

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
BETWEEN:

CLAIM NO: QB-2022-001241

SHELL U.K. LIMITED

and

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

Defendants



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 the hearing of the Claimant's Application dated 22 April 2022

AND UPON HEARING Myriam Stacey QC for the Claimant

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 undertaking to identify and name defendants and apply to add them as named defendants to this Order as soon as reasonably practicable

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

AND UPON the Claimant confirming that this Order is not intended to prohibit any lawful protest outside Shell Haven in so far as any such protest does not obstruct any of the pedestrian and vehicular entrances or exists to Shell Haven

AND UPON the Court making further directions as to the management of this claim and Claim No QB-2022-001259 as set out below

DEFINITIONS

1. In this Order:

1.1. "***Shell Haven***" means the parts of the Claimant's land known as Shell Haven, Stanford-Le-Hope, Essex which are enclosed or bounded by fences, gates, gateways and parts of the River Thames. The general location of the said boundaries are shown in red and/or blue on the plan attached to this Order at Appendix 1 and marked "Plan of Shell Haven Site"

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

INJUNCTION

2. For a period of one calendar year from the date of this Order or until trial or further order, whichever is sooner, the Defendants must not do any of the following:
 - 2.1. enter or remain upon any part of Shell Haven without the consent of the Claimant;
 - 2.2. block access to any of the gateways to Shell Haven the locations of which are identified marked blue on “Plan 1” and “Plan 2” which are appended to this Order;
 - 2.3. Cause damage to any part of Shell Haven whether by:
 - 2.3.1. affixing themselves, or any object, or thing, to any part of Shell Haven, or to any other person or object or thing on or at Shell Haven;
 - 2.3.2. erecting any structure in, on or against Shell Haven;
 - 2.3.3. spraying, painting, pouring, sticking or writing with any substance on or inside any part of Shell Haven; or
 - 2.3.4. otherwise.
3. A Defendant who is ordered not to do something must not do it himself/herself/themselves or in any other way. He/she/they must not 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

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

SERVICE OF DOCUMENTS

7. Pursuant to CPR 6.15 and 6.27 and 81.4(2)(c) and (d), service of this Order shall be effected upon the Defendants as follows:
 - 7.1. The Claimant shall affix at each entrance to Shell Haven, and around the perimeters of Shell Haven at no fewer than 10 locations, warning notices, no smaller than A3 in size. The said warning notices shall:
 - (i) warn of the existence and general nature of this Order, and of the consequences of breaching it;
 - (ii) identify a point of contact and contact details from which copies of the Order may be requested.
 - (iii) identify the website address (<https://shellservices.cmno.tech/>) at which copies of the Order may be viewed and downloaded.
 - 7.2. The Claimant shall upload to <https://shellservices.cmno.tech/> a copy of the Order and a note of the hearing at which this Order was granted.
 - 7.3. The Claimant shall send by email a copy of the Order and a link to <https://shellservices.cmno.tech/> to each of the email addresses listed in the Third Schedule to this Order.
8. Pursuant to CPR 6.12(3) and 6.27, this Order shall be deemed to be served on the latest date on which all of the methods of service referred to in paragraph 7 have been completed, such date to be verified by the completion of a certificate of service or witness statement.
9. Service of any further document in these proceedings upon the Defendants (other than any Defendant who is subsequently named in these proceedings) shall be validly effected 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 their solicitors, either by post or email (as was requested by that person).

Such service shall be deemed effective on the latest date on which all of the said steps shall have been completed.

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

DISCLOSURE AGAINST NON-PARTY

11. The Chief Constable listed in the Fourth Schedule (the "Chief Constable") shall give disclosure, pursuant to CPR 31.17, of:

- (i) Those documents identifying the names and addresses of any person who has been arrested, after this order comes into effect, by one of her Majesty's officers in relation to conduct and/or activity which may constitute a breach of the injunctions granted in these proceedings; and
- (ii) The arrest notes, body camera footage and/or other photographic material relating to any such breach.

12. The Chief Constable shall give disclosure of the documents described in paragraph 11 within a reasonable period (being not more than 7 days) of any such documents coming into the Chief Constable and/or her Majesty's officers of Essex Police's possession.

13. The Chief Constable's obligation to give the disclosure required by this order shall continue until the earlier of 28 April 2023, trial or further order.

14. The Claimant is at liberty to apply to extend the period for which the Chief Constable shall be subject to an ongoing duty of disclosure pursuant to this order.

15. The Claimant shall pay the Chief Constable's reasonable processing costs in giving the disclosure sought by this order, such costs to be assessed if not agreed.

16. The Chief Constable does not need to comply with the obligations under paragraph 11 of this order if, within 3 working days of the information coming into the Chief Constable and/or her Majesty's officers of Essex Police's possession, he makes an application resisting the disclosure being given or seeking to vary the terms on which it is sought (or the Claimant's solicitors indicate, in writing, that the request can be treated as withdrawn or restricted in the manner sought).

17. Without the permission of the Court, the Claimants shall make no use of any document disclosed by virtue of paragraphs 11 - 12 of this Order, other than one or more of the following uses:

- (i) applying to name and join any person as a named defendant to these proceedings and to serve the said person with any document in these proceedings;
- (ii) investigating, formulating and pleading and prosecuting any claim within these proceedings arising out of any alleged disruptive protest at any of the Claimant's sites which are (or become) the subject of these proceedings;
- (iii) use for purposes of formulating, pleading and prosecuting any application for committal for contempt of court against any person for breach of any order made within these proceedings.

18. Until further order, the address and address for service of any person who is added as a defendant to these proceedings shall be redacted in any copy of any document which is served other than by means of it being sent directly to that person or their legal representative.

FURTHER DIRECTIONS

19. 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 number 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.

COSTS

20. Costs are reserved.

COMMUNICATION WITH THE COURT

21. 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 CLAIMANTS

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

emma.pinkerton@cms-cmno.com

shell.service@cms-cmno.com

0207 367 3000

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 22 April 2022
2. Witness Statement of Stephen Ian Brown dated 22 April 2022
3. Exhibit SIB2

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 8.
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 xrpoliceliaison@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

Fourth Schedule

- 1. Chief Constable of Essex**

Plan of Shell Haven
(Plan 1)





Plan of Shell Haven
(Plan 2)