

CLAIM NO: QB-2022-001420

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
BEFORE THE HON MRS JUSTICE MCGOWAN

Dated the 5th day of May 2022

BETWEEN:

SHELL U.K. OIL PRODUCTS LIMITED



and

QB-2022-001420

**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

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 Claimants' Application dated 3 May 2022 for a precautionary injunction.

UPON the Claimant having not given notice to any other person of the making of this application

AND UPON HEARING Leading Counsel 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 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. Until trial or further order, 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 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 subparagraphs 3.1 to 3.6.
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. The Defendants 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 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.
7. The Claimant has liberty to apply to extend or vary this Order or to seek further directions.

RETURN DATE

8. If not previously discharged or modified, the Court will reconsider the continuation of this order and its terms at a hearing at 10:30am on 13 May 2022, at The Royal Courts of Justice, Strand, London.

SERVICE OF DOCUMENTS

9. Pursuant to CPR 6.15 and 6.27 service of this Order and of the Claim Documents shall be effected upon the Defendants as follows:
 - 9.1. The Claimant shall use all reasonable endeavours to arrange to affix:
 - 9.1.1. at each entrance of each Shell Petrol Station;
 - 9.1.2. on every upright steel structure forming part of the canopy infrastructure under which the fuel pumps are located within each Shell Petrol Station forecourt;
 - 9.1.3. and at the entry door to every retail establishment within any Shell Petrol Station
- warning notices, no smaller than A4 in size.
- 9.2. 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 and Claim Documents may be requested.
- (iii) identify a website address (the “Claim Documents URL”) at which copies of the Order and the Claim Documents may be viewed and downloaded.

9.3. The Claimant will ensure that notification of the existence of the Order and the Claim Documents is made available on its website address at www.shell.co.uk, along with a link to the Claim Documents URL.

9.4. The Claimant shall upload to the Claim Documents URL copies of the Order and the Claim Documents and a note of the hearing at which this Order was granted.

9.5. The Claimant shall send by email a copy of the Order and a link to the Claim Documents URL to each of the email addresses listed in the Third Schedule to this Order.

10. Pursuant to CPR 6.12(3) and 6.27, the Claim Documents and Order shall be deemed to be served on the latest date on which compliance with the provisions of paragraph 9.1 shall have occurred at not less than half of the Shell Petrol Stations and paragraphs 9.2-9.4 shall also have occurred, such date to be verified by the completion of a certificate of service or witness statement. For the avoidance of doubt, no person shall be in breach of the terms of this Order unless they fail to comply with paragraphs 2 and 3 of this Order knowing of the existence of this Order.

11. 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 the Claim Documents URL website; 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).

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

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

13. Until further order, no party shall be required to file an Acknowledgement of Service, Admission or Defence to this claim.

COSTS

14. Costs are reserved.

COMMUNICATION WITH THE COURT

15. 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

16. 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: O10051.00007

Dated the 5th 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 3 May 2022 and draft order
2. Claim Form dated 4 May 2022
3. Particulars of Claim dated 3 May 2022
4. Witness Statement of Ben Austin dated 3 May 2022
5. Witness statement of Emma Pinkerton dated 3 May 2022
6. 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 issue an Application Notice for the continuation of the injunction, to be considered at the hearing on the return date.
2. To serve the Claim Documents in accordance with the terms of paragraph 9 of this Order.
3. 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)

APPENDIX

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 rebelrings@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 xrtse@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