 - Dozens of environmental activists blocked the entrances at Amazon's Day 1 building at its Seattle headquarters. A Washington-based group called the "Troublemakers" organised the

action, calling on the tech giant to cancel its plans to use natural gas from a new pipeline being built in Oregon. The gas would be used to power three data centres in the state. Pages 65-66 of **Exhibit PE1**

- 5.7.8 1 April 2024 – Climate activists protested the New York Auto Show, claiming that EVs don't do enough to address climate change. Climate protestors were dragged out of the New York International Auto Show after pouring liquid on the floor and onto an electric Ford F-150 Lightning. The group behind the action, Extinction Rebellion, says that EVs don't do enough to avert a climate disaster. Pages 69-71 of **Exhibit PE1**
- 5.7.9 7 April 2024 - marchers blocked a main road in The Hague to protest against fossil fuel subsidies. It was reported that more than 400 people were arrested including 12 for incitement. Pages 77-79 of **Exhibit PE1**
- 5.7.10 7 April 2024 - Activists from Salish Sea Red Rebels and Extinction Rebellion joined others in a rally raising awareness of environmental and labour issues they say are caused by the cruise ship industry. Pages 80-82 of **Exhibit PE1**
- 5.7.11 9 April 2024 - Extinction Rebellion launched a major campaign to demand all insurers dump fossil fuel "crooks". The group vowed to step up direct action pressure on the global insurance industry after Zurich, the sixth biggest insurer of fossil fuels, announced they will stop insuring new oil and gas after a week of protests by thousands of activists. Pages 86-88 of **Exhibit PE1**
- 5.7.12 16 April 2024 - Extinction Rebellion members from Colchester attended a protest at the Barclays bank branch in Clacton. Pages 98-99 of **Exhibit PE1**
- 5.7.13 20 April 2024 - Environmental activists took part in a mass "funeral" procession. The procession aimed to raise awareness of the declining natural world and included a performance by activist group the Red Rebels and hundreds of "mourners" dressed in black. Pages 116-119 of **Exhibit PE1**
- 5.7.14 20 April 2024 – Twenty people were arrested during a protest at Lawrence G. Hanscom Field in Bedford, Massachusetts. The climate activist group Extinction Rebellion took credit for the protest, which came two days ahead of Earth Day, and said in a statement that their

plan was to prevent planes from taking off. Pages 120-121 of **Exhibit PE1**

- 5.7.15 25 April 2024 - Four protesters were arrested at the annual general meeting of UK oil giant BP. It was reported the group attempted to enter the auditorium of the International Centre for Business and Technology building in Sunbury-on-Thames, Surrey. During a routine search carried out by BP security staff as the four people tried to enter the meeting, a red liquid was thrown. Pages 129-130 of **Exhibit PE1**.
- 5.7.16 29 April 2024 - Protests erupted in Italy as G7 ministers met to discuss climate crisis. Dozens of protesters demonstrated in the northern Italian city of Turin, blocking a highway and setting fire to images of world leaders. Page 135 of **Exhibit PE1**.
- 5.7.17 1 May 2024 – Climate protesters disrupted the speeches of Tory MPs during a sustainability conference as they challenged the Tories over their climate credentials and links to the fossil fuel industry. Pages 140-141 of **Exhibit PE1**
- 5.7.18 2 May 2024 - Extinction Rebellion and Just Stop Oil targeted multiple insurance offices in Manchester as part of a protest. The protesters targeted AIG, Hiscox, Markel, Travelers, Chubb, Liberty Mutual and Tokio Marine. Their offices were plastered with posters urging them not to insure the East Africa Crude Oil Pipeline (Eacop) and West Cumbria coal mine. Pages 145-146 of **Exhibit PE1**.
- 5.7.19 7 May 2024 - Tesla’s gigafactory in Germany temporarily paused production as a group of protesters encamped in the surrounding forest. Pages 154-159 of **Exhibit PE1**
- 5.7.20 15 May 2024 – Climate activists “hacked” over 200 Shell billboards. An activist group, “Brandalism”, pasted its own artworks over billboards and bus-stops that had promoted Shell’s sponsorship of British Cycling. Pages 176-178 of **Exhibit PE1**. On the same day, protests took place at the British Insurance Broker’s Association conference with the insurance industry described as the “Achilles’ heel” of the fossil fuel projects.

- 5.7.21 16 May 2024 – protestors sprayed paint on the walls and windows of the Grade I listed Ministry of Defence building which resulted in a £60,000 cleanup bill. Pages 183-184 of **Exhibit PE1**
- 5.7.22 18 May 2024 - Munich Airport was forced to close for two hours after climate protesters glued themselves to a runway. Eight climate protesters were arrested after shutting down Munich Airport and causing about 60 flight cancellations. Climate protest group Last Generation took responsibility. Pages 185-187 of **Exhibit PE1**
- 5.7.23 21 May 2024 - Environmental activists staged a protest at Shell’s Lagos headquarters. The Civil Society Organisations demanded that Shell, Chevron, and other major oil companies in the country commit to implementing the reclamation measures recommended by independent environmental audits and pay compensation to those who have “borne the brunt” of their operations. Pages 196-199 of **Exhibit PE1**
- 5.7.24 25 May 2024 – 175 protestors were arrested as activists targeted France’s TotalEnergies and key investors. Greenpeace members unfurled a huge “Wanted” banner calling its chief executive, Patrick Pouyanné, “the leader of France’s most polluting company”. On the same day, a few dozen protestors forced their way into Amundi’s tower block, daubing graffiti on the walls and smashing some windows. Amundi said eight of its security staff were injured. Pages 211-213 of **Exhibit PE1**
- 5.7.25 29 May 2024 - Activists from Extinction Rebellion and Scientist Rebellion sprayed black biodegradable paint on several mega-yachts in the Marina Port Vell in protest of the eco-social and climate crisis. Other activists stormed the port facilities with a banner that said “fossil subsidies + luxury tourism = climate crisis + drought”, and marched along the docks. Pages 214-217 of **Exhibit PE1**
- 5.7.26 30 May 2024 – protestors shut down facilities of Shell Petroleum development company in Nigeria at Otuasega, Elebele and Imiringi in Ogbia Local Government Area of Bayelsa State due to power outage. They wielded placards with inscriptions such as “*No Light, No Crude/Gas in Kolo Creek*”, and “*We Need Stable Power Supply in Our Communities*” among others as they stormed the facilities in the early hours. Pages 221-223 of **Exhibit PE1**

- 5.7.27 1 June 2024 - Thousands of climate activists marched in Amsterdam's southern business district to protest against Dutch companies' involvement in what marchers called an "*investment in climate destruction*". Carrying placards and shouting slogans, an estimated crowd of more than 10,000 walked a circular route through the Zuidas financial area. Pages 229-230 of **Exhibit PE1**
- 5.7.28 2 June 2024 - Extinction Rebellion climate activists blocked access to Farnborough Airport to protest against the increasing use of highly polluting private jets by the "super-rich" and to call on the government to ban private jets, tax frequent flyers and make polluters pay. Pages 231-234 of **Exhibit PE1**
- 5.7.29 10 June 2024 - Around 15 Extinction Rebellion protestors targeted Shell's Silver Fin building in Scotland, blocking access to the main entrance. Pages 243-251 of **Exhibit PE1**
- 5.7.30 13 June 2024 - Just Stop Oil delivered letters to the leaders of all major parties running in the upcoming general election, demanding they commit to signing the fossil fuel non-proliferation treaty. The letter included a threat "*If you do not provide such assurance by 12 July 2024, we will be forced to take action to protect our communities by engaging in a campaign of non-cooperation against fossil fuel use at airports across the country.*" Pages 264-266 of **Exhibit PE1**
- 5.7.31 15 June 2024 - Extinction Rebellion activists chained themselves at the gate of the G7 media centre to protest against a lack of action in climate change policy. Pages 267-269 of **Exhibit PE1**
- 5.7.32 15 June 2024 - Extinction Rebellion activists sat on toilets on a busy Thames footbridge to highlight the issue of sewage being released into waterways. The protest was part of the Extinction Rebellion's "Don't Pay for Dirty Water" campaign. Pages 270-271 of **Exhibit PE1**
- 5.7.33 22 June 2024 - Just Stop Oil targeted aircraft at Stansted Airport by covering it in orange paint. Just Stop Oil reportedly were trying to target Taylor Swift's private jet after accusing her of "greenwashing", however the Airport has confirmed it was not Taylor Swift's jet that was targeted. Pages 279-288 of **Exhibit PE1**

- 5.7.34 26 June 2024 - A climate activist group, Lawyers are Responsible, protested outside of a London law firm office. The group posted on Twitter: "*Morning @LinklatersLLP, come say hi, we're outside with some research from @LS4CA hot off the press, guess who ranked in the worst top five on fossil fuel transactions?*" Pages 296-297 of **Exhibit PE1**
- 5.7.35 26 June 2024 - A Greenpeace activist staged a protest on top of a Tory election battle bus. Pages 298-299 of **Exhibit PE1**
- 5.7.36 27 June 2024 - Fifty activists from Stop Polluting Politics blocked both entrances to the Labour HQ in London. Pages 300-301 of **Exhibit PE1**
- 5.7.37 27 June 2024 - The Met Police made six arrests during an event at an east London community centre. It was reported that some of those in custody are believed to be key organisers for Just Stop Oil. All the arrests were under a section of the Public Order Act, following warnings from Just Stop Oil that they plan to disrupt airports this summer. Pages 302-303 of **Exhibit PE1**

## 6. **INCIDENTS OF GENERAL PROTESTOR ACTIVITY**

- 6.1 In addition to the incidents I refer to above (and as was seen over the course of 2023 and continues to be the case in the first half of 2024), protestors have turned some of their attention to large scale sporting and other high-profile events as well as areas of cultural and political significance as part of their ongoing protest campaign.
- 6.2 The nature of the incidents and the extremity (in some cases) of the lengths protestors are willing to go to is also, I believe, clear evidence that the campaign has not come to an end and that some individuals are still willing to carry out unlawful activity in order to advance their campaign. In particular, I am aware of the following activities by members of the various campaign groups:
- 6.2.1 23 March 2024 - Eco-activists scattered black confetti at London's Science Museum in protest at a new exhibition sponsored by an Indian energy company. The South Kensington-based museum is currently holding an exhibition titled "Energy Revolution: The Adani Green Energy Gallery". Protesters from Fossil Free Now gathered in one of the museum's stairwells to scatter black confetti and sing in protest at the exhibition's sponsors. Pages 53-56 of **Exhibit PE1**



- 6.2.2 25 March 2024 - Just Stop Oil protesters covered Exeter's Labour headquarters with posters. Two of the group's supporters fly-posted the building with posters and printouts of a letter sent to parliamentary candidate Steve Race last week. The letter asked him to commit to leaving the party within six months of forming a government if they fail to revoke the Tory oil licences granted since 2021. Page 58 of **Exhibit PE1**
- 6.2.3 27 March 2024 - Just Stop Oil has issued a threat to Wes Streeting, Shadow Health Secretary, saying they will turn up at his private address. In a post on X, the climate campaign group said: "*Hey @wesstreeting - get the battenberg out love, we'll be round yours at 1 x*". Pages 62-64 of **Exhibit PE1**
- 6.2.4 5 April 2024 - Extinction Rebellion organised a protest at the gates of St Giles House in Wimborne - the seat of the Earl of Shaftesbury. Protestors quoted "*We want to raise awareness of the Earl of Shaftesbury's exploitation of Lough Neagh in Northern Ireland. Lough Neagh is suffering an ecological catastrophe*". Pages 74-76 of **Exhibit PE1**
- 6.2.5 8 April 2024 - It was reported that "*hundreds of Just Stop Oil's 'youth wing' plots chaos on Tube network in co-ordinated attacks that could cripple the network*". Reports suggested that activists were targeting the public transport system because police have cracked down on protesters blocking roads. Pages 83-84 of **Exhibit PE1**
- 6.2.6 8 April 2024 - Extinction Rebellion has reignited protests against plans to install a synthetic sports pitch, saying it will "destroy" wildlife. Protestors gathered on Flowerpot Playing Fields to protest plans by Exeter College to lay an all-weather 3G sports pitch next to the skate park. Page 85 of **Exhibit PE1**
- 6.2.7 15 April 2024 - More than 30 protestors occupied London's Science Museum between April 12 and 14, protesting the sponsorship of the museum's new climate gallery by Adani.
- 6.2.8 18 April 2024 - protestors demonstrated outside the General Medical Council (GMC) in protest at its "lack of leadership over climate change's dangerous implications for public health". Pages 104-106 of **Exhibit PE1**

- 6.2.9 26 April 2024 - Just Stop Oil supporters targeted the offices of Conservative MP Mark Jenkinson in Maryport, Cumbria with four individuals plastering his office with posters. Pages 131-133 of **Exhibit PE1**.
- 6.2.10 1 May 2024 - Red paint was daubed across the entrance of the building where the Cambridge Labour Party has offices. The paint was splashed on the entrance of Alex Wood Hall in Norfolk Street. Pages 142-144 of **Exhibit PE1**
- 6.2.11 7 May 2024 – Belgian Police arrested 132 Extinction Rebellion activists at Ghent University, many of whom glued themselves to the ground. 153 of **Exhibit PE1**
- 6.2.12 10 May 2024 - Two climate protesters smashed parts of the reinforced case holding an original text of the Magna Carta in the British Library. A video clip posted by Just Stop Oil on social media showed protestors holding a chisel over the case as the other then hit it with a lump hammer several times. Pages 168-169 of **Exhibit PE1**
- 6.2.13 8 May 2024 - Activist Greta Thunberg and a group of fellow protesters blocked the main entrance of the Swedish Parliament. Pages 163-165 of **Exhibit PE1**
- 6.2.14 20 May 2024 - Extinction Rebellion Harrogate staged a protest in Knaresborough over water quality in the Nidd. Pages 188-191 of **Exhibit PE1**
- 6.2.15 1 June 2024 - Environmental activist stuck a poster onto the famous Monet painting in Paris. The activist with the group "Food Riposte" affixed a sticker that covered about half of the artwork with an apocalyptic, futuristic vision of the same scene. The woman was reportedly detained pending investigation. Pages 226-228 of **Exhibit PE1**
- 6.2.16 19 June 2024 – Just Stop Oil sprayed orange powder paint made from cornstarch over the historical site, Stonehenge. The stones are covered in rare lichens and there were concerns that some could be damaged by the powder paint. Pages 274-277 of **Exhibit PE1**

## 7. HARM CAUSED TO THE CLAIMANTS

- 7.1 As explained in previous statements, the Claimants have suffered loss and harm because of the Defendants' actions to date and it remains the case that they are likely to suffer further loss and irreparable harm if the Defendants are not restrained by continued injunctive relief.
- 7.2 As previous judges have acknowledged (e.g. Johnson J at [34] and Hill J at [134-136]), the Defendants' conduct gives rise to potential health and safety risks and if those risks materialise they would cause serious harm which could not adequately be remedied by way of an award of damages.
- 7.3 Paragraph 7.1 of CPG1 sets out the details of the specific loss suffered by the Claimants. The additional security costs (as mentioned at paragraph 7.1.2 of CPG1) continue to be incurred on an ongoing basis.
- 7.4 The level of security measures taken continue to be monitored, based on intelligence and experience, however as ever it is impossible to know when protestors will strike and the scale of the incident until it occurs.
- 7.5 There remains no evidence that the Defendants have the financial means to satisfy any award of damages, even if the losses were capable of being quantified and the health and safety risks, if triggered, could cause serious or fatal injuries for which damages would not be an adequate remedy.

## 8. **REQUIREMENT FOR A FURTHER INJUNCTION**

- 8.1 As I have emphasised in this statement (and as Mr Prichard-Gamble explained in his previous witness evidence) the orders sought do not stop protestors from undertaking peaceful protests whether near the Shell Sites or otherwise. It is pleasing to note that direct protestor activity against Shell has (as far as I am aware) remained lawful, and the terms of the Injunction Orders have been respected (particularly outside and in the vicinity of Shell Centre Tower).
- 8.2 As Cotter J put it in his judgment for the review hearing at [13] "*the courts grant injunctions on the assumption that they will generally be obeyed. Therefore, the court is entitled to expect no breaches to have occurred since the interim order was made, and ordinarily, and without more, the absence of any breaches should be seen as reflecting the effectiveness of the order and not evidence or the lack of evidence undermining the need for it.*" The fact that protests against Shell have been lawful since the Injunction Orders were granted clearly demonstrates the Injunction Orders' continued effectiveness as a deterrent.

8.3 As is more fully explained in CPG1 and the accompanying witness evidence in each of the Proceedings however, unlawful activity at the Shell Sites presents an unacceptable risk of continuing and significant danger to the health and safety of staff, contractors, the general public, other persons visiting them and indeed the protestors themselves. The protection provided by the existence of the injunctions remains necessary to mitigate against the continued risk and the grave and irreparable harm which would arise if the prohibited activities recommenced.

8.4 In relation to the likelihood of continuing action against the Claimants and the wider Shell business specifically, I would note the following:

8.4.1 Activities to date indicate that the campaign groups tend to carry out a burst of protests in short periods to maintain a continuous level of disruption and gain momentum. In recent weeks, as evidenced above, actions by protestors appear to be gaining momentum again.

8.4.2 Somewhat inevitably, increased activity against Shell from protestors can be as a result of increased attention that Shell and its wider business receives in the press or as a result of other amplifying events. For example, activity tends to increase following Shell publicising its quarterly results, whenever it announces a new strategic initiative, announcing its Annual General Meeting as referred to above or whenever there are any political movements that affect the energy sector. It is likely that the result of the general election (whichever party is successful) will also lead to more activity. As such, I firmly believe that protestor activity is likely to continue in the future, and indeed is likely to escalate following the occurrence of certain amplifying events.

8.5 Further, I believe that injunctive relief is necessary despite the existence of criminal offences and it is not disproportionate as a matter of fact, for the following reasons:

8.5.1 As can be seen from the incidents set out in paragraph 6.2 of this statement, the ongoing activities carried out by protest groups clearly involves criminal activity. This goes to the point that the criminal offences under the Public Order Act are no deterrent to protestor activity.

8.5.2 To further that point, I am aware that both the Fourth and Tenth Defendant in the Shell Petrol Stations Proceedings were recently arrested under the Public Order Act. Pages 304-306 of **Exhibit PE1**. I

am also aware that the Fifteenth Defendant was arrested after spraying a University of Leeds building with orange paint. Pages 307-309 of **Exhibit PE1**

8.5.3 I am aware that the Claimants' solicitors have previously written to each of the Second to Fifteenth Defendants in the Shell Petrol Stations Proceedings giving them an opportunity to provide an undertaking to the Court that they will not carry out unlawful activity. None of the Second to Fifteenth Defendants have provided such an undertaking to date nor have they provided any confirmation to the Claimants that they no longer intend to carry out any of the unlawful acts.

8.6 The evidence I have outlined in this statement, in respect of all the activities of protestors which have taken place since the 2024 April Renewal Hearing, taken together with the statements threatening further activity referred to earlier in my statement (as well as the lack of any confirmation from such groups that they will **not** carry out unlawful acts going forward), lead me to conclude that that nothing has fundamentally changed since the making of the interim orders. There has been a change of tactics but the campaign has continued with vigour and there remains a real risk of future unlawful activity at the Shell Sites by protest groups looking to target the Claimants' business as well as the oil industry more generally which justifies the continuation of the Injunction Orders on a final basis.


8.7 For the reasons I have outlined in this statement I also believe it is reasonable to conclude that the reduction in unlawful activity since the Claimants were granted injunctive relief has been achieved as a consequence of those interim injunctions. It is for that reason also that I genuinely believe that, the continuation of the injunctions is necessary to protest against the unlawful protest action being resumed. The continuation of the injunctions also provides the police and the Claimants with the ability to take swifter and substantive action if and when such unlawful activity does resume.

8.8 I would therefore respectfully ask that the Court grant a final injunction in respect of each of the Shell Sites on the terms sought or alternatively as the Court considers appropriate.

### **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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.....6CE3224B143F469.....

Paul Eilering

Dated: 2024