

**Benjamin Austin**  
**First Witness Statement**  
**Party: Claimant**  
**Exhibit: BA1**  
**Date: 3 May 2022**

**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS  
PROPERTY, TRUSTS AND PROBATE LIST (ChD)**

**Claim No:**

**Before:**

**On:**

**B E T W E E N:**

**SHELL U.K. OIL PRODUCTS LIMITED**

**Claimant**

**-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**

**Defendant**

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**WITNESS STATEMENT OF BENJAMIN AUSTIN**

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I, Benjamin Austin of Shell Centre, London, SE1 7NA, **SAY AS FOLLOWS:**

**1. INTRODUCTION**

- 1.1 I am the Health, Safety and Security Manager for the Claimant.
- 1.2 Unless stated otherwise, the facts set out in this statement are within my own knowledge and true. Where facts are not within my own 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 annexed as BA1 [**BA1/ tab number/ page number**].
- 1.4 I make this statement in support of the Claimant's application for a precautionary (quia timet) injunction to restrain unlawful activity at Shell branded filling stations in England and Wales (the "**Shell Petrol Stations**"), following an attack upon one of the Shell Petrol Stations by protesters on 28 April 2022, and in light of the other recent threats as described in this statement.

- 1.5 The Claimant forms part of the group of companies ultimately owned and controlled by Shell plc, a company incorporated in the United Kingdom and listed on the London Stock Exchange. Shell plc and its direct and indirect subsidiaries are referred to collectively in this statement as the “**Shell Group**”. The Claimant is the relevant operating company of the Shell Group.
- 1.6 The injunction is being sought against individuals who have stated their aim as disrupting the lawful activities of the Claimant: In particular, such individuals are hoping to procure enough publicity and support behind their cause to encourage a change in the Government’s energy policies to end the extraction and use of fossil fuels. I understand that: (i) many of these individuals belong to campaign groups known as Just Stop Oil, Extinction Rebellion, Youth Climate Swarm and Scientist Rebellion; and (ii) Just Stop Oil, Youth Climate Swarm, and Scientist Rebellion appear to be ‘offshoot’ groups from Extinction Rebellion.
- 1.7 At the outset of this statement, I wish to be clear that the Shell Group, including the Claimant, does not seek this injunction to prevent protestors connected to the abovenamed groups or otherwise, from undertaking peaceful lawful protests – whether any such protests arise near to or at any of the Shell Petrol Stations or otherwise.
- 1.8 However, the events which I describe below are deeply concerning, first and foremost because they pose a very real, continuing and significant danger and threat to the health and safety of staff, contractors, the general public and other persons which visit the Shell Petrol Stations. Therefore, the Claimant has decided to make its application in an attempt to prevent not only potentially unlawful activities, but to mitigate against a serious risk to the health and safety of not only the Defendants themselves but other members of the public, including employees and agents of the Claimant, who may be affected by the Defendants’ activities.
- 1.9 I appreciate that it may seem that there has been a delay between the time of the activities undertaken and explained in more detail below and the making of this application. That is in part driven by a need, and desire, to understand the likely threat, both in terms of intended action by the Defendants and in terms of understanding how best the Claimant could seek to mitigate that given the number of Shell Petrol Stations. That has required discussions and decision making internally which has proved more difficult than usual as a result of the bank holiday weekend. In addition, it has required seeking advice from external legal counsel (both solicitors and leading counsel) in order to understand how best to achieve protection of all of the Shell Petrol Stations which I understand raises some complex legal issues. All of those things have happened as quickly as reasonably possible in all the circumstances.

## **2. MY ROLE AND RESPONSIBILITIES AT SHELL**

- 2.1 I am employed by Shell UK Oil Products Ltd, as the Health, Safety and Security Manager. I have been in this role since April 2020 and have been employed by the Shell Group since 2015.
- 2.2 In my role I am responsible for the health, safety and security measures at all Shell service stations throughout the United Kingdom including the Shell Petrol Stations. I am therefore familiar with all of the relevant Health and Safety concerns and obligations associated with the running and management of the Shell Petrol Stations.

### 3. THE SHELL PETROL STATIONS

3.1 The Shell Group is the world's largest single branded retailer with 44,000 retail service stations in over 66 countries. It serves 25 million customers each day (approximately 400 million litres of fuel) and offers the widest range of quality fuels tailored to meet the needs of each market.

3.2 The Claimant markets and sells retail fuels through the Shell Petrol Stations which constitute a network of 'Shell-branded' service stations. The retail network through which fuel is sold in the UK is divided into two main categories: (i) direct; and (ii) indirect. In summary:

3.2.1 The direct retail category ("**Shell owned sites**"). This involves a network of retail service stations where the Claimant owns or leases the land where the retail site is located and typically will own the structures and equipment at site. The Claimant does not actually operate these sites. Day-to-day operations are sub-contracted to a third party retailer, who runs the premises and employs the staff. However, the Claimant has control over most of the operational aspects including hours of operation, health and safety, payment and inventory and the type of goods offered.

3.2.2 The indirect retail category ("**Dealer owned sites**"). This involves a network of retail service stations where the Claimant neither owns nor leases nor operates the site. Rather the retail site is owned/leased, and staffed and operated, by an independent, third party. However, the Claimant:

(a) supplies the dealer with Shell-branded retail fuels – typically, the dealer will purchase fuel from the Claimant in bulk, and the Claimant will arrange for delivery of the fuel direct to the storage tankers at the dealer-owned site; and

(b) permits dealers to use the Shell brand and sell Shell-branded fuels to consumers at the relevant retail site. Typically, the Claimant will control only the branding on the petrol station forecourt (i.e., the area of the retail site where the fuel is pumped into customer vehicles and sold).

3.3 All petrol stations in England and Wales which are Shell branded will fall within one of these two categories. I can confirm, as I understand this is an issue with regard to service of this application, that as a result of the level of control the Claimant has it will be feasible for us to require warning notices to be displayed at all Shell Petrol Stations that are Shell owned sites (these represent at least half of the Shell Petrol Stations). I can confirm that we will also request that the warning notices are displayed in the same way at all Dealer owned sites. While we do not have the same level of control over these sites, I expect that almost all, if not all, such Dealer owned sites will action that request, as it is in their interests to do so.

3.4 There are 1,062 Shell Petrol Stations in England and Wales. Typically, the Shell Petrol Stations consist of:

3.4.1 The forecourt – this is the area of the retail site which customers will use (via vehicles and on foot) where the fuel is delivered to vehicles from the fuel pumps, where drivers leave vehicles when visiting the retail store or dealing with issues such as car washing or putting air in tyres, and where fuel lorries offload their fuel;

- 3.4.2 the retail store – these are also located on the forecourt and vary in size. Usually, customers will use the stores to pay for their fuels and any other goods purchased from the stores as needed; and
- 3.5 The fuel storage tanks are typically located under the forecourt, and obviously contain varying, but very significant quantities of flammable fuels of different types.

#### **4. HEALTH AND SAFETY**

- 4.1 The health and safety of the Claimant’s staff, the staff of its contractors, and of the general public, is of paramount importance, and matters potentially affecting that health and safety are given the highest priority throughout the Shell Group. The Shell Group’s approach is reflected in what is referred to as the ‘Goal Zero Ambition’: that is, that nobody who works for or with the Shell Group should be harmed. We strive to achieve this, by upholding consistently high safety standards across the Shell Group and expect all employees and contractors to meet them.
- 4.2 I do not have to explain to the Court that the fuels sold at the Shell Petrol Stations are potentially very dangerous substances, not least because they are highly flammable.
- 4.3 The way in which fuel, and petrol filling stations, are managed and operated is tightly regulated. These matters are closely regulated in the UK. Petrol filling stations fall within the scope of (among others) the Dangerous Substances and Explosives Atmosphere Regulations 2002 (“DSEAR”) which relates to the risks from fire, explosion and similar events arising from dangerous substances in the workplace and imposes various requirements to identify and take steps to mitigate those risks. The industry “Petrol Filling Stations – Guidance on Managing the Risks of Fire and Explosion” dated October 2018 (which is referred to as “The Red Guide”). This sets out industry best practice on the management of these risks at petrol filling stations. It includes a section regarding (at paragraph 7.2) [BA1/2A/25] the requirements of the Dangerous Substances and Explosive Atmosphere Regulations 2002 (“DSEAR”) which apply to petrol filling stations, and the industry best practice as regards the controls that should be adopted to protect areas where explosive atmospheres may occur from sources of ignition. The pumps are in a zoned area that has the potential to have a level of fuel vapour in the air that could be ignited by uncontrolled activities when strict fire risk management controls are not in place and adhered to. It can be seen from this that very careful steps must be taken at petrol filling stations to ensure that areas of particular risk are identified and that significant steps are taken to ensure that those areas are isolated so far as possible from ignition risks.
- 4.4 By way of further example, the Health and Safety Executive (‘HSE’) guidance on: (i) ‘*Storing petrol safely*’; and (ii) ‘*Dispensing petrol as a fuel: health and safety guidance for employees*’ explains in plain terms the risks which are posed by petrol to health and safety when it is not handled and stored properly. In particular, I refer to the following passages:
- 4.4.1 On the risks posed by petrol generally when it is not stored correctly: “[petrol] *can easily be set on fire and when not handled safely has the potential to cause a serious fire and/or explosion. This means there is always a risk of a fire and/or an explosion if there is a source of ignition nearby, for example a naked flame, an electrical spark or similar. Because of these risks storing petrol safely is covered by legislation; and this applies to you if you store petrol*”

*(Storing petrol safely [BA1/1/1]); and*

4.4.2 Further, and in respect of the specific dangers posed by sites dispensing petrol, such as a petrol station:

*“Petrol - the dangers*

- Petrol is a highly flammable liquid which can give off flammable vapour, even at very low temperatures. This means there is always a risk of fire or explosion if a source of ignition is present;*
- It floats on the surface of water and may travel long distances, eventually causing danger away from the place where it escaped;*
- Petrol vapour does not disperse easily and may also travel long distances. It tends to sink to the lowest possible level and may collect in tanks, cavities, drains, pits, or other enclosed areas, where there is little air movement;*
- Flammable atmospheres may be present in empty tanks and petrol cans. There is also a danger if petrol is spilled on clothing, rags etc;*
- Petrol vapour can be harmful if inhaled. Petrol should not be swallowed and contact with the skin should be avoided”.*

*(Dispensing Petrol as a fuel: Health and Safety Guidance for Employees [BA1/2/5]).*

4.5 As is clear from this, any work or activity in the area of the pumps must be strictly controlled and managed. This is why even mobile phones should not be used at petrol filling stations, as they are an ignition source risk. I refer in this regard to the Highway Code (dated 25 March 2022) which states (at pages 220 and 221) that in respect of “**Petrol stations/ fuel tank/ fuel leaks** [...] *Never smoke, or use a mobile phone, on the forecourt of petrol stations as these are major fire risks and could cause an explosion*” [BA1/3/15]. It appears to me that many, if not all, of the video clips and photographs that I refer to in section 6 of this witness statement have been filmed or taken on mobile phones on the forecourts despite the ban on the use of such equipment in that location. For example, in the clip I refer to at paragraph 6.3.3, a protestor wearing an orange high vis vest can be seen checking his phone; on the report I refer to at paragraph 6.3.7, a protestor can be seen recording another protestor using a phone.

4.6 The management of Shell are very concerned that acts of sabotage to equipment on the forecourt of a Shell Petrol Station are potentially extremely dangerous, possibly resulting in a fire or an explosion. Breaking the pump screens with any implement could cause a spark and in turn potentially harm anyone in the vicinity. The severity of any vapour cloud ignition could be catastrophic and cause multiple fatalities. Unfortunately, Shell Group has tragically lost several service station employees in Pakistan in the last year when vapour clouds have been ignited during routine operations. This reinforces our very real concerns regarding the extreme risks caused by protestor activity on 28 April 2022 and that I anticipate will continue.

## 5. PREVIOUS DISRUPTIVE PROTEST

5.1 The Shell Group has been the subject of a number of protests in the past which have gone well beyond peaceful protest.

Protests in April 2019 at Shell Centre Tower

- 5.2 The building which is known as the ‘Shell Centre Tower’ located in London (the “**Shell Centre Tower**”), has been the focus of protestor action.
- 5.3 The Shell Centre Tower was targeted by Extinction Rebellion on 15 April 2019, with significant damage being inflicted to the building:
- (a) Three protestors glued themselves to the revolving doors at the Shell Centre Tower;
  - (b) Two protestors painted symbols on the glass doors, whilst others sprayed slogans and drawings on the walls of the Shell Centre Tower;
  - (c) Another protestor smashed one of the glass panes in the revolving doors (which she was glued to); and
  - (d) Two protestors climbed onto a canopy overhanging the revolving doors where they remained until the following day.
- 5.4 Since April 2019 the Shell Centre Tower has been the subject of a number of further protests, up to and including this month when protestors again gained entry to Shell Centre Tower and glued themselves to the reception desks. In addition to those actions minor damage has been caused (such as by people pouring black, oily substances, onto parts of the building or by gluing themselves to parts of the building). The protestors have, in these actions, made it clear that the Shell Group is a target and the Shell branding, both at the Shell Centre Tower and at the Shell Petrol Stations is, I believe, a focus for their campaigns.
- 5.5 I believe that this shows that it cannot be assumed that protestors will act in ways which respects the health and safety of others. During this incident alone, I understand that more than 750 staff had to be evacuated from the Shell Centre Tower.

Wider disruptive protests against the oil industry

- 5.6 The Court will no doubt be aware that in recent weeks there have been a large number of protests which have been carried out under the banners of Just Stop Oil, Extinction Rebellion and Insulate Britain, or by people declaring their support for their various movements. These protests have frequently involved protestors sticking themselves to roads or objects, and causing damage. Recent examples which have been widely covered in the media have included incidents of protestors climbing onto fuel delivery lorries and cutting the air brake cables so that the lorries cannot move, and tunnelling under roadways to seek to make them impassable to lorries. These protests have included protests at oil terminals, including oil terminals owned by the Shell Group at Kingsbury and Shell Haven. The protestors appear to be resorting to ever more dangerous tactics, including climbing onto equipment used for storage of fuels and tampering with safety equipment, such as valves, at those sites, including at the Kingsbury terminal owned by the Shell Group.

**6. 28 APRIL PROTESTS – COBHAM AND CLACKET LANE SERVICES**

- 6.1 As has been widely reported in the media, on the morning of 28 April 2022, a number of protestors acting under the banner of Just Stop Oil met around 7am in the morning at two petrol filling stations on the M25, namely at the Clacket Lane and the Cobham service stations in Surrey (the “**Clacket Lane Services**” and “**Cobham Services**” respectively). In this regard, I refer to the statement released by Just Stop Oil on 28 April 2022 [BA1/4/17]. The petrol

filling station at Cobham Services is a Shell Petrol Station. The protesters sought to disrupt the operation of the filling stations in various ways, including by damaging and graffitiing the pumps and by gluing themselves to parts of the filling stations and the equipment upon them.

6.2 I have been shown and refer to five clips of video footage which I understand to have been taken on 28 April 2022 at the Clacket Lane Services and the Cobham Services, and subsequently published on one of the Defendants' (Just Stop Oil) websites. These videos show members of Just Stop Oil variously:

- (i) smashing the display screens of fuel pumps with a hammer;
- (ii) covering display screens in spray paint;
- (iii) referring to their action as “*sabotage*”; and
- (iv) blocking the entrance to the service station forecourt.

6.3 By way of particular examples (I note that the videos are available online via: [Press Media - PUBLIC - Google Drive](#)):

6.3.1 Standing at the front of the Clacket Lane Services forecourt (a BP-branded filling station) one male states: “*my name’s Nathan. I’m twenty-two years old and just now I’ve sabotaged one of the kiosks at this petrol station to stop the flow of petrol, the flow of diesel coming out of here, to stop the burning of something that’s quite literally burning the lives of billions around the world, and burning the future of every single generation after [...]*” (Ref video ‘Nathan\_McGovern\_Clackett\_Lane\_M25\_2804042022’: [Press Media - PUBLIC - Google Drive](#));

6.3.2 Sitting at the front of the Clacket Lane Services forecourt, one male accompanied by a woman states: “*We are at the Clacket Lane Services Eastbound M25. We are blocking the forecourt now to this BP petrol station for about 4 hours [...] some supporters of Just Stop Oil have sabotaged the petrol pumps. So far no one has been arrested or removed*” (Ref Eben\_Clackett\_Lane\_M25\_28042022: [Press Media - PUBLIC - Google Drive](#));

6.3.3 Hammering at one of the forecourt fuel pumps at the Cobham Services, and then turning to the camera, a woman states: “*Hi I’m Louise, I’m twenty-three and I’m doing this because currently the Government doesn’t care about our lack of futures, that inaction on the emergency which is our climate crisis is literally going to destroy lives in the next 10 to 20 years [...] because they are doing nothing, we are forced to cause disruption to make them listen*” (Ref Louise\_Cobham\_Lane\_M25\_28042022: [Press Media - PUBLIC - Google Drive](#));

6.3.4 Sitting at the front of the Cobham Services forecourt, a man states: “*We’re here with Just Stop Oil outside the Shell petrol station. We’re here protesting at the continued investment in fossil fuels that the government is putting in [...]*”(Ref Cobham2\_M25\_28042022: [Press Media - PUBLIC - Google Drive](#)); and

6.3.5 This final clip has no narrative, but just shows an individual hammering at the fuel pump gauge at the Cobham Services (Ref Cobham1\_M25\_28042022.mp4 [Press Media - PUBLIC - Google Drive](#)).

- 6.3.6 I also exhibit still photographs variously showing damage done to the fuel pumps and other acts of vandalism:
- (a) Five individuals on the forecourt at the Cobham Services, at least two of whom are using a hammer against the fuel pump display screen [BA1/5/18];
  - (b) Three separate display screens on three fuel pumps at the Clacket Lane Services having been smashed and spray painted [BA1/6A/19] [BA1/6B/20] and [BA1/6C/21]; A male who has superglued his hand to the forecourt floor (albeit at which service station it is not clear) [BA1/7/22];
  - (c) A female who has superglued her hand to a fuel pump at the Clacket Lane Services and handcuffs around her wrist [BA1/8A/23], [BA1/8B/24] and BA1/8C/25]; and
  - (d) Two females who appear to have superglued their hands together whilst sitting on the forecourt of one of the service stations [BA1/9/26];
- 6.3.7 I also understand, both from News Reports published on 28 April 2022 and reports provided to me, that one individual also superglued themselves to the roof of a cab of a fuel tanker making a delivery to the Cobham Services A Sky News Report dated 28 April together with video footage can be accessed via the following link: [Climate protesters Just Stop Oil damage petrol pumps at motorway service stations - more than 20 arrested | UK News | Sky News.](#)
- 6.4 Across the two service stations, the media and Police has reported that 55 pumps were damaged. I refer to a report by the Independent dated 28 April 2022 together with video footage can be accessed via the following link: [Just Stop Oil activists damage pumps, block two M25 petrol stations | The Independent](#); and [BA1/10/27], which is a press release issued by the Surrey Police. To give that some context there are 36 pumps at Cobham Service Station and 35 of those were damaged so as to make them impossible to safely use and resulted in the whole forecourt being closed.
- 6.5 Doubtless the protests at the Shell Petrol Station at Cobham Service Station have been very upsetting for the workers, who will obviously be particularly aware of the potential health and safety risks associated with the vandalization of fuel pumps and connected infrastructure.
- 6.6 As well as the damaging of forecourts and equipment, and the gluing of people to parts of the forecourt, disruption was caused by people blocking the entrances to the forecourts. I believe that at least 5 protestors blocked the entrance to the petrol station forecourt at the Cobham Services, and likewise 6 protestors blocked the entrances to the petrol station forecourt at the Clacket Lane Services, by sitting in the entrance displaying a large orange banner with the words 'Just Stop Oil'. Stills from the webpage of Just Stop Oil showing the protestors engaged in this activity, together with the police presence on site, are exhibited [BA1/11/29].
- 6.7 As is self-evident, all of these activities are unlawful. I am advised that they all constitute trespasses, since they all occurred on private land and the implied licence of the public to enter such land does not extend to entry in order to block the land or damage things upon it. The sabotage of pumps and the sticking of people to equipment is also obviously unlawful activity.



6.8 I note that following the protests, I have seen this release from Surrey Police [BA1/10/27] dated 29 April 2022, which confirms that at least four individuals, namely Nathan McGovern, Amber Alexander, Louis Hawkins and Rosa Sharkey have been charged with causing criminal damage and released on police bail with conditions as follows:

6.8.1 Nathan McGovern is required to wear an electronic tag, must not enter the county of Surrey save for Court attendance, must not enter any petrol station or obstruct the entrance or exit to any part of a petrol station in England and Wales, and must not associate with the other abovenamed individuals; and

6.8.2 Similarly Amber Alexander, Louis Hawkins and Rosa Sharkey must not enter the county of Surrey save for Court attendance, must not enter any petrol station or obstruct the entrance or exit to any part of a petrol station in England and Wales, and must not associate with the other abovenamed individuals.

## 7. ONGOING THREAT

7.1 I am not aware of anything which might suggest that the recent protests against petrol filling stations are a one-off incident that will not be repeated. The campaign of Just Stop Oil continues and the Claimant therefore believes that there is a real and imminent risk of further incidents of a similar nature to those seen on 28 April. I believe that there is every prospect that more incidents of the same nature will occur, and there is every reason to believe that these will involve Shell Petrol Stations, although clearly the Claimant cannot identify any particular petrol station which will be the target of such protest and is very unlikely to have any advance warning of any such protest taking place.

7.2 Just Stop Oil has released a statement on its website which reads “*Since April 1st when supporters of Just Stop Oil first began blocking oil terminals there have been over 1000 arrests. **The supporters of Just Stop Oil will continue the disruption until the government makes a statement that it will end new oil and gas projects in the UK**” (emphasis added) [Exhibit 4]).*

7.3 The Claimant is very concerned that such future protests will:

7.3.1 continue to involve similar unlawful activity;

7.3.2 endanger the health and safety of staff, contractors, the general public and other visitors to Shell Petrol Stations; and

7.3.3 involve further damage to Shell Petrol Stations and infrastructure upon it.

7.4 The Claimant is also concerned that the Defendants’ acts may lead to violent confrontations with drivers who are unable to use the fuel pumps and whose journeys are significantly disrupted as a result. I have been shown and refer to a brief video clip of the Just Stop Oil protesters sitting on the garage forecourt at the Cobham Services on the M25, where a frustrated motorist can be seen in the background talking to police (‘Ref Cobham3\_M25\_28042022’: [28th April - Google Drive](#))

7.5 These are risks of very serious potential consequence. I am sure that the Court can imagine that if the risk posed by the use of a mobile phone on a forecourt is sufficient to cause that to be prohibited, the potential consequences of taking a hammer to a fuel pump are very much more serious.

- 7.6 I also am aware from the news reports referred to above, pictures, videos I have seen and information from the service station staff, that the Just Stop Oil protestors were also using spray paint, which was applied to the damaged fuel pump display screens. I do not know exactly what type of paint was being used, but the use of spray paint (if oil-based) also gives me great cause for concern, as paint can itself also be a highly flammable substance.
- 7.7 The consequences for staff, contractors and the public are very serious, and are the Claimant's primary concern. The repeat of any such activity also directly harms the Claimant. Indeed, the avowed purpose and function of such protests is to disrupt the Shell Group's business of selling fuel to the public through its Shell Petrol Stations, which clearly harms the Claimant as well as those operating the Shell Petrol Stations, and the public who are unable to buy the fuel they require.
- 7.8 Consequently, I am advised that, although the Claimant does not itself own or control all of the Shell Petrol Stations, it is entitled to seek an injunction to prevent people conspiring to injure the Claimant's business by the use of these unlawful means.
- 7.9 In particular, I worry about the people in and around the Shell Petrol Station (i.e. staff, customers, contractors and the public at large). To me, the action taken most recently by Just Stop Oil represents an alarming escalation – it is clearly inherently unsafe that, in the 28 April protests, hammers were being used by protestors to vandalise fuel pumps and the associated infrastructure at petrol station forecourts.

## 8. CROSS UNDERTAKING

- 8.1 I am advised that as a condition of granting an injunction a Court may require the Claimant to give an undertaking to meet any payment which the Court concludes that the Claimant should pay to anyone adversely affected by the proposed order, if the Court ultimately concludes that the order should not have been made. I am duly authorised to offer the Claimant's undertaking in this regard.

## 9. 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: BENJAMIN AUSTIN

Position: HEALTH SAFETY AND SECURITY MANAGER

Dated: 03/05/2022