

Keith Garwood
Second Witness Statement
Party: Claimant
Date: 22 April 2022
Exhibit KG2

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim No: QB-2022-001259

BETWEEN

**SHELL INTERNATIONAL PETROLEUM COMPANY
LIMITED**

Claimant

- 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**

Defendants

**SECOND WITNESS STATEMENT OF KEITH
GARWOOD**

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

- 1.1 I am an Asset Protection Manager employed by Shell International Limited, which is within the same group of companies as the Claimant.
- 1.2 Unless otherwise stated, the facts set out in this statement are within my own knowledge and true. Where 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 within this statement are to pages within the exhibit "KG2".
- 1.4 I previously gave a statement (my "First Witness Statement") in connection with this matter on 14 April 2022. Terms defined in my First Witness Statement are adopted herein unless otherwise stated.

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 15 April 2022 made by Mr Justice Sweeting in respect of the building known as the Shell Centre Tower (the "**Shell Centre Tower Order**").
- 2.2 The purpose of my statement is to comment on the following issues in support of the Claimant's application for a continuation of the injunctive relief granted by the Shell Centre Tower Order:
- 2.2.1 Protestor action at or near the Shell Centre Tower since 14 April 2022;
 - 2.2.2 Risk of further action by protestors; and
 - 2.2.3 Ongoing health and safety concerns.
- 2.3 The injunction which has been sought and obtained is by reference to certain actions which are now prevented as a result of the Shell Centre Tower Order. It is my understanding that the injunction was originally sought against individuals associated with the campaign groups known as Just Stop Oil ("**JSO**"), Extinction Rebellion ("**XR**"), Youth Climate Swarm ("**YCS**"), and Scientist Rebellion ("**SR**") but that the Shell Centre Tower Order is, in fact, wider than that as it no longer refers specifically to JSO, XR, YCS or SR and so captures a wider category of "persons unknown". As explained in my First Witness Statement at paragraph 7.2, my understanding is that these groups are all connected but there are of course other individuals and groups that may be involved in similar activities.

3. PROTESTOR ACTIVITY SINCE 14 APRIL 2022

- 3.1 Following the incidents mentioned in my First Witness Statement, protestors, some of whom appear to be affiliated with the abovementioned groups (either because of banners, stickers or flyers that have been used by the protestors), have taken further disruptive action at or near the Shell Centre Tower. Such further incidents and other facts and matters that I consider relevant are detailed below. These incidents were reported to me by members of the Claimant's security staff.
- 3.2 On 15 April 2022 at 14:30, approximately thirty protestors, holding banners and other outward signs showing that they were associated with XR, were outside Shell Centre Tower. Initially they stood and some sat in the middle of Belvedere Road before moving as a group to stand outside Shell Centre Tower in front of a line of Police Officers that were outside Shell Centre Tower as a result of the protestors' presence. Belvedere Road, which is the road on which Shell Centre Tower is located, was obstructed entirely. Pictures taken by the Claimant's security team can be found at **page 86 of Exhibit KG2**. This represented a health and safety risk in terms of access to Shell Centre Tower and the surrounding estate and neighbouring buildings and areas, in particular because it restricted access for emergency vehicles. I have set out further details of my safety concerns in paragraph 10 of my First Witness Statement. The protestors arrived at approximately 14:34 and all had left the area by 1600. As a result of the protestors outside the building, the Shell

Centre Tower went into complete lockdown (the lockdown process is described more fully in paragraphs 6.5 – 6.7 of my First Witness Statement). The lockdown lasted for 3 hours from 14:34 until 17:35. I have explained the process and main risks of a complete lockdown at Shell Centre Tower in paragraphs 6.5 to 6.7 of my First Witness Statement. Given the previous experiences with protestors entering the building (and bearing in mind that protestor activities are unpredictable and often happen without advance warning), there is no fixed protocol prescribing, for example, minimum criteria such as the minimum number of protestors required before lockdown can be initiated. It is essentially a judgement call by the duty supervisor onsite at the relevant time and if they feel it is necessary to place the building in lockdown for the protection of those in the building then they will do so. The decision to go onto lockdown was made on 15 April 2022 because of the presence of protestors outside the building.

- 3.3 On 16 April 2022, a group of protestors affiliated with XR climbed on top of a tanker branded with the Shell logo in Bayswater Road, London following a gathering at Hyde Park and a march through Central London. I understand from a BBC News article, which is enclosed at **pages 1 - 8 of KG2**, that the police made six arrests for vehicle interference. I believe that the protestors were affiliated with XR as this was stated in the news article at **pages 1 - 2 of KG2** – the article included a photograph of the tanker with protestors on top and with the XR logo on a banner immediately below them. To me this shows a clear desire to target the Claimant and assets associated with it, including the well-known Shell Centre Tower. As I set out in paragraphs 7, 8 and 9 of my First Witness Statement, the Shell Centre Tower has already been targeted by protestors very recently, with several protestors entering the reception of the building and gluing themselves to parts of the reception. One protestor proceeded to the 4th floor (without authorisation).
- 3.4 According to a Mail Online article, enclosed at **pages 9 - 27 of KG2**, on the same date, XR members gathered at Hyde Park, lighting flares in the middle of the road and climbing Marble Arch. A press release by XR on 17 April 2022 (at **pages 28 - 35 of KG2**) refers to hundreds of protestors blocking the road at Marble Arch with a limousine, around which protestors glued their hands to the ground. Hundreds of protestors are also reported to have gathered with banners on Waterloo, Blackfriars, Lambeth and Westminster bridges causing large queues of traffic. According to an article enclosed at **pages 36 - 45 of KG2**, XR stated: *“We will rebel for life till the government act like it’s a climate emergency and end all new oil & gas”*.
- 3.5 On 20 April 2022 at 08:10, eleven protestors holding banners approached Shell Centre Tower and began to take pictures of each other outside the reception area. Pictures taken by the Claimant’s security team can be found at page 87 of Exhibit KG2. As can be seen from the security photos, there are 4 protestors holding the banner “CLIMATE CRISIS MADE IN LONDON” while 6 others are holding what appear to be hand painted pictures and 1 on a megaphone. The protestors proceeded to ignite two smoke flares outside the building. The disruption lasted for over an hour. Initially the group approached the Shell Centre Tower from across Jubilee Gardens, they stopped

on the footpath on the Jubilee Gardens' side of the road and set off the flares. Having done this they then moved from Belvedere Road around to the rear access/egress to Shell Centre Tower and set up outside the reception doors. On that occasion, again, Shell Centre Tower was placed into lockdown in order to protect the Claimant's employees, contractors and visitors from the associated health and safety risks I have explained in paragraphs 5, 6 and 10 of my First Witness Statement. The lockdown started at 8:15 and was taken off at 9:23.

4. RISK OF FURTHER ACTION

- 4.1 XR's press release dated 17 April 2022 (at **pages 28 - 35 of KG2**) described the protestor activity at Marble Arch on 16 April 2022 as marking the "*close of a week*" of XR actions in central London. However, I am also aware that other reports have indicated an intention to continue protests until at least 8 May 2022. In particular, it was reported in an article on 7 April 2022 that XR "*has told supporters to join them at Speakers' Corner in London's Hyde Park from 10am on Saturday April 9 onwards, with members advised to book time off work from then until April 17, and then "at least" every weekend until May 8.*" A copy of that article can be found at **pages 46 - 57 of KG2**. Similarly, it was reported in an article published on 17 April 2022 (a copy of which can be found at **pages 58 - 69 of KG2**) that XR's "*week of action is expected to draw to a close today [17 April], 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.*" I understand that the actions are intended to disrupt the fossil fuel industry.
- 4.2 Separately, JSO announced on 19 April 2022 its decision to suspend all activities (I understand in relation to disruption of the fossil fuel industry) until 25 April 2022, which it 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. The announcement ended with the statement that "*either we put our bodies in the way of the machine or we accept the loss of our only home.*" It has also published a letter addressed to the Prime Minister dated 19 April 2022 which ended by stating that, if the Prime Minister did "*not fulfil his duty to the people*" JSO will be left with "*no choice but to escalate*" its campaign (which I understand means its campaign of disruption to date). The press release referring to the announcement and enclosing the letter can be found at **pages 70 - 73 of KG2**.
- 4.3 I am not aware what steps JSO may take if they decide to "escalate" their campaign as they have suggested, but, as per paragraph 10 of my First Witness Statement, I have real concern that they will continue to target the Shell Centre Tower, causing associated health and safety risks as well as intimidating and / or frightening the Claimant's employees and visitors at that location along with potentially causing damage to property.

- 4.4 The protestors have shown themselves to be coordinated and determined. In my view, in the absence of an immediate change in government policy, disruption is set to continue and perhaps even escalate.
- 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*”.
- 4.6 The incident described at paragraph 3.5 above shows that protests have continued at and near Shell Centre Tower since 17 April 2022 despite the reports that XR’s protests were drawing to a close, and despite JSO’s statement of a ‘moratorium’, including in the vicinity of Shell Centre Tower. In light of the reports I have mentioned above, the history of incidents described at paragraphs 5, 8 and 9 in my First Witness Statement and the continuing incidents, I believe that there continues to be a real and imminent risk of further protest activity and there is no reason to believe that the risk of further protest activities has passed. In fact, on 12 April 2022, JSO published a press release on its website which stated that “*ministers have a choice: they can arrest and imprison Just Stop Oil supporters or agree to no new oil and gas. While Just Stop Oil supporters have their liberty the disruption will continue. Now is the moment to come and meet with the coalition*”. The article can be found at **pages 88 - 90 of Exhibit KG2**. Further, on 15 April 2022 at 15:30, JSO posted the following on Twitter: “*@JustStop Oil told Sky News in a statement: "The only announcement that will change our plans is a statement from the government that they will halt new oil and gas."*” A copy of JSO’s retweet can be found at **page 91 of Exhibit KG2**.

5. ONGOING HEALTH AND SAFETY CONCERNS

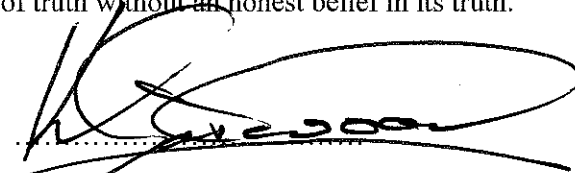
- 5.1 As reported by Sky News in its article dated 16 April 2022 at **pages 74 - 85 of KG2**, a spokesperson for the Claimant has stated: “*We respect the right of everyone to express their point of view - we only ask that they do so with their safety and the safety of others in mind.*”
- 5.2 My greatest concern is the safety of people in and around Shell Centre Tower which is being jeopardised by protestors blocking entrances and exits to the building. Also, sometimes the public are forced to walk on the road as the pedestrian area is blocked. Further, the protestors’ actions continue to intimidate and/or frighten the Claimant’s staff and people visiting Shell Centre Tower.

The protests can be immensely intimidating for those working in or visiting the Shell Centre Tower particularly when, as I have done during the recent campaign, I have to escort people in and out of the building. I set out my concerns in more detail in paragraphs 9.16 to 10.2 of my First Witness Statement. I continue to hold those concerns. There is no desire to prevent peaceful protest on the Claimant's part – my concern is to avoid the very significant health and safety risks and associated issues that I have described above.

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:

A handwritten signature in black ink, appearing to read 'Keith Garwood', written over a dotted line. The signature is stylized and somewhat cursive.

Name: Keith Garwood

Position: Asset Protection Manager

Dated: 22 April 2022

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Defendants

**SECOND WITNESS STATEMENT OF KEITH
GARWOOD**

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