

Party: Claimants
Witness: Antony Douglas Phillips
Number: Third
Exhibit: UKOP15
Dated: 11 November 2024

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
CHANCERY DIVISION
PROPERTY TRUSTS AND PROBATE LIST

Claim No. PT-2022-000303

B E T W E E N

(1) UNITED KINGDOM OIL PIPELINES LIMITED

First Claimant / Applicant

(2) WEST LONDON PIPELINE AND STORAGE LIMITED

Second Claimant / Applicant

and

(1) PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT CONSENT AND IN CONNECTION WITH OR AFFILIATED TO THE EXTINCTION REBELLION CAMPAIGN OR THE JUST STOP OIL CAMPAIGN ON LAND AND BUILDINGS AT AND COMPRISING PART OF (A) THE BUNCEFIELD OIL TERMINAL, HEMEL HEMPSTEAD, HERTFORDSHIRE (SHOWN FOR IDENTIFICATION SHADED RED ON THE ATTACHED SITE 1 PLAN) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED RED ON THE ATTACHED SITE 2 PLAN)

First Defendants / Respondents

(2) PERSONS UNKNOWN WITHOUT CONSENT AND IN CONNECTION WITH OR AFFILIATED TO THE EXTINCTION REBELLION CAMPAIGN OR THE JUST STOP OIL CAMPAIGN OBSTRUCTING OR INTERFERING WITH THE FIRST CLAIMANT'S RIGHTS TO PASS AND REPASS WITH OR WITHOUT VEHICLES, MATERIALS AND EQUIPMENT OVER PRIVATE ACCESS ROADS ADJACENT TO (A) THE BUNCEFIELD OIL TERMINAL, HEMEL HEMPSTEAD, HERTFORDSHIRE (SHOWN FOR IDENTIFICATION SHADED BLUE ON THE ATTACHED SITE 1 PLAN) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED BLUE ON THE ATTACHED SITE 2 PLAN)

Second Defendants / Respondents

THIRD WITNESS STATEMENT OF

ANTONY DOUGLAS PHILLIPS

I, **Antony Douglas Phillips**, of Riverbank House, 2 Swan Lane, London EC4R 3TT will say as follows:

1. I am a Partner in Fieldfisher LLP ("**Fieldfisher**") and the solicitor with conduct of this matter on behalf of the Claimants. I am duly authorised to make this witness statement on behalf of the Claimants.
2. I make this statement from facts within my own knowledge, which I believe to be true. Where I refer to matters not within my knowledge, I confirm that they are true to the best of my knowledge, information and belief, and I state the source of the information.
3. Produced and shown to me are a bundle of documents marked "**UKOP15**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
4. For ease, in this statement I have adopted the definitions set out in the Order of Mr Simon Gleeson (sitting as a Judge of the Chancery Division) dated 6 October 2023 (the "**Order**").

SERVICE OF NOTICE OF HEARING AND COURT DOCUMENTS

5. I make this witness statement in order to evidence the Claimants' compliance with paragraph 9 of the Order in serving the Notice of Hearing dated 23 October 2023 (the "**Notice**") on the Defendants.
6. I also make this witness statement in support of the Claimants' compliance with paragraph 9 of the Order in serving the following documents on the Defendants:
 - (a) N244 Application Notice dated 4 November 2024;
 - (b) Draft Order;
 - (c) Sixth Witness Statement of John Michael Armstrong dated 4 November 2024; and
 - (d) Exhibit UKOP14(the "**Court Documents**").
7. Further, I make this statement in support of the Claimants' compliance with paragraph 9 of the Order in serving the sealed Application Notice dated 4 November 2024 (the "**Sealed Application Notice**").

Compliance with paragraph 9(a) of the Order

8. At 11:00am on 23 October 2024, Jody Sanders of Fieldfisher, the Claimants' solicitors, uploaded the Notice to <https://ukop.azurewebsites.net>, being the web link in the Order.
9. Between 16:41pm and 16:47pm on 4 November 2024, Andrew Fletcher of Fieldfisher, the Claimants' solicitors uploaded the Court Documents to <https://ukop.azurewebsites.net>.
10. At 10:30am on 11 November 2024, Jody Sanders of Fieldfisher, the Claimants' solicitors, uploaded the Sealed Application Notice to <https://ukop.azurewebsites.net>.
11. A screenshot of the web link page hosting the Notice, the Court Documents and the Sealed Application Notice (and all previous documents that have been served in these proceedings) appears at **UKOP15:3**.

Compliance with paragraph 9(b) of the Order

12. At 12:22pm on 24 October 2024, an email was sent by Marcus Farrell of Fieldfisher on my behalf to xr-legal@riseup.net (UKOP15:4-15) and at the same time and on the same day to juststopoil@protonmail.com, info@juststopoil.org, and juststopoilpress@protonmail.com (UKOP15:16-27) confirming that:
 - (a) the Court has issued the Notice which states that the hearing to review the final injunction Order has been listed in a three day window from the 19 November 2024 with a time estimate of 2.5 hours (the "**Hearing**"); and
 - (b) a copy of the Notice can be found at the following weblink: <https://ukop.azurewebsites.net>.
13. Copies of the delivery receipts for these emails can be found at **UKOP15:28-29**.
14. At 12:23pm on 24 October 2024, an automatically generated response was received from xr-legal@riseup.net with the subject line "thAutoreply for XR Legal Support" and which confirmed that the XR Legal Support Team had received Fieldfisher's email referred to at paragraph 12 above and was "*working on getting a response to you ASAP!*". A copy of this email can be found at **UKOP15:30**.
15. At 17:52pm on 4 November 2024, an email was sent by Faye Hyland of Fieldfisher to xr-legal@riseup.net (UKOP15:31-43) and at 17:49pm on the same date to juststopoil@protonmail.com, info@juststopoil.org, and juststopoilpress@protonmail.com (UKOP15:44-56) confirming that:
 - (a) in advance of the Hearing, the Claimants have made an application to the Court that:
 - (i) any requirements on the Claimants in the interim orders made in these proceedings to continue to fix copies of documents in these proceedings in clear transparent sealed containers by way of service be dispensed with; and
 - (ii) that paragraph 6(b) of the Order be amended such that, prospectively, the Claimants be permitted to affix copies of the Order at a minimum number of 2 prominent locations of the perimeter of each of the Sites whether in clear transparent sealed containers or by any other method(the "**Application**");
 - (b) the Claimants have requested that the Application be dealt with at the upcoming Hearing;
 - (c) the Claimants have filed further evidence for the Hearing and in support of the Application at Court in accordance with paragraph 13 of the Order;
 - (d) copies of the Court Documents can be found at the following weblink: <https://ukop.azurewebsites.net>;
 - (e) any individual who wishes to come forward to defend the proceedings is entitled to file a skeleton argument not less than 3 days before the date of any hearing;
 - (f) any individual who may wish to come forward to defend the Application is referred to Practice Direction 23A paragraph 7.2 of the Civil Procedure Rules in that if the defendant to an application wishes to rely on written evidence at the hearing of the application, he must file and serve the written evidence as soon as possible. Practice Direction 23A paragraph 6.4 of the Civil Procedure Rules provides that documents which are required

to be filed and served in advance of a hearing must be filed and served no later than 4pm at least 2 days before that hearing unless the Court directs otherwise; and

- (g) We (i.e. Fieldfisher) are authorised to accept service for and on behalf of the Claimants and that service of any evidence or skeleton arguments can be affected by emailing the relevant documents to UKOPinjunction@fieldfisher.com.

16. Copies of the delivery receipts for these emails can be found at **UKOP15:57-58**.

17. At 17:53pm on 4 November 2024, an automatically generated response was received from xr-legal@riseup.net with the subject line "Autoreply for XR Legal Support" and which confirmed that the XR Legal Support Team had received Fieldfisher's email referred to at paragraph 15 above and was *"working on getting a response to you ASAP!"*. A copy of this email can be found at **UKOP15:59**.

18. At 11:33am on 11 November October 2024, an email was sent by Honey Newbury of Fieldfisher on my behalf to xr-legal@riseup.net (**UKOP15:60-73**) and at 11:32am on the same day to juststopoil@protonmail.com, info@juststopoil.org, and juststopoilpress@protonmail.com (**UKOP15:74-87**) confirming that:

(a) a copy of the Sealed Application Notice can be found at the following weblink: <https://ukop.azurewebsites.net>; and

(b) The Application will be heard at the Hearing.


19. Copies of the delivery receipts for these emails can be found at **UKOP15:88-89**.

20. At 11:33am on 11 November 2024, an automatically generated response was received from xr-legal@riseup.net with the subject line "Autoreply for XR Legal Support" and which confirmed that the XR Legal Support Team had received Fieldfisher's email referred to at paragraph 18 above and was *"working on getting a response to you ASAP!"*. A copy of this email can be found at **UKOP15:90**.

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:  Dated: 11 November 2024

Antony Douglas Phillips