

Amended under the Slip Rule CPR 40.12 dated 20th May 2022

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
BEFORE THE HONOURABLE JUSTICE JOHNSON
BETWEEN:**

CLAIM NO: QB-2022-001420

SHELL U.K. OIL PRODUCTS LIMITED



and

**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 ENVIRONMENTAL PROTEST CAMPAIGNS
WITH THE INTENTION OF DISRUPTING THE SALE OR SUPPLY OF
FUEL TO OR FROM THE SAID STATION**

Defendants

PENAL NOTICE

**IF YOU, THE DEFENDANTS, DISOBEY THIS ORDER YOU MAY BE HELD IN
CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR
ASSETS SEIZED.**

IMPORTANT NOTICE TO DEFENDANTS

**This Order prohibits you from doing the acts set out in this Order. You should read it
very carefully. You are advised to consult a solicitor as soon as possible.**

**Any other person who knows of this Order and does anything which helps or permits the
Defendants to breach the terms of this order may also be held to be in contempt of Court
and may be imprisoned, fined, or have their assets seized.**

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

You have the right to ask the Court to vary or discharge this Order (which is explained below).

RECITALS

UPON the hearing of the Claimants' Application dated 10 May 2022 for the continuation of the precautionary injunction granted by the Hon. Mrs Justice McGowan on 5 May 2022 ("the 5 May 2022 Order").

AND UPON HEARING Toby Watkin QC for the Claimant

AND UPON READING the documents set out in the First Schedule to this Order

AND UPON the Claimant giving and the Court accepting the undertakings set out in Second Schedule to this Order

AND UPON the Claimant indicating that it will provide to any Defendant copies of further evidence or other documents filed in these proceedings upon request from time-to-time at an email address provided to the Claimant

AND UPON the Claimant confirming that this Order is not intended to prohibit any lawful protest outside any of the Shell Petrol Stations (as defined herein) in so far as any such protest does not obstruct vehicular access to the said Shell Petrol Stations

DEFINITIONS

1. In this Order:

1.1. "***Shell Petrol Station***" means all Petrol Stations in England and Wales displaying Shell branding (including any retail unit forming a part of such a petrol station, whatever the branding of the retail unit).

1.2. The "***Claim Documents***" means the documents listed in the First Schedule to this Order.

INJUNCTION

2. For the period until 4pm on 12 May 2023, and subject to any further order of the Court, the Defendants must not do any of the acts listed in paragraph 3 of this Order in express or implied agreement with any other person, and with the intention of disrupting the sale or supply of fuel to or from a Shell Petrol Station.
3. The acts referred to in paragraph 2 of this Order are:
 - 3.1. blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station or to a building within the Shell Petrol Station.
 - 3.2. causing damage to any part of a Shell Petrol Station or to any equipment or infrastructure (including but not limited to fuel pumps) upon it;
 - 3.3. operating or disabling any switch or other device in or on a Shell Petrol Station so as to interrupt the supply of fuel from that Shell Petrol Station, or from one of its fuel pumps, or so as to prevent the emergency interruption of the supply of fuel at the Shell Petrol Station.
 - 3.4. affixing or locking themselves, or any object or person, to any part of a Shell Petrol Station, or to any other person or object on or in a Shell Petrol Station.
 - 3.5. erecting any structure in, on or against any part of a Shell Petrol Station.
 - 3.6. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
 - 3.7. encouraging or assisting any other person do any of the acts referred to in sub-paragraphs 3.1 to 3.7.
4. A Defendant who is ordered not to do something must not:
 - (A) do it himself/herself/themselves or in any other way.
 - (B) do it by means of another person acting on his/her/their behalf, or acting on his/her/their instructions, or by another person acting with his/her/their encouragement.

VARIATION OR DISCHARGE

5. Any defendant (or any other person affected by the terms of this order) may apply to vary or discharge this Order at any time upon giving not less than 24 hours' notice to the Claimant's solicitors at the email address set out later in this Order.
6. Any person applying to vary or discharge this Order pursuant to paragraph 5 above must provide their full name and address (including an address for service) and must (subject to any further order) also apply to be joined as a named defendant to the proceedings at the same time.
7. The Claimant has liberty to apply to extend or vary this Order or to seek further directions.

REVIEW HEARING

8. The Claimant may apply to extend this order so that it continues in operation after 4pm on 12 May 2023 (either by way of a variation of this order or by way of a final order following trial). Any application for such an extension must be made by 4pm on 28 February 2023. The continued operation of the order will then be reviewed at the hearing of that application.

SERVICE OF DOCUMENTS

9. Paragraph 9.1 of the 5 May 2022 Order shall be varied so that it shall read:

“9.1 The Claimant shall use all reasonable endeavours to arrange to affix and retain warning notices at each Shell Petrol Station by either Method A or Method B, as set out below:

Method A

9.1.1 Warning notices, no smaller than A4 in size shall be affixed

(a) at each entrance onto each Shell Petrol Station

(b) on every upright steel structure forming part of the canopy infrastructure under which the fuel pumps are located within each Shell Petrol Station forecourt

(b) at the entry door to every retail establishment within any Shell Petrol Station.

Method B

9. 1.2 *Warning notices no smaller than A4 in size shall be affixed:*

(a) at each entrance onto the forecourt of each Shell Petrol Station

(b) at a prominent location on at least one stanchion (forming part of the steel canopy infrastructure) per set/row of fuel pumps (also known as an island) located within the forecourt of each Shell Petrol Station.

10. In accordance with paragraph 11 of the Order of the Hon Mrs Justice McGowan dated 5 May 2022 this Order shall be served by:

- (i) sending it by email to each of the email addresses listed in the Third Schedule to the Order;
- (ii) uploading it to <https://shellservices.cmno.tech/>; and
- (iii) sending a copy to any person who has previously requested a copy of the Claim Documents from the Claimant or its solicitors, either by post or email (as was requested by that person).

Service of the Order shall be deemed effective on the latest date on which all of the said steps set out in sub-paragraphs (i), (ii) and (iii) shall have been completed.

11. The Court will provide sealed copies of this Order for service by the Claimant's Solicitors.

COSTS

12. Costs are reserved.

COMMUNICATION WITH THE COURT

13. All communications to the Court about this Order should be sent to:

Queen's Bench Division
Royal Courts of Justice
Strand
WC2A 2LL.

The offices are open between 10.00 a.m. and 4.30 p.m. Monday to Friday (except Bank Holidays). The telephone number is 020 7947 6000

COMMUNICATIONS WITH THE CLAIMANT

14. The Claimant's solicitors and their contact details are:

CMS Cameron McKenna Nabarro Olswang LLP
Cannon Place
78 Cannon Street London
EC4N 6AF

Email: Emma.Pinkerton@cms-cmno.com ; Valerie.Allan@cms-cmno.com

Ref: O10051.00009

Dated this 13th day of May 2022

Paragraph 8 above amended pursuant to CPR 40.12

Dated this 19th day of May 2022

First Schedule

(Documents read by the court in considering the making of this Order)

In the course of considering the making of this Order, the Court read the following documents:

1. Application notice dated 10 May 2022 and draft order
2. Second Witness Statement of Ben Austin and exhibit dated 10 May 2022
3. Second Witness Statement of Emma Pinkerton and exhibit dated 10 May 2022
4. Skeleton argument on behalf of the Claimant

Second Schedule

(Undertakings given to the Court)

The Claimant gave the following undertakings to the Court:

1. To serve this Order in accordance with the terms of paragraph 10 of this Order.
2. To pay any damages which the Defendants (or any other party served with or notified of this Order) shall sustain as a result of the making of this Order, and which the Court considers ought to be paid.

Third Schedule

(List of email addresses)

1. **EXTINCTION REBELLION UK**
- 1.1 enquiries@extinctionrebellion.uk
- 1.2 press@extinctionrebellion.uk
- 1.3 xrvideo@protonmail.com
- 1.4 xr-action@protonmail.com
- 1.5 xraffinitysupport@protonmail.com
- 1.6 xr-arrestwelfare@protonmail.com
- 1.7 artsxr@gmail.com
- 1.8 xr-CitizensAssembly@protonmail.com
- 1.9 xr.connectingcommunities@gmail.com
- 1.10 xrdemocracy@protonmail.com
- 1.11 xrnotables@gmail.com
- 1.12 integration@rebellion.earth
- 1.13 xr-international@protonmail.com
- 1.14 xr-legal@riseup.net
- 1.15 press@extinctionrebellion.uk
- 1.16 xr-newsletter@protonmail.com
- 1.17 xr-peoplesassembly@protonmail.com
- 1.18 xrpoliceliason@protonmail.com
- 1.19 rebelringers@rebellion.earth
- 1.20 xr.regenerativeculture@gmail.com
- 1.21 xr-regionaldevelopment@protonmail.com
- 1.22 RelationshipsXRUK@protonmail.com

- 1.23 xr.mandates@gmail.com
- 1.24 socialmedia@extinctionrebellion.uk
- 1.25 xrsocialmediaevents@gmail.com
- 1.26 eventsxr@gmail.com
- 1.27 xrbristol.regional@protonmail.com
- 1.28 xrcymru@protonmail.com
- 1.29 xr.eastengland@protonmail.com
- 1.30 xrlondoncoord@gmail.com
- 1.31 XRMidlands@protonmail.com
- 1.32 xrne@protonmail.com
- 1.33 support@xrnorth.org
- 1.34 xrni@rebellion.earth
- 1.35 xrscotland@gmail.com
- 1.36 XR-SouthEastRegionalTeam@protonmail.com
- 1.37 xr.regional.sw@protonmail.com
- 1.38 talksandtraining.xrbristol@protonmail.com
- 1.39 xrcymrutalksandtraining@gmail.com
- 1.40 eoexrtnt@protonmail.com
- 1.41 xrlondoncommunityevents@gmail.com
- 1.42 xrmidlandstraining@protonmail.com
- 1.43 XRNE.training@protonmail.com
- 1.44 xrnw.training@gmail.com
- 1.45 xryorkshire.training@gmail.com
- 1.46 xrni.tt@rebellion.earth
- 1.47 talksandtrainings.scotland@extinctionrebellion.uk
- 1.48 xrttse@gmail.com
- 1.49 xrsw.trainings@gmail.com

2. **JUST STOP OIL**

- 2.1 Ring2021@protonmail.com
- 2.2 juststopoil@protonmail.com
- 2.3 youthclimateswarm@protonmail.com

3. YOUTH CLIMATE SWARM

3.1 youthclimateswarm@protonmail.com