

Party: Claimant
Witness: John Michael Armstrong
Number: Third
Exhibit: UKOP6
Dated: 5 April 2023

IN THE HIGH COURT OF JUSTICE

Claim No. PT-2022-000303

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

CHANCERY DIVISION

B E T W E E N

(1) UNITED KINGDOM OIL PIPELINES LIMITED

(2) WEST LONDON PIPELINE AND STORAGE LIMITED

Claimants / Applicants

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 Defendant / Respondent

(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 ACCESS 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 Defendant / Respondent

THIRD WITNESS STATEMENT OF

JOHN MICHAEL ARMSTRONG

I, John Michael Armstrong, of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire will say as follows:

1. I currently act as the Director and General Manager of British Pipeline Agency Limited ("**BPA**") and have held this role since 1 September 2021. I have worked for BPA since July 2020 and prior to becoming a Director and General Manager, I was the Chief Operating Officer of BPA. Prior to that, I enjoyed senior roles across distributed energy, power generation and engineering safety.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1000km of fuel pipes in the UK.
3. BPA acts as agent for the First Claimant United Kingdom Oil Pipelines Limited ("**UKOP**") and the Second Claimant West London Pipeline and Storage Limited ("**WLPSL**"), and it operates and maintains their UK based assets.
4. I am duly authorised to make this witness statement on behalf of the Claimants.
5. 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.
6. Produced and shown to me is a bundle of documents containing exhibit "**UKOP6**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
7. In this statement I adopt the definitions set out in my first witness statement dated 7 April 2022.

CURRENT POSITION

8. I make this statement in support of the Claimants' application for an order for pre-emptive injunctive relief in the terms set out in the draft Order.
9. The purpose of this third witness statement, which supplements my first and second witness statements dated 7 April 2022 and 14 April 2022 respectively, is to provide to the Court with an update in respect of events following the grant of an interim order for pre-emptive injunctive relief in these proceedings made by Mr Peter Knox KC acting as a Deputy High Court Judge in the Chancery Division following a hearing on 20 April 2022 (the "**Order**") and therefore addresses:
 - (a) evidence of direct action which has occurred in the vicinity of Site 1 and Site 2 since the making of the Order;
 - (b) evidence of direct action targeted at other operators which has occurred since the date of the Order; and
 - (c) evidence of direct action targeted at other organisations affiliated with the oil and gas sector which has occurred since the date of the Order.

DIRECT ACTION IN THE VICINITY OF SITE 1 AND SITE 2

10. In my first and second witness statements dated 7 April 2022 and 14 April 2022, I addressed in detail the direct action suffered by the Claimants in respect of Site 1 and the direct action targeted at the operations of the Claimants in close proximity to Site 1 and Site 2. This direct action formed the basis for the Claimants seeking an interim order for pre-emptive injunctive relief in the form set out at paragraphs 1 of the Order.

11. Since the date of the Order, there have been further incidents of direct action in close proximity to Site 2.
12. I set out below examples of direct action that have occurred since the Order was made, and for which evidence has been obtained from three principal sources, namely:
 - (a) reports from BPA security personnel working at the Sites which has been relayed to me;
 - (b) various social media postings made or produced by, or on behalf of the campaign groups Extinction Rebellion and Just Stop Oil and materials which have been published on their respective websites; and
 - (c) various newspaper articles which have appeared in the national press.
13. On 23 April 2022, a tunnel was discovered by police which had been dug under the road in the Trinity Road area next to the Kingsbury Oil Terminal. Police were forced to keep the road closed whilst the damage caused was assessed as it was reported that it may pose a risk for drivers. Warwickshire police reported that they had arrested seven people, including for criminal damage, in connection with the incident. On 25 April 2022, it was reported that two additional individuals who entered the Kingsbury Oil Terminal had also been arrested on suspicion of aggravated trespass and criminal damage **UKOP6: pages 7-15.**
14. From 26 April 2022 to 28 April 2022, Just Stop Oil supporters protested outside the Kingsbury Oil Terminal. It was reported that Police warned protesters that they were breaching the Valero Order. However, protests persisted with people holding placards saying *"oil is stealing my future"*; *"don't stop us – stop oil"*; *"we are breaking the injunction"*; and *"dangerous criminals."* Protests continued for three days in spite of police warnings and, in total, 34 protesters were arrested **UKOP6: pages 16-31.**
15. On 4 May 2022, it was reported that 11 Just Stop Oil members were protesting outside Kingsbury Oil Terminal. Eight of the protesters attending were, it was reported, at the same time supposed to attend a full committal hearing at the Birmingham County Court for previous breaches of the NWBC Order but chose not to attend court, instead committing another breach of the injunction **UKOP6: pages 32-33.**
16. On 15 May 2022, it was reported that two Extinction Rebellion supporters were being held on remand after breaching the NWBC Order at Kingsbury Oil Terminal. A tweet of the same date by Extinction Rebellion Birmingham stated that *"2 Birmingham rebels are currently being held on remand until next Thursday for breaking an injunction and staging a peaceful protest at Kingsbury Oil Depot."* Birmingham Live reported that protesters repeatedly said they see Kingsbury as a *"legitimate target"* **UKOP6: pages 34-37.**
17. On 22 August 2022, it was reported that police had blocked off Trinity Road, being one of the main roads leading into Kingsbury Oil Terminal, as Just Stop Oil protesters had reportedly been digging under the road. This prevented traffic from passing through as the road was considered unsafe for use and police officers had to turn traffic away for almost an hour **UKOP6: pages 38-39.**
18. On 24 August 2022, Fuel Oil News reported that around 50 protesters had staged demonstrations at Kingsbury, Grays and Thurrock Oil Terminals resulting in more than 20 arrests. About 30 individuals targeted Grays and Thurrock, blocking a road leading to the Navigator oil terminal, with others occupying tunnels dug beneath terminal access roads. At Grays, a small group of protesters trespassed onto the site in the early hours, climbed up into the loading bays and then on up into pipework, where they attached themselves with glue. A specialist heights team were deployed by the police to remove them. It was reported that there were about 20 people blocking access roads

to Kingsbury Oil Terminal with others occupying two tunnels near the Terminal. Just Stop Oil claimed that the tunnels resulted in a *"total block of access"* to Kingsbury Oil Terminal. Fuel Oil News, in the same news report, reported that the government estimated that Just Stop Oil's protests had cost police £5.9 million so far in 2022 **UKOP6: pages 40-41.**

19. On 14 September 2022, Just Stop Oil supporters gathered with banners to block access to Kingsbury Oil Terminal by sitting in front of the main entrance. Protesters remained at the site for over five hours. It was reported that 51 protesters were arrested by Warwickshire Police following the incident for breaching the NWBC Order. In the BBC's report on the incident, a nearby local business owner, who operated a firm that ran fuel tankers in and out of the base, was quoted, stating that activists had previously *"drilled the sidewalls of 364 tyres"* on trucks, vans and cars at the terminal, a nearby truck works and another neighbouring depot with damages estimated at £184,000 **UKOP6: pages 42-47.**
20. Notwithstanding the significant direct action listed above, I believe that such direct action has reduced since April 2022 due to the following factors:
 - (a) the service of the Order at the Sites and by email to the campaign groups Extinction Rebellion and Just Stop Oil;
 - (b) the deterioration in the weather during the winter months;
 - (c) the existence of an injunction order made by Mr Justice Bennathan in the King's Bench Division dated 12 April 2022 in favour of Valero Energy Limited, Valero Logistics UK Limited and Valero Pembrokeshire Oil Terminal Limited (together, "**Valero**") and which protects a number of Valero's sites including land interests at Kingsbury Oil Terminal (of which Site 2 forms part) (the "**Valero Order**"). A copy of the Valero Order can be found at **UKOP6: pages 48-84.** A continuation of the injunction afforded by the Valero Order was granted by order of Mr Justice Soole on 20 January 2023, a copy of which can be found at **UKOP6: pages 85-124;** and
 - (d) the existence of an injunction order made by Mr Justice Sweeting in the King's Bench Division dated 9 May 2022 in favour of the North Warwickshire Borough Council and which protects the locality of the Kingsbury Oil Terminal (of which Site 2 forms part) by placing restraints on the organisation of, or participation in, any protest against the production or use of fossil fuels at Kingsbury Oil Terminal (the "**NWBC Order**"). In particular, the NWBC Order gives a power of arrest outside the Kingsbury Oil Terminal and at the junctions of the roads leading into it. A copy of the NWBC Order can be found at **UKOP6: pages 125-131.** The NWBC Order remains in force as at the date of this witness statement. However, an application has been made to set aside the NWBC Order, which application I refer to at paragraph 56 below.
21. If any of these factors were to be removed, I believe that the direct action would escalate.
22. For example, whilst the Order has not prevented direct action entirely in the vicinity of the Sites, it appears to have provided a deterrent effect and, as such, continues to assist the Claimants in ensuring that they can conduct their operations at the Sites without risk of the significant practical, financial and logistical implications for the Claimants, many other third parties and potentially the UK economy, which would otherwise arise from direct action, not to mention the substantial health and safety risks that I refer to in paragraphs 20 to 42 of my first witness statement.

EVIDENCE OF DIRECT ACTION TARGETED AT OTHER OPERATORS AND AFFILIATED ORGANISATIONS FROM DATE OF ORDER TO 5 APRIL 2023

23. Since the date of the Order, there continues to be related direct action at oil terminals and infrastructure sites owned by other operators. There has also been an escalation of activity targeted at industries and organisations that members of Extinction Rebellion and / or Just Stop Oil consider to be affiliated to the fossil fuel industry as well as key transport hubs.
24. On 3 May 2022, protestors from the Just Stop Oil group entered and remained at the Nustar Clydebank facility in Scotland for 60 hours, in a bid to halt operations. Protestors climbed on top of tankers, locked themselves to the entrance and sat on pipes and silos. 31 people were arrested and charged in connection with the protests, 15 of which were charged for breach of the peace and 16 for trespass **UKOP6: pages 132-134.**
25. On 3 July 2022, Just Stop Oil reported that its supporters had disrupted the British Grand Prix at Silverstone by invading the track and sitting down. The protestors needed to be removed by track officials and police and ITV news reported that six people were charged over the track invasion with conspiracy to cause public nuisance **UKOP6: pages 135-138** and were found guilty after a trial on 10 February 2023 **UKOP6: pages 139-141.** It was reported that the jury found that the protesters were guilty of risking "*serious harm*" to Formula 1 drivers and it was also reported that footage released after the trial showed how close the cars had been to the protesters **UKOP6: pages 142-144.**
26. On 19 July 2022, the News UK headquarters at London Bridge had their windows smashed by Extinction Rebellion protestors over their coverage of the UK heatwave. Protesters destroyed glass panels and hung posters next to entrances for journalists at the Sun and the Times reading "*tell the truth*" and "*40 degrees = death*" **UKOP6: pages 145-146.**
27. On 20 July 2022, Just Stop Oil protestors climbed on the gantries in three separate locations on the M25 between junctions 10 and 30, causing significant disruption and the temporary closure of the M25 **UKOP6: pages 147-149.**
28. On 23 August 2022, around 30 Just Stop Oil protestors were involved with a number of direct actions in Essex including:
 - (a) establishing a roadblock on St Clements Way near Chafford Hundred railway station with five protestors also occupying tunnels underneath the road. Protesters aimed to block a "*key tanker route*" as part of their protests;
 - (b) occupying the Grays oil terminal in Thurrock, with protestors blocking an access road leading to the terminal; and
 - (c) protestors at height at an industrial site at Askew Farm Lane.

Just Stop Oil were protesting the government's plans to allow additional oil and gas projects in the UK. Essex Police reported that they had arrested 23 people for various offences, while asking people to avoid the area. Police were also having to divert traffic to keep everyone safe and issued the following statement: "*policing is not anti-protest, but we must intervene where there is a risk to life or where laws are being broken*" **UKOP6: pages 150-154.**
29. On 28 August 2022, supporters of Just Stop Oil blocked an oil tanker on a key route to and from the Navigator terminal in Essex. The group claimed they were aiming to block St Clements Way, Grays, as a key delivery route from the terminal. Nearly 10 people stopped a tanker, one protester

climbed on top of the tanker while others deflated the tyres. Essex Police arrested eight people as a result of the protests **UKOP6: pages 155-157.**

30. On 4 September 2022, BBC News reported that Just Stop Oil protesters had left a tunnel under St Clements Way in Grays after 13 days protesting what they consider is government inaction over climate change. The police issued the following statement regarding the protest activity: *"over the course of the last fortnight we have made more than 60 arrests and worked hard with our partners to keep disruption to our local community and business to a minimum and keep Essex moving... This work has required a huge amount of resources and has diverted officers from other duties such as the prevention and investigation of burglary, robbery, sexual and violent crime"* **UKOP6: pages 158-159.**
31. Just Stop Oil staged 32 days of disruption from the end of September and throughout October 2022, which, according to the Metropolitan Police, resulted in 677 arrests and 111 protestors charged. Officers were also forced to work 9438 extra shifts to tackle the disruption. The aim of the disruption was reported as being to force the government to halt all oil and gas licences **UKOP6: pages 160-162.** Actions included the following:
- (a) on 1 October 2022, supporters of Just Stop Oil blocked Waterloo, Westminster, Lambeth and Vauxhall bridges in sit-down protests **UKOP6: pages 163-166;**
 - (b) on 7 October 2022, in what was reported as being in response to the government opening up a new licensing round to allow oil and gas companies to explore for fossil fuels in the North Sea, Just Stop Oil campaigners blocked roads leading to Vauxhall Bridge. This followed six days of disruption to central London roads. Protestors vowed to *"occupy Westminster"* with daily roadblocks until there is a moratorium on new oil and gas projects **UKOP6: pages 167-168;**
 - (c) on 14 October 2022, Just Stop Oil protestors threw tomato soup on Vincent van Gogh's Sunflowers painting at the National Gallery in London and then glued themselves to the wall underneath the artwork (**UKOP6: pages 169-171**) and on the same day spray-painted New Scotland Yard and blocked traffic on the road outside (**UKOP6: pages 172-177**);
 - (d) on 16 October 2022, the Telegraph reported that Just Stop Oil members had sprayed orange paint over an Aston Martin showroom in central London and had sat in Park Lane in central London, some gluing themselves to the tarmac or locking themselves together **UKOP6: pages 178-179;**
 - (e) on 17 October 2022, two Just Stop Oil supporters climbed the Queen Elizabeth II suspension bridge at the Dartford Crossing and unfurled a banner, forcing the police to stop traffic from entering the bridge **UKOP6: pages 180-182;**
 - (f) on 18 October 2022, two Just Stop Oil protestors disrupted oil supplies to Kent and the South East for 36 hours by blocking the Dartford Crossing and climbing up the Queen Elizabeth II Bridge which resulted in the closure of the bridge and major traffic delays **UKOP6: pages 183-190;**
 - (g) on 20 October 2022, Just Stop Oil supporters sprayed orange paint on the outside of the Harrods building and disrupted traffic in Knightsbridge by sitting on and gluing themselves to the road carrying banners. Just Stop Oil stated *"This is not a one day event, expect us every day and anywhere. This is an act of resistance against a criminal government and their genocidal death project. Our supporters will be returning – today, tomorrow and the*

next day – and the next day after that – and every day until our demand is met: no new oil and gas in the UK" UKOP6: pages 191-193;

- (h) on 24 October 2022, two Just Stop Oil protestors defaced the waxwork model of King Charles III in Madame Tussauds **UKOP6: pages 194-196;** and
 - (i) on 26 October 2022, Just Stop Oil activists sprayed paint over the Ferrari and Bentley showrooms in central London **UKOP6: pages 197-199.**
32. On 31 October 2022, it was reported that Just Stop Oil activists had targeted News UK's headquarters as well as buildings used by MI5, the Home Office and the Bank of England by spraying them with orange paint. It was reported that the group said the buildings were chosen as they represented *"the four pillars that support and maintain the power of the fossil fuel economy"* **UKOP6: pages 200-202.** The Metropolitan Police reported six arrests for criminal damage on the day **UKOP6: pages 203-205.** Following these actions, it was reported that the total number of arrests of Just Stop Oil protestors made in October 2022 came to nearly 650 **UKOP2: pages 206-210** and since April 2022 to around 1900 **UKOP6: pages 211-216.**
33. On 1 November 2022, members of Just Stop Oil glued themselves to the road outside Downing Street to prevent access, whilst others tried to climb the gates to Downing Street **UKOP6: pages 218-221.**
34. On 7 November 2022, members of Just Stop Oil shut down parts of the M25 for four days by climbing gantries above the motorway in at least six different locations. The Metropolitan Police said it had arrested 63 suspects in a *"major operation to tackle serious disruption"* and Sky and ITV news reported that 58 people had been charged. It was reported that whilst a rolling roadblock was being implemented to help ease existing traffic, two lorries collided and a police officer was knocked off his bike and injured **UKOP6: pages 221-238.**
35. On 14 November 2022, Extinction Rebellion members targeted over 100 Barclays bank branches in England, Scotland, Wales and Northern Ireland. Protestors smashed windows, threw fake oil and red paint over buildings, locked themselves to buildings, leafletted and held 'die-ins' and street theatre **UKOP6: pages 239-245.** Multiple media outlets reported a number of arrests across different cities including London, Birmingham, Glasgow, Cardiff and Belfast amongst others **UKOP6: pages 246-253.**
36. On 21 November 2022, Extinction Rebellion supporters targeted a number of offices in central London as part of a co-ordinated direct action. Black paint and fake oil were thrown over buildings, protestors glued themselves to windows, a fire was lit and fake blood poured on the pavement outside businesses. It was reported that the offices were targeted because they were believed to have links to the fossil fuel industry. The Metropolitan Police reported that 15 protestors were arrested on suspicion of criminal damage or conspiracy to commit criminal damage. The offices targeted included: (**UKOP6: pages 254-259**)
- (a) INEOS;
 - (b) Schlumberger;
 - (c) BP;
 - (d) Eversheds Sutherland;
 - (e) JP Morgan;

- (f) The International Maritime Organisation;
 - (g) The Institute of Economic Affairs;
 - (h) Department for (BEIS); and
 - (i) Ontario Teachers Pension Plan.
37. On 18 January 2023, Extinction Rebellion activists threw black paint outside the Home Office, reportedly in protest of the Government's decision to approve a new coal mine in Cumbria. Protesters poured the black paint, which resembled crude oil, out of plastic buckets marked "*End Coal*", while two of the activists attached themselves together with a large tube. Two demonstrators also set off flares and others held signs reading "*cut the ties to fossil fuels*." The Metropolitan Police were called to the Home Office to disperse the group where they arrested two men on suspicion of causing criminal damage **UKOP6: pages 260-261.**
 38. On 14 February 2023, Extinction Rebellion activists blockaded entrances to Luton Airport's private jet terminals in a Valentine's Day protest dubbed "*love in action*." This was part of a co-ordinated action by activists in 11 countries targeting sites across Europe, Australia, New Zealand and the US. Protesters locked themselves to metal barrels and blockaded entrances to the airport's Harrods Aviation and Signature private jet terminal carrying large signs. They also parked a boat in front of the gates to the private terminal, with some activists attaching themselves to it **UKOP6: pages 262-266.** On the same day Just Stop Oil supporters delivered an ultimatum to the Prime Minister, warning that if the government does not halt licencing any new fossil fuels by 10 April it would face escalating disruption **UKOP6: page 267.**
 39. On 17 February 2023, Extinction Rebellion protesters occupied two buildings at the University of Cambridge. Protesters climbed up to a balcony on the Department of Engineering building attaching a banner with the message "*University of Cambridge: Funded by fossil fuels*" while letting off smoke flares. Other protesters also staged a demonstration in the foyer of the Department of Chemical Engineering, holding dinosaur banners and drawing pictures **UKOP6: pages 268-270.**
 40. On 20 February 2023, Extinction Rebellion protesters targeted London Fashion Week. 30 protesters attended 180 the Strand where the fashion show sponsored by Coca-Cola was being staged and poured black paint on the red carpet while setting off smoke bombs. Protesters held banners outside the event which read: "*cut the ties to fossil fuels*" and "*Coca-Cola: World's top plastic polluter*." This action came as part of Extinction Rebellion's 'Cut the Ties to Fossil Fuels' campaign which will see a major protest staged in Westminster on April 21 **UKOP6: pages 271-274.**
 41. On 2 March 2023, Extinction Rebellion protestors threw pink paint over the UK Finance building and plastered a large sticker reading "*corrupt*" on the window of the building to highlight how the financial system "*prioritises profit over people and the planet*" **UKOP6: pages 275-278.**
 42. On 18 March 2023, Just Stop Oil protesters blocked traffic in Bristol as part of a demonstration to "*demand that ministers stop investing in fossil fuel extraction*" **UKOP6: pages 279-283.**
 43. On 22 March 2023, Extinction Rebellion protestors, armed with fire extinguishers, spray-painted the offices of the Sun, Daily Mail and Telegraph in London. They said the protests were about "*suppression of truth on the climate crisis*" **UKOP6: pages 284-285.**
 44. On 25 March 2023, Just Stop Oil staged a march in Leeds demanding "*an end to fossil fuel lending by banks*" and covered a Barclays bank with orange paint in the city centre, **UKOP6: pages 286-287.**

STATEMENTS FROM EXTINCTION REBELLION AND JUST STOP OIL

45. On 1 January 2023, Extinction Rebellion published a statement indicating that they would *"temporarily shift away from public disruption as a primary tactic"* and instead would *"disrupt the abuse of power and imbalance"* by prioritising *"attendance over arrest and relationships over roadblocks"* **UKOP6: pages 288-291.**
46. The statement is suggestive of a shift in strategy and tactics of the group. However, subsequent actions taken by the group, as referred to at paragraphs 37 to 41 and 43 above, indicate that Extinction Rebellion is continuing to target companies and organisations which are affiliated to the oil and gas industry with unlawful direct action. In any event, even if accurate, the statement only refers to a *temporary* shift away from public disruption, meaning that it may resume at any stage.
47. In relation to Just Stop Oil, according to their website, its requirements are *"that the UK government makes a statement that it will immediately halt all future licensing and consents for the exploration, development and production of fossil fuels in the UK"*, and its methods for achieving this include 'civil resistance' and disruption until that demand has been met. Just Stop Oil stated that if that demand was not met by 14 March 2022 that it would *"take part in Non-Violent Direct Action targeting the UK's oil and gas infrastructure"* and on 3 October 2022, Just Stop Oil declared that they would continue with their campaign of non-violent civil resistance until the government commits to end new oil and gas, stating *"... This is not a one-day event, this is an act of resistance against a criminal government and their genocidal death project. Our supporters will be returning – today – tomorrow- and the next day – and the next day after that – and every day until our demand is met – no new oil and gas in the UK..."* **UKOP6: pages 292-295.**
48. On 28 October 2022 Just Stop Oil tweeted *"sign up for arrestable direct action at [link]"*. On 1 November 2022 they tweeted *"we will escalate our legal disruption against this treasonous Govt"*. On 11 November 2022 they tweeted *"you know that we won't stop"* **UKOP6: page 296.**
49. A Just Stop Oil press release of 7 December 2022 states that *"Six weeks of continuous disruption and civil resistance by supporters of Just Stop Oil during October and November resulted in over 700 arrests. Since the campaign began on April 1st, Just Stop Oil supporters have been arrested over 2,000 times, with 25 supporters currently in prison"* **UKOP6: pages 297-299.** Similar press releases can be found at **UKOP6: pages 300-314.** These are not protests that relate to the Claimants' Sites, but together with the examples set out at paragraphs 23-44 above, are strong evidence of the continuance of Just Stop Oil's campaign of civil resistance and disruption.
50. Furthermore, in response to the statement by Extinction Rebellion on 1 January 2023, in a statement given to the Guardian newspaper and published online on 2 January 2023, a Just Stop Oil member stated: *"It's 2023 and XR has quit... But it's 2023, and we are barrelling down the highway to the loss of ordered civil society, as extreme weather impacts tens of millions, as our country becomes unrecognisable ... there is now a need to face reality.... We must move from disobedience into civil resistance..."* **UKOP6: pages 315-316.**
51. Just Stop Oil's website continues to state that *"...we will not be intimidated by changes to the law, we will not be stopped by private injunctions sought to silence peaceful people. Our supporters understand that these are irrelevant when set against mass starvation, slaughter, the loss of our rights, freedoms and communities"* **UKOP6: pages 317-319.** Prominent on the website is the statement that *"what we do over the next 3 to 4 years, I believe is going to determine the future of*

humanity”, suggesting that their campaign will be sustained for at least this period **UKOP6: page 292.**

52. The materials that have been published on Just Stop Oil's website as well as the group's social media channels would indicate that oil and gas companies remain the target of their campaign, and there therefore remains a risk to the Claimants' sites which the order in the terms sought would protect against. Furthermore, whilst Extinction Rebellion's most recent activities would suggest that there hasn't been the scaling back of unlawful direct action which their statement of 1 January 2023 would appear to suggest, in any event, there is a well documented overlap in the memberships of both groups (**UKOP6: pages 320-336 and 341-348**). As such, it cannot be discounted that members of Extinction Rebellion will participate in Just Stop Oil's campaign of civil resistance.

SUMMARY/ FURTHER RISK OF DIRECT ACTION

53. Since the events mentioned in my previous witness statement there has been frequent and significant direct action undertaken by Just Stop Oil and Extinction Rebellion, the scale of which appears to be escalating and in relation to which, given the nature of the campaigns, there is no discernible end date.
54. Both campaign groups are well supported and continue to mobilise their supporters. For example, on 11 January 2023, Extinction Rebellion launched their '100 Days' campaign which they called "*the biggest mobilisation campaign XR has ever undertaken.*" Extinction Rebellion supporters dropped a banner from Westminster Bridge to launch the campaign, marking the 100 day countdown to "*The Big One*" on 21 April 2023 where the group will bring 100,000 people to Westminster **UKOP6: pages 337-340**. The ticker count for the event on Extinction Rebellion's home page as at 5 April 2023 showed around 23,500 people to be attending **UKOP6: page 349**.
55. Given the importance of the Sites covered by the current Order, Just Stop Oil's stated commitment to continuing its campaign and the highly disruptive and inherently dangerous effect of Just Stop Oil and Extinction Rebellion's protests, I therefore continue to believe that in the absence of further injunctive relief being granted by the Court in the terms sought, there is a real risk of imminent trespass on the Sites and / or interference with the private access routes in relation to both Sites. The Claimants are making this Application in an effort to minimise the risk of a future trespass and / or interference occurring at each of the Sites.
56. The fact that the number of incidents in the vicinity of the Claimants' Sites has decreased in number and regularity, particularly in comparison to the severity of the activity in April 2022, is a consequence of a number of factors which I refer to at paragraph 20 above, including the Order acting as an immediate deterrent, along with other High Court orders such as the NWBC Order. However, on 15 March 2023, North Warwickshire Borough Council issued a statement indicating that a person claiming to be connected to Extinction Rebellion has now applied to the High Court to set aside the NWBC Order, arguing that it is a breach of human rights **UKOP6: pages 350-351**. The Council has now also made an application to the Court asking it to make the following orders:
- (a) to list the case for a full hearing so that the Court can decide whether to make a final order;
 - (b) to add 139 people who have been arrested as named Defendants;
 - (c) to allow the Council to serve copies of the application by alternative means; and
 - (d) to dismiss the application to set aside the NWBC Order.

57. It is indicated that the Court hearing for these applications is likely to take place at the High Court in Birmingham but, as at the date of this witness statement, the date of the hearing has not yet been published.
58. The Claimants currently enjoy the benefit of the double protection afforded by the Order and the NWBC Order in relation to Site 2, and whilst the Claimants are hopeful that the application to set aside the NWBC Order will be unsuccessful, the Claimants cannot rely on the protection afforded by the NWBC Order continuing, and which makes it even more critical that the protection afforded by the Order remains in place.

For the reasons set out in this statement and the further witness statement made in support of this Application, I respectfully request that the Court grants the order sought by the Claimants.

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: _____
7FAFE9820F7D47D.....

John Michael Armstrong