

Amended under Slip Rule CPR r40.12

Claim No: QB-2022-001420

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Before: Mrs Justice Hill DBE

On: 23 May 2023

BETWEEN:

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

Defendant



ORDER

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 a review of the order of Bennathan J dated 3 May 2022 in respect of the Shell Centre Tower Proceedings

AND UPON a review of the order of Bennathan J dated 3 May 2022 in respect of the Shell Haven Proceedings

AND UPON a review of the order of Johnson J dated 17 May 2022 (as amended on 20 May 2022) in respect of the Shell Petrol Stations Proceedings (“**the 2022 Shell Petrol Stations Injunction Order**”)

AND UPON hearing Myriam Stacey KC and Joel Semakula for the Claimant and no other person appearing

AND UPON hearing Stephen Simblet KC for Ms Branch and no other person appearing

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

AND UPON the Court being satisfied having reviewed the 2022 Shell Centre Petrol Stations Injunction Order that it should be continued, for the reasons given in the judgment handed down on 23 May 2023 with neutral citation number [2023] EWHC 1229 (KB)

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

IT IS ORDERED:

DEFINITIONS

1. For the purposes of this Order, “**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).

INJUNCTION

2. This Order shall continue to operate until trial or further order or with a backstop of 23:59 on 12 May 2024 (“the backstop date”), unless varied, discharged or extended by further order, whichever is sooner.
3. The Defendants and each of them must not do any of the acts listed in paragraphs 4 and 5 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.
4. The acts referred to in paragraph 3 of this Order are:
 - a. directly blocking or impeding access to any pedestrian or vehicular entrance to a Shell Petrol Station forecourt **or** to a building within the Shell Petrol Station.
 - b. 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;
 - c. 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.
 - d. Causing damage to any part of a Shell Petrol Station, whether by:
 - i. 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;
 - ii. erecting any structure in, on or against any part of a Shell Petrol Station;
 - iii. spraying, painting, pouring, depositing or writing in any substance on to any part of a Shell Petrol Station.
5. 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 or assistance.

THE REVIEW

6. If and to the extent any of the Shell Orders granted on 23 May 2023 in respect of claim numbers QB-2022-001420 (Shell Petrol Stations Proceedings), QB-2022-001259 (Shell Centre Tower Proceedings) and QB-2022-001241 (Shell Haven Proceedings) remain in place on the backstop date, those Orders shall again be reviewed at a hearing to be fixed to take place in April 2024 with a time estimate of 1.5 days. For that purpose the Claimant’s solicitors shall

by 4pm on 28 February 2024 apply (using one application notice) to the King's Bench Judges' Listings Office for the matter in respect of all three orders to be listed and shall provide for notice of the listing and the date as listed to be served by uploading a notice of the hearing to <http://www.noticespublic.com/> by 4pm no later than 10 days before the hearing date.

AMENDMENT OF THE CLAIM FORM AND PARTICULARS OF CLAIM

7. Pursuant to CPR r.19.4(1) and r.17.1(3), the Claimant has permission to amend the description of the Defendant in the claim form and Particulars of Claim to that in the Third Schedule.

SERVICE

8. Pursuant to CPR r.6.15 and r.6.27 and rr.81.4(c) and (d), service of this Order shall be validly effected by;
 - a. replacing the warning notices currently affixed at each Shell Petrol Station, so as to include the information at paragraph 9 below;
 - b. procuring that a notice containing the information indicated at paragraph 9 below is:
 - i. uploaded to <http://www.noticespublic.com/>;
 - ii. sent to the email addresses set out in the Fourth Schedule of this Order;
 - iii. sent to any person who has previously requested a copy of documents in these proceedings from the Claimant or its solicitors, either by post or email (as was requested by that person).
9. The notices shall (i) warn of the existence and general nature of the relevant Order, and of the consequences of breaching it; state that (ii) the relevant Order was reviewed at a hearing held on 25-6 April 2023; (iii) the relevant Order continues; (iv) the relevant Order is to be reviewed again at a hearing to be listed in April 2024; (v) any person affected by the Order may apply for it to be varied or discharged (vi) the Claimant's solicitors can be contacted for details as to the time and date of that hearing; and (vii) a copy of this order may be obtained from <http://www.noticespublic.com/>.
10. Pursuant to CPR r.6.15 and r.6.27, service of the Amended Claim Form and any ancillary documents shall be validly effected by;
 - c. uploading the Amended Claim Form and any ancillary documents <http://www.noticespublic.com/>;
 - d. sending the Amended Claim Form and any ancillary documents to the email addresses set out in the Fourth Schedule of this Order;

- e. sending the Amended Claim Form and any ancillary documents to any person who has previously requested a copy of documents in these proceedings from the Claimant or its solicitors, either by post or email (as was requested by that person).
11. Uploading a copy of this Order and the Amended Claim Form and any ancillary documents to <http://www.noticespublic.com/> combined with the taking of such steps as are set out in paragraphs 8, 9 and 10 above shall be good and sufficient service of this Order and the Amended Claim Form and any ancillary documents upon the Defendant.
12. Pursuant to CPR 6.15(4)(b) and 6.27, this Order shall be deemed to be served on the latest date on which all the methods of service referred to in paragraphs 8, 9 and 11 have been completed in respect of this Order, such date to be verified by the completion of a certificate of service or witness statement.
13. Pursuant to CPR 6.15(4)(b) and 6.27, the Amended Claim Form and any ancillary documents shall be deemed to be served on the latest date on which all the methods of service referred to in paragraphs 10 and 11 have been completed in respect of the Amended Claim Form and any ancillary documents, such date to be verified by the completion of a certificate of service or witness statement.
14. The Court will provide sealed copies of this Order and Amended Claim Form to the Claimant's solicitors for service (whose details are set out below).

FURTHER DIRECTIONS

15. As a result of the connected parties and activities caught by the terms of this Order the Court considers it appropriate for these proceedings to be managed together with claim numbers QB-2022-001259 and QB-2022-001241 (but not for those claims to be consolidated) for the time being subject to any further order or direction by the Court of its own motion or following an application by either party for the claim to be heard or considered separately.
16. Any person affected by this Order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimant's solicitors by email to the address specified below 48 hours before making such application of the nature of such application and the basis for it.
17. The Claimant has liberty to apply for further directions to progress the matter to trial or to vary or discharge this Order.

COSTS

18. Costs reserved.

COMMUNICATION WITH THE CLAIMANT

19. The Claimant's solicitors and their contact details are amended to the following:

Eversheds Sutherland (International) LLP

Bridgewater Place, Water Lane Leeds LS11 5DR

(Reference OLDFIEA/SHELL)

shell.service@eversheds-sutherland.com

First Schedule

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

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

1. Application notice dated 30 March 2023
2. Witness Statement of Christopher Prichard-Gamble dated 30 March 2023
3. Exhibit CPG1
4. Witness Statement of Keith Garwood dated 30 March 2023
5. Exhibit KG3
6. Witness Statement of Fay Lashbrook dated 30 March 2023
7. Exhibit FL1
8. Witness Statement of Benjamin Austin dated 30 March 2023
9. Exhibit BA3
10. Witness Statement of Alison Judith Oldfield dated 29 March 2023
11. Exhibit AJ01
12. Second Witness Statement of Alison Judith Oldfield dated 19 April 2023
13. Exhibit AJ02
14. Application Notice dated 19 April 2023
15. Third Witness Statement of Alison Judith Oldfield dated 19 April 2023
16. Exhibit AJ03
17. First Witness Statement of Jessica Branch dated 24 April 2023
18. Second Witness Statement of Jessica Branch dated 26 April 2023
19. Witness Statement of Nancy Friel dated 26 April 2023

Second Schedule

The Claimant gave the following undertakings to the Court:

1. To identify and name defendants and apply to add them as named defendants to this Order as soon as reasonably practicable.
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

(Amended description of Defendant)

[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]

Fourth Schedule

(list of email addresses)

1. EXTINCTION REBELLION UK

- a. enquiries@extinctionrebellion.uk
- b. press@extinctionrebellion.uk
- c. xrvideo@protonmail.com
- d. xr-action@protonmail.com
- e. xraffinitysupport@protonmail.com
- f. xr-arrestwelfare@protonmail.com
- g. artsxr@gmail.com
- h. xr-CitizensAssembly@protonmail.com
- i. xr.connectingcommunities@gmail.com
- j. xrdemocracy@protonmail.com
- k. xrnotables@gmail.com
- l. integration@rebellion.earth
- m. xr-legal@riseup.net
- n. press@extinctionrebellion.uk
- o. xr-newsletter@protonmail.com
- p. xr-peoplesassembly@protonmail.com
- q. xrpoliceliaison@protonmail.com
- r. rebelringers@rebellion.earth
- s. xr.regenerativeculture@gmail.com
- t. xr-regionaldevelopment@protonmail.com
- u. RelationshipsXRUK@protonmail.com
- v. xr.mandates@gmail.com
- w. socialmedia@extinctionrebellion.uk
- x. xrsocialmediaevents@gmail.com
- y. eventsxr@gmail.com
- z. xrbristol.regional@protonmail.com
- aa. xrcymru@protonmail.com

- bb. xr.eastengland@protonmail.com
- cc. xrlondoncoord@gmail.com
- dd. XRMidlands@protonmail.com
- ee. xrne@protonmail.com
- ff. support@xrnorth.org
- gg. xrni@rebellion.earth
- hh. xrscotland@gmail.com
- ii. XR-SouthEastRegionalTeam@protonmail.com
- jj. xr.regional.sw@protonmail.com
- kk. talksandtraining.xrbristol@protonmail.com
- ll. xrcymrutalksandtraining@gmail.com
- mm. eoexrtnt@protonmail.com
- nn. xrlondoncommunityevents@gmail.com
- oo. xrmidlandstraining@protonmail.com
- pp. XRNE.training@protonmail.com
- qq. xrnw.training@gmail.com
- rr. xryorkshire.training@gmail.com
- ss. xrni.tt@rebellion.earth
- tt. talksandtrainings.scotland@extinctionrebellion.uk
- uu. xrttse@gmail.com
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2. **JUST STOP OIL**

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