

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION**

Claim No. QB-2022-001317

In the matter of an application for an injunction made pursuant to the Local Government Act 1972, s222 and the Highways Act 1980, s130(5)

B E T W E E N :

(1) THURROCK COUNCIL

(2) ESSEX COUNTY COUNCIL

Claimants

-and-

(1) MADELINE ADAMS

(2)-(222) OTHER NAMED DEFENDANTS AS LISTED AT SCHEDULE 1 TO THE CLAIM FORM

(223) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING, PREVENTING OR OTHERWISE INTERFERING WITH THE FREE FLOW OF TRAFFIC ON TO, OFF OR ALONG THE ROADS LISTED AT ANNEXE 1 TO THE CLAIM FORM

(224) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, AND WITHOUT THE PERMISSION OF THE REGISTERED KEEPER OF THE VEHICLE, ENTERING, CLIMBING ON, CLIMBING INTO, CLIMBING UNDER, OR IN ANY WAY AFFIXING THEMSELVES OR AFFIXING ANY ITEM TO ANY VEHICLE TRAVELLING ON TO, OFF, ALONG OR WHICH IS ACCESSING OR EXITING THE ROADS LISTED AT ANNEXE 1 TO THE CLAIM FORM

(225) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING, PREVENTING OR OTHERWISE INTERFERING WITH VEHICULAR ACCESS TO, INTO OR OFF ANY PETROL STATION OR ITS FORECOURT WITHIN THE ADMINISTRATIVE AREA OF THURROCK (AS MARKED ON THE MAP AT ANNEXE 2 TO THE CLAIM FORM)

(226) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING, PREVENTING OR OTHERWISE INTERFERING WITH VEHICULAR ACCESS TO OR FROM ANY PETROL STATION OR ITS

FORECOURT WITHIN THE ADMINISTRATIVE AREA OF ESSEX (AS MARKED ON THE MAP AT ANNEXE 3 TO THE CLAIM FORM)

(227) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, BLOCKING, PREVENTING OR OTHERWISE INTERFERING WITH THE OFFLOADING BY DELIVERY TANKERS OF FUEL SUPPLIES AND/OR THE REFUELLING OF VEHICLES AT ANY PETROL STATION WITHIN THE ADMINISTRATIVE AREA OF THURROCK (AS MARKED ON THE MAP AT ANNEXE 2 TO THE CLAIM FORM)

(228) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, BLOCKING, PREVENTING OR OTHERWISE INTERFERING WITH THE OFFLOADING BY DELIVERY TANKERS OF FUEL SUPPLIES AND/OR THE REFUELLING OF VEHICLES AT ANY PETROL STATION WITHIN THE ADMINISTRATIVE AREA OF ESSEX (AS MARKED ON THE MAP AT ANNEXE 3 TO THE CLAIM FORM)

(229) PERSONS UNKNOWN WHO ARE TRESPASSING ON, UNDER OR ADJACENT TO THE ROADS LISTED AT ANNEXE 1 TO THE CLAIM FORM BY UNDERTAKING EXCAVATIONS, DIGGING, DRILLING AND/OR TUNNELLING WITHOUT THE PERMISSION OF THE RELEVANT HIGHWAY AUTHORITY

Defendants

WITNESS STATEMENT OF ADEWALE ADESINA

I, **Adewale Adesina**, of Thurrock Council, Civic Offices, New Road, Grays, Essex RM17 6SL, will say as follows –

1. I am an officer of the First Claimant, Thurrock Council, in the role of ‘Senior Emergency Planning & Resilience Officer’. My role and responsibilities at the Council include co-ordinating the Council’s response to major and emergency incidents that occur with Thurrock Council’s administrative area.
2. I make this witness statement pursuant to paragraph 6 of the Order of Collins Rice J dated 19 April 2024. I am authorised by both the First and Second Claimants to make this statement on their behalf. I understand from the Claimants’ legal representatives that this evidence is required ahead of the hearing listed for 12 July 2024, at which the continuation

of the injunction order against the defined categories of Persons Unknown will be considered. For the avoidance of doubt, it is the Order of Foster J dated 26 January 2023 that is currently in force in relation to Persons Unknown (which Order I shall discuss below).

3. The facts and matters set out by me in this witness statement are either known by me directly and are true, or are known by me indirectly and are believed to the best of my knowledge to be true. In relation to matters falling into the latter category, I have set out the source of my knowledge and belief. This statement was prepared through email correspondence with the Claimants' legal representatives.
4. There is exhibited to this statement a bundle of documents marked 'AA3'. Where I refer to documents contained in that bundle I do so in the format **[AA3/exhibit number]**.
5. In this witness statement, I shall address:
 - i. Evidence upon which the Claimants rely at this hearing;
 - ii. Introduction and background;
 - iii. The injunction Order against Persons Unknown;
 - iv. August 2022 protests and impact;
 - v. Other protests and impact;
 - vi. Apprehension of future protest activity and harm;
 - vii. Signs notifying Persons Unknown of the injunction Order;
 - viii. Representations made on behalf of Persons Unknown.

Evidence upon which the Claimants rely at this hearing

6. For the purposes of this review hearing, I also respectfully ask the Court to read and consider the following evidence, upon which the Claimants also rely to explain earlier acts of protest and the impacts of the same:
 - i. My second witness statement dated 20 March 2024 (made in advance of the recent case management hearing and in which I give a brief update of protest events that occurred in August 2022);

- ii. The first witness statement of Detective Superintendent Stephen Jennings (made in advance of the recent case management hearing and in which he too gives a brief update of protest events that occurred in August 2022);
- iii. The second witness statement of Adam Rulewski dated 11 May 2022 (made in advance of the return date hearing in May 2022 to update the Court as to any further protest activity following the grant of without notice relief);
- iv. My first witness statement dated 23 April 2022 (in support of the application for without notice relief, and relied upon at the return date hearing);
- v. The first witness statement of Paul Crick dated 23 April 2022 (in support of the application for without notice relief, and relied upon at the return date hearing);
- vi. The first witness statement of Temporary Detective Chief Superintendent Morgan Cronin dated 23 April 2022 (in support of the application for without notice relief, and relied upon at the return date hearing).

7. Copies of each of the above statements are included in the hearing bundle.

Introduction and background

- 8. The Claimants brought the Claim pursuant to the Local Government Act 1972, s222 and the Highways Act 1980, s130(5). Thurrock Council (**‘Thurrock’**) is the Local Highway Authority for the Borough. Essex County Council (**‘ECC’**) is the Local Highway Authority for the County.
- 9. The Claim was brought in response to protest activity in the administrative area of Thurrock (the **‘Borough’**) in April 2022 by those associated with the Just Stop Oil group. The Borough is especially attractive to this group as a venue for protest as it houses several COMAH (Control of Major Accident Hazards) sites, namely fuel/oil terminals. The Oikos fuel terminal is also located in nearby Canvey Island, which is within the administrative area of Essex (the **‘County’**).

10. On 24 April 2022, the Claimants made an out of hours and without notice application for interim injunctive relief against (i) the 222 named Defendants set out at Schedule 1 to the Claim Form, and (ii) the seven categories of Persons Unknown. The Application was heard by Ritchie J, who made the Order at **AA3/1**.
11. In summary, the injunction order:
- i. restrains acts of public nuisance (that being the obstruction of the highway) in Borough;
 - ii. restrains acts of trespass (and particularly the act of tunnelling under or adjacent to the highway) in the Borough; and
 - iii. restrains apprehended acts of public nuisance (that being the obstruction of the highway) and trespass in the County.
12. Following the return date hearing, HHJ Simon (sitting as a Judge of the High Court) continued the injunction by way of the Order dated 27 May 2022, exhibited at **AA3/2**.
13. The final hearing of the Claim was adjourned by way of the Order of Foster J dated 26 January 2023, exhibited at **AA3/3** (which Order also continued the power of arrest and the injunction, including against Persons Unknown). That adjournment was ordered on the application of the Claimants given the imminent hearing of the appeal to the Supreme Court in *Wolverhampton City Council & Ors v London Gypsies and Travellers & Ors*, the outcome of which would almost certainly impact upon these proceedings.
14. The Supreme Court handed down judgment in the *Wolverhampton* appeal on 29 November 2023, upon which the Claimants wrote to the Court in accordance with the Order of Foster J. By way of the Order of Jefford J dated 20 December 2023, exhibited at **AA3/4** the Claimants were directed to by 27 March 2024 make all additional applications (if any) required to enable the trial to take place. A case management hearing was listed for 19 April 2024 to hear any extant applications and set directions to the final hearing.

15. At that case management hearing, Collins Rice J directed that a review of the injunction Order, in so far as it applies to Persons Unknown only, should take place, and listed a hearing for 12 July 2024. A copy of the Order is exhibited at **AA3/5**. The Claim against the named Defendants is being managed and disposed of separately, as significant progress was being made in settling those proceedings against the vast majority of the named Defendants by way of undertakings to the Court (including by those who were added as named Defendants at the case management hearing). A final hearing of the Claim against the named Defendants has been listed for October 2024, at which the Claim against any remaining named Defendants will be determined.

The injunction Order against Persons Unknown

16. As I have stated above, and for the avoidance of any doubt, the injunction order that is currently in force against Persons Unknown (and those named Defendants against whom injunctive relief has been granted and with whom settlement by way of undertakings has not been achieved) is the Order of Foster J dated 26 January 2023, exhibited at **AA3/3**.

17. The prohibitions in that injunction Order are identical to those contained in the Order of HHJ Simon (sitting as a Judge of the High Court) dated 27 May 2022, which followed the return date hearing.

18. The power of arrest that currently applies to paragraphs 2.1 to 2.16 of the injunction Order is that Ordered by Collins Rice J by way of paragraph 3 and Schedule 3 of the Order dated 19 April 2024, exhibited at **AA3/5**.

19. At the review hearing on 12 July 2024, the Claimants seek the continuation of the injunction Order of Foster J, coupled with a power of arrest.

August 2022 protests and impact

20. In my second witness statement, made in advance of the recent case management hearing, I gave a brief update in relation to the protest events of August 2022. Whilst those events occurred almost two years ago, details of the events had not been put before the court, as

the substantive hearings in this Claim had been adjourned pending the outcome of the appeal in the *Wolverhampton* case, as explained above.

21. The Claim and Application for interim relief was brought following the protest activity of April 2022. Following the grant of the interim relief, no further protest was experienced in the Borough or County until August 2022 (despite the Just stop Oil group continuing to be active elsewhere).
22. The Claimants then experienced a second wave of protests between 23 August and 4 September 2022. The conduct of the protestors in that period mirrored the tactics of the first wave, and included acts such as protestors obstructing the highways (including by gluing themselves to the road) and, perhaps more seriously, tunnelling under the highway. Specifically, two tunnels were excavated and occupied by protestors at Stoneness Road and St Clements Way. These roads are the access roads to the oil terminals and adjacent industrial area.

Tunnelling

23. Stoneness Road was closed because of the tunnelling, as the ground penetrating radar survey suggested that the tunnel was much bigger than it in fact was.
24. The road at St Clements Way has several structures beneath the highway, consisting of bridges and box culverts for the adjacent rail line. The three protestors that occupied the St Clements Way tunnel between 23 August and 4 September had dug a hole in the embankment on the approach to one of these bridges. The protestors had also then penetrated the surface of the road to ensure that the road would need to be closed. St Clements Way is a single carriageway road. At the time, the ground penetrating radar survey suggested that the tunnel was not as big as it in fact was, and one lane of traffic remained open to essential traffic with the assistance of two-way traffic lights and restricted access, especially because Stoneness Road was closed and St Clements Way was the only remaining access road to the oil terminals and the industrial area. If St Clements Way had been closed, there would have been no road access to the fuel terminals and surrounding industrial area, and the transportation of fuel by road tankers would have ground to a halt.

25. Further, had St Clements Way been closed completely, Thurrock's waste and highways services would have been impacted, as the operational yard from which this service operates is accessed via St Clements Way.

26. I understand from Peter Wright, who was the Head of Highways Infrastructure at Thurrock at the time, and who is now the Head of Service for Highways and Transport Delivery at Thurrock, that the concrete backfill and reinstatement of St Clements Way cost Thurrock the sum of £8282. The total cost to Thurrock of the tunnelling at both St Clements Way and Stoneness Road is in the sum of £20,520.61.

27. I exhibit the following MG11 witness statements that were given to Essex Police in the prosecution of those responsible for the tunnelling, which detail the extent and impact of the tunnelling, and the remedial costs:

- i. MG11 witness statement of Peter Wright dated 22 November 2022 and exhibits **AA3/6** (the spreadsheet details the costs incurred by reason of the tunnelling);
- ii. MG11 witness statement of Peter Wright dated 22 December 2022 and exhibits **AA3/7**.

28. I refer also to the first witness statement of Detective Superintendent Stephen Jennings (specifically paragraph 18), in which he sets out the impacts of the tunnelling activity, and respectfully refer the Court to the same.

Other protest activity

29. As the Court will by now be aware, on 24 August 2022, approximately 11 protestors were arrested at the Esso Petrol station at the Thurrock motorway services as they were sitting in the access road to the forecourt, and all of the petrol pumps were damaged with a hammer and spray paint.

30. Five of those arrested were named Defendants on the injunction (D48, D51, D86, D102, D150), and they were subsequently arrested in custody under the power of arrest provided for in the injunction. Committal proceedings were then pursued and in November 2022, all

five were sanctioned for admitted breaches of the injunction order (all five admitted obstructing the access to the forecourt, with one (D86) also admitting damaging the petrol pumps with a hammer and spray paint). All received suspended custodial sentences, with D86 also receiving a fine. A costs award in the sum of £21,500 was made in favour of the Claimants.

31. I exhibit at **AA3/8** an annotated photograph, which was exhibit SG/1 to the witness statement of PC Stevie Green dated 25 September 2022, and which was made for the purposes of the committal sanctions hearing. PC Green attended the incident at the Thurrock Motorway services. The photograph shows the protestors sitting in the access road to the petrol station forecourt.
32. The incident at the Thurrock motorway services (and the tunnelling) were not isolated events, and were part of a wider period of protest. As is explained in the first witness statement of Detective Superintendent Stephen Jennings, in the period of 23 August to 4 September 2022, 65 arrests were made in relation to protest activity in Thurrock. Exhibit SJ/1 summarises the reasons for the arrest in relation to the 33 persons who the Claimants applied to add as named Defendants at the recent case management hearing, from which it can be seen that there were several other incidents in which protestors obstructed the highway, including by locking-on.

Impact

33. I have set out above the financial impact of the tunnelling.
34. Further, there is clearly an impact to the inhabitants of Thurrock when the road network is disrupted by protests. The obstruction of carriageways often prevents passage along the road and disrupts journeys. It is not just the commuter that is affected, but the movement of goods and produce, and the provision of essential services (such as blue light services, waste and refuse collection services and social services who need to move around the Borough to visit vulnerable residents on a day-to-day basis). Even when an alternative route around a disrupted carriageway is available, the displacement of vehicles on the road network often lengthens journey times and overcrowds those alternative routes. Thurrock has a 'business continuity plan', which is activated whenever severe disruption occurs in

the Borough; that plan makes provision for the delivery of essential services in the Borough, in so far as it is possible to do so, in the face of disruption. The plan has been activated when protests have disrupted the highways in the Borough.

35. The roads protected by the injunction Order are in close proximity to several key traffic generating sites, including the Purfleet industrial area, where there are several key berthing spots which generate a high volume of HGV traffic, junction 31 of the M25 and the Lakeside shopping centre. Therefore, disruption to the surrounding road network and displacement of vehicles also has an adverse impact on these sites, their accessibility and the flow of traffic to and around these sites.
36. Further, the Borough also houses the main chlorine supply for the treatment of drinking water in the south east of England. The site is located on Stoneness Road (proximate to the Navigator and Exolum fuel terminals), which is one of the roads protected by the injunction Order. Protest activity in both April and August 2022 disrupted HGV movements to and from the site. Prolonged significant disruption and obstruction to this chemical site will have an adverse impact on the supply of drinking water to the south east of England.
37. Finally, I refer again to the first witness statement of Detective Superintendent Stephen Jennings, and specifically paragraph 20, in which he sets out the impact on Police resources by reason of the August 2022 protests.

Protest since August 2022

38. Since August 2022, and following the committals of the five protestors, there have been no major protest incidents in the Borough. It would appear that the injunction, and the enforcement of the injunction (especially with the power of arrest), is effective in this regard.

Other protests and impacts

39. Whilst there have not been any other major protests incidents in the Borough or County, there have been major protest incidents involving the Just Stop Oil group in the

geographical area of Essex which have had a knock-on effect on the road network in the Borough.

40. I exhibit at **AA3/9** a document passed to me by the abovementioned Peter Wright, which shows the impact on the road network in Thurrock by reason of protest activity proximate to Thurrock.

41. Specifically, the heat map in the document shows the impact on the road network in the Borough on 7 July 2022, when protestors associated with Just Stop Oil climbed on top of a gantry at junction 30/31 the M25. As can be seen from the map, the section of the M25 where the gantry is located was closed. Many of the surrounding roads, including those which are in the Borough, are then coloured either orange or red which, as per the key at the bottom of the satellite view, indicates slow moving traffic. The M25 is not within the administrative areas of either Claimant, despite its geographical location, and is instead under the control of National Highways. Nonetheless, the closure of the M25 by reason of the protest had a knock-on effect in the Borough, and displaced vehicles on to the Borough's road network, causing delays, overcrowding with vehicles and inconvenience to the inhabitants of the Borough. I am informed by Peter Wright that the M25 closure lasted for approximately 40 hours, and the diversion added on average 60 minutes to journey times.

42. The second heat map shows the impact on the road network in the Borough on 17 October 2022, when protestors associated with Just Stop Oil climbed on the QEII Bridge. As can be seen from the map, the QEII Bridge was closed, but the Dartford tunnel remained open and operated with two-way traffic to enable vehicles to pass over the river. Many of the surrounding roads, including those which are in the Borough, are then coloured either orange or red which, as per the key at the bottom of the satellite view, indicates slow moving traffic. The QEII Bridge is not within the administrative areas of either Claimant, despite its geographical location, and is instead under the control of National Highways. Nonetheless, the closure of the QEII Bridge by reason of the protest had a knock-on effect in the Borough, and displaced vehicles on to the Borough's road network, causing delays, overcrowding with vehicles and inconvenience to the inhabitants of the Borough. I am again informed by Peter Wright that the bridge closure lasted for approximately 40 hours,

and the diversion added on average 60 minutes to journey times. The protestors were removed from the bridge on 18 October 2022.

43. Thurrock also operate a waste depot in the vicinity of the QEII Bridge (at Oliver Close, west Thurrock), which deals with waste collection and bulk waste. The disruption on the highway also disrupted operations at the depot, as the depot was inaccessible. Waste collections were suspended on 17 October and resumed on 18 October.

44. Both of these events were reasonably high profile, and attracted national media coverage. I understand from that coverage that the two protestors responsible for the QEII Bridge closure received significant custodial sentences.

Apprehension of future protest activity and harm

45. Whilst there have not been any further major incidents of protest in the Borough since August 2022, the Just Stop Oil group have remained active. All the time the group remains active with the same objectives and message that it pursued in April and August 2022, there is a risk that the group and its supporters will return to the Borough and engage in protest activity of the kind that we have seen before, and cause harm and loss in the same nature as that which has already been experienced. Without the injunction Order in place, this risk is heightened, as there is no deterrent to the unlawful protest action.

46. The group and its supporters have conducted several high-profile acts of direct-action protest since August 2022, including the disruption of sporting events, the defacing of buildings and monuments and the defacing of works of art in public galleries, all of which have received coverage in the national (and sometimes international) media. For example, shortly before signing this statement, I note from national media coverage that two supporters of the Just Stop Oil group attended Stonehenge on 19 June 2024 and used fire extinguishers to spray an orange powder-like substance at the historic stones.

47. I also note from national media coverage that on 20 June 2024, two supporters of Just Stop Oil trespassed onto the airfield at London Stansted airport where private jets are parked, and sprayed an orange paint-like substance over two parked-up private jets.

48. The incident at London Stansted airport appears to be in keeping with Just Stop Oil's current target, as the group has announced its intention to target what it calls the 'centre of the carbon economy' in the summer of 2024, by gathering at airports. The homepage to the Just Stop Oil website can be found at <https://juststopoil.org>, on which there is a link to a video that announces this intention, along with a photograph of a small jet plane being sprayed in what appears to be orange paint. I exhibit a PDF of the webpage at **AA3/10**.
49. The targeting of airports in the summer of 2024 is especially concerning to the Claimants for two reasons:
- i. The Borough houses two fuel terminals that supply the aviation industry (Shell Haven and the Navigator fuel terminals). As the group has stated its intention to target the 'centre of the carbon economy', the Claimants reasonably apprehend that the fuel terminals that service the aviation industry are also at risk of direct-action protest. It is difficult to imagine that significant protest activity at sites as security-sensitive as airports will be tolerated, and those protests may well be displaced to the fuel terminals and surrounding areas, or the fuel terminals may fact themselves be the primary target of protest action. If the aim is to bring the aviation industry to a halt, targeting its fuel supply seems a logical way to achieve that aim; relatedly
 - ii. The County houses London Stansted airport. More concerning though is that Southend airport is located proximate to the Borough and its fuel terminals. It is entirely possible that displacement of the protestors from the airports could see the protests spill over into the Borough and the County, with a focus on the area around the fuel terminals.
50. The threat to target airports appears credible, not least because it has already happened at London Stansted. Further, I note that Just Stop Oil are holding a specific fundraiser to support the protest: <https://chuffed.org/project/just-stop-oil-resisting-against-new-oil-and-gas> (I exhibit a PDF of the webpage at **AA3/14**). The group state that "*we're going so big that we can't even tell you the full plan, but know this – Just Stop Oil will be taking our most radical action yet this summer*", and have set a fundraising target of £50,000 for this month.

51. As such, the Claimants reasonably apprehend that the threat to airports is credible and could lead to further protest activity in Thurrock and the County, which would cause further harm. The Claimants are anxious to avoid further protest activity and harm of the kind suffered in 2022.
52. Whilst the Claimants now have the benefit of undertakings from the vast majority of the named Defendants in these proceedings, injunctive relief against Persons Unknown is still required. There will still be many people who support the Just Stop Oil group (or similar groups) who the Claimants have not been able to name, and against whom relief has not been obtained (whether by injunction or undertakings). In particular, the Claimants simply cannot know who will attend the Borough or the County and engage in the acts of protest that the injunction Order seeks to prohibit. Further, Just Stop Oil are actively recruiting new members who may wish to engage in acts of direct-action protest, and are offering training in relation to the same (see <https://juststopoil.org/get-involved/>); I note that the next training sessions are advertised to be held on 29 June 2024 in Birmingham and London. I exhibit a PDF of the webpage at AA3/11. There is clearly an intention that new members will join the group and become active, and there will be others already in the group who did not attend the Borough in 2022 (or were not identified if they did attend), against whom relief is required. As such, the Claimants require the continued protection of the injunction Order against Persons Unknown.

Self-help

53. The Claimants can do very little to protect themselves from the protest activity of the kind that is prohibited by the injunction Order, and therefore protect against the harms that are suffered. For example, this is not a claim in which protection is being sought for a specific site, which could be fenced and secured by the Claimants as a self-help remedy. Rather, the highway must remain open and accessible to all.
54. The Claimants are always on the back-foot, so to speak, and can only really react to protest activity as and when it arises on the highway, or in such a way that impacts the highway, rather than proactively preventing the same. In any event, the Claimants do not seek to prohibit protest generally, and recognise that the rights to freedom of speech and assembly are important rights. There is very little the Claimants can do to prevent or protect

themselves against unlawful protest and resulting harm, other seek an injunction and appropriately notify Persons Unknown of that injunction.

55. The Claimants engage regularly with strategic partners, such as the Police and central government, to share intelligence relating to protests, and discuss and formulate tactical responses to protests that may be executed if and when protests occur (in particular, meetings with blue light services occur weekly). Doing so enables an appropriate response to be agreed upon in advance by all interested agencies, enabling the execution of that response to be undertaken effectively and efficiently when the time comes (assuming that the event that occurs is an event of the nature that has been planned for). Effective responses limit harms that may be suffered by way of unlawful protest activity, but do not prevent the harm entirely, or deter the unlawful activity in the same way that injunctive relief does.

Signs notifying Persons Unknown of the injunction Order

56. Without waiving privilege, I am told by the Claimants' legal advisers that, following the decision in *Wolverhampton*, the Claimants are subject to a duty of full and frank disclosure in relation to the Claim against Persons Unknown. I should therefore alert the Court to a matter that has arisen in relation to the signs that notify Persons Unknown of the injunction Order.

57. The Claimants have the benefit of an alternative service Order which is replicated, with occasional variations, in each Order made by the Court. The service Order includes a provision that requires

Placing signs: on A-Road entry points and exit points to the administrative area of Thurrock, and within 50 metres of The Fuel Terminals and on the A130 and B1014 between the entrance to Canvey Island and the roundabout known as the Waterside Road roundabout on Canvey Island, stating that there is a High Court Injunction in place prohibiting protest on the highway and providing a web link and QR code at which the documents to be served can be found;

58. That requirement must be undertaken conjunctively with various other methods of service for service to be effected. The requirement to place signs has not changed since the first

iteration of the injunction Order granted on a without notice basis, save that HHJ Simon (sitting as a Judge of the High Court) required a small amendment to the wording of the signs at the return date hearing, which the Claimants undertook to amend, and did so amend.

59. Following the Order made by Collins Rice J on 19 April 2024, the Claimants and their legal advisers set about effecting service of that Order. Several other documents were being served around the same time on various parties and proposed parties, including Application Notices, Amended Claim Forms and Consent Orders.
60. The signs that are erected to comply with the alternative service Order is semi-permanent in nature. They are large yellow plastic signs, printed at a significant expense to the Claimants. The signs are not taken down and re-erected every time they need to be relied upon to serve a document, as to do so would be non-sensical, given the locations at which the signs must be placed and the required wording of the signs has remained unchanged since May 2022.
61. Without waiving privilege, I understand from the Claimants' legal advisers that in May 2024, and with a view to maintaining a record of service, the Claimants' legal advisers sought confirmation that the required signs remained in situ. Council Officers from Thurrock subsequently drove around the Borough to inspect the signs.
62. Unfortunately, the abovementioned Peter Wright reported on 5 June 2024 that approximately 90% of the signs were missing. It is not known who removed the signs, but it was not the Claimants, nor were they removed on the Claimants' instruction or with the Claimants' permission or knowledge.
63. The process of re-instating the signs is underway. Unfortunately, the Claimants did not have any remaining spare signs that could be erected immediately. At the date of signing this statement, new signs have been ordered from the printers as a matter of urgency, and it is hoped that these will be installed by Friday 28 June 2024. The signs come at a significant cost to the Claimants, especially when required on an urgent basis, but the Claimants acknowledge and understand that importance of the signs, and are seeking to remedy their absence as a matter of priority.

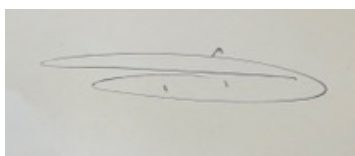
Representations made on behalf of Persons Unknown

64. Again, conscious of the duty of full and frank disclosure, I exhibit at **AA3/12** and **AA3/13** two letters from Bindmans LLP dated 27 March 2024 and 18 April 2024 respectively. These letters were written on behalf of a Mr Martin Marston-Paterson, who is not a defendant to the Claim. The letters contain representations in relation to the Claim against Persons Unknown.

65. The letter of 18 April 2024 was before Collins Rice J at the hearing on 19 April 2024, and the allegations and submissions therein were responded to by counsel for the Claimants (and a supplemental skeleton argument was also filed on behalf of the Claimants). Mr Marston-Paterson did not attend the case management hearing, nor was he represented. The Judge did not consider that the allegations and submissions should be taken any further in the circumstances.

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

Adewale Adesina
Date: 26 June 2024