

N244

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

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<b>Name of court</b> High Court Of Justice  Queen's Bench Division Royal Courts of Justice		<b>Claim no.</b> QB-2022-001098
<b>Fee account no.</b> (if applicable)	<b>Help with Fees – Ref. no.</b> (if applicable)	
PBA0087211	<b>H W F</b> - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>	
<b>Warrant no.</b> (if applicable)		
<b>Claimant's name</b> (including ref.) (1) ESSO PETROLEUM COMPANY LIMITED (2) EXXONMOBIL CHEMICAL LIMITED		
<b>Defendant's name</b> (including ref.) PERSONS UNKNOWN		
<b>Date</b>	22 April 2022	

1. What is your name or, if you are a legal representative, the name of your firm?

Eversheds Sutherland (International) LLP

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative

☐ Other (please specify)

If you are a legal representative whom do you represent?

Claimants

3. What order are you asking the court to make and why?

An order for disclosure against third parties (being various constabularies referred to in the draft Order) pursuant to CPR 31.17(3) and an order to abridge time for service

4. Have you attached a draft of the order you are applying for?

☒ Yes

☐ No

5. How do you want to have this application dealt with?

☒ at a hearing

☐ without a hearing

☐ at a telephone hearing

6. How long do you think the hearing will last?

Hours

N/a  Minutes

Is this time estimate agreed by all parties?

☐ Yes

☐ No

7. Give details of any fixed trial date or period

27 April 2022

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

Third Parties

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

Emails listed on the attached witness statement

10. What information will you be relying on, in support of your application?

- ☒ the attached witness statement
- ☐ the statement of case
- ☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.

## Statement of Truth

**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.**

☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☒ **The Applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

### Signature



☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☒ Applicant's legal representative (as defined by CPR 2.3(1))

### Date

Day

22

Month

04

Year

2022

### Full name

Nawaaz Allybokus

### Name of applicant's legal representative's firm

Eversheds Sutherland (Intl) LLP

### If signing on behalf of firm or company give position or office held

Associate Solicitor

Applicant's address to which documents should be sent.

Building and street

One Wood Street

Second line of address

Town or city

London

County (optional)

Postcode

E C 2 V 7 W S

If applicable

Phone number

020 7497 9797

Fax number

020 7919 4919

DX number

DX 154280 Cheapside 8

Your Ref.

ALLYBOM/066758.010081

Email

NawaazAllybokus@Eversheds-Sutherland.com

Party: Claimants  
Name: N Allybokus  
Number: Fourth  
Exhibit: "NA4"  
Date: 22.04.22

**CLAIM NO QB-2022-001098**

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

**B E T W E E N:**

**(1) ESSO PETROLEUM COMPANY, LIMITED  
(2) EXXONMOBIL CHEMICAL LIMITED**

**Claimants**

**- and -**

**(1) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION  
REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR  
REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT) UPON ANY OF  
THE FOLLOWING SITES ("THE SITES")**

- (A) THE OIL REFINERY AND JETTY AT THE PETROCHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN EDGED RED ON THE ATTACHED 'FAWLEY PLAN')
- (B) HYTHE OIL TERMINAL, NEW ROAD, HARDLEY SO45 3NR (AS SHOWN EDGED RED ON THE ATTACHED 'HYTHE PLAN')
- (C) AVONMOUTH OIL TERMINAL, ST ANDREWS ROAD, BRISTOL BS11 9BN (AS SHOWN EDGED RED ON THE ATTACHED 'AVONMOUTH PLAN')
- (D) BIRMINGHAM OIL TERMINAL, WOOD LANE, BIRMINGHAM B24 8DN (AS SHOWN EDGED RED ON THE ATTACHED 'BIRMINGHAM PLAN')
- (E) PURFLEET OIL TERMINAL, LONDON ROAD, PURFLEET, ESSEX RM19 1RS (AS SHOWN EDGED RED ON THE ATACHED 'PURFLEET PLAN')
- (F) WEST LONDON OIL TERMINAL, BEDFONT ROAD, STANWELL, MIDDLESEX TW19 7LZ (AS SHOWN EDGED RED ON THE ATTACHED 'WEST LONDON PLAN')
- (G) HARTLAND PARK LOGISTICS HUB, IVELY ROAD, FARNBOROUGH [...] (AS SHOWN EDGED RED ON THE ATTACHED 'HARTLAND PARK PLAN')
- (H) ALTON COMPOUND, PUMPING STATION, A31, HOLYBOURNE (AS SHOWN EDGED RED ON THE ATTACHED "ALTON COMPOUND PLAN")

**(2) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION  
REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN  
(WITHOUT THE CONSENT OF THE FIRST CLAIMANT OR THE SECOND  
CLAIMANT) UPON THE CHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45  
1TH (AS SHOWN EDGED BLUE ON THE ATTACHED 'FAWLEY PLAN')**

**(3) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION  
REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, OBSTRUCT ANY  
OF THE VEHICULAR ENTRANCES OR EXITS TO ANY OF THE SITES**

**Defendants**

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**FOURTH WITNESS STATEMENT OF**

**NAWAAZ ALLYBOKUS**

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I NAWAAZ ALLYBOKUS of Eversheds Sutherland (International) LLP, One Wood Street, London, EC2V 7WS WILL SAY as follows:-

1. I am a Solicitor employed by Eversheds Sutherland (International) LLP, the Claimants' solicitors.
2. Where the facts contained in this witness statement are within my own knowledge they are true; where the facts contained in this witness statement are not within my own knowledge, they are true to the best of my knowledge and belief and I have provided the source of my information.
3. I make this Witness Statement in support of an application by the Claimants for a disclosure order against the following bodies ("the Constabularies") pursuant to CPR Part 31.17(3):-
  - 3.1 Metropolitan Police;
  - 3.2 Hampshire Constabulary;
  - 3.3 West Midlands Police;
  - 3.4 Avonmouth and Somerset Constabulary; and
  - 3.5 Essex Police.
4. On 6 April 2022, Mrs Justice Ellenbogen granted an injunction ("the Injunction") to restrain the Defendants from entering onto or remaining at the Sites (as defined in the Particulars of Claim) and causing certain nuisances at the Sites. The Claimants applied for the Injunction following direct action promoted by Just Stop Oil and Extinction Rebellion.
5. The First Witness Statement of Anthony Milne summarises the direct action which occurred before the Injunction; my Third Witness Statement summarises the direct action by the Defendants which has occurred since the Injunction.
6. The Injunction provides for a return date of 27 April 2022 (on which date the Claimants will ask the Court to extend it).
7. Direct action at the Sites in breach of the Injunction may constitute contempt of court in respect of which the Claimants may wish to commence committal proceedings. In the event of such direct action:-
  - (1) the Claimants:-

- (a) may have evidence of such activity (including video recordings on Closed Circuit Television equipment at the Sites and / or from witnesses including employees and contractors); but
  - (b) are unlikely / very unlikely to know the names of the relevant individuals;
- (2) the Constabularies:-
  - (b) may have further evidence of such activity (including video recordings taken by cameras operated by police officers – including “body worn” cameras); and
  - (b) will have the names and addresses given by any individuals who are arrested.
- 8. I am aware of the fact that in the context of the Insulate Britain protests in 2021, National Highways:-
  - (1) obtained injunctions to restrain trespass on certain public roads including the M25;
  - (2) obtained a third party disclosure order against the Metropolitan Police (and other police forces) pursuant to CPR Part 31.17(3) which requires those bodies to disclose evidence relating to breaches of the injunctions (including the names and addresses of those who were arrested).
- 9. I understand that the need for a third party disclosure order arises from laws concerning privacy and data protection.
- 10. Copies of the injunctions and disclosure orders made in favour of National Highways are available at the following website:-  
  
<https://nationalhighways.co.uk/about-us/interim-high-court-injunctions-for-motorways-and-major-a-roads/>
- 11. Without such a third party disclosure order, it is likely that the Claimants in the current proceedings would be unable to identify any individual who breaches the Injunction (and therefore unable - if so advised - to add those individuals as named defendants to the proceedings and / or to issue an application for committal). As a result, I believe that the documents of which disclosure is sought will support the Claimants’ case and that disclosure is necessary in order to dispose fairly of the claim.

12. On 11 April 2022, I spoke to Owen Weatherill, Assistant Chief Constable and National Mobilisation Co-ordinator on behalf of the National Police Co-ordination Centre ("NPOCC"). During this conversation, Mr Weatherill informed me that:-
- (1) the Claimants may wish to apply for a third party disclosure order;
  - (2) he could provide me with the relevant email contacts at the Constabularies (which Mr Weatherill's colleague subsequently did);
  - (3) if my firm applied for a disclosure order, he would expect the Constabularies to co-operate with regard to any disclosure order.
13. On or around 13 April 2022, I made contact with each of the Constabularies and informed them that the Claimants intended to apply for a third party disclosure order in these proceedings.
14. The Constabularies are as follows:-

Site	Constabulary
Fawley and Hythe	Hampshire Constabulary
Avonmouth Terminal	Avonmouth and Somerset Constabulary
Birmingham Terminal	West Midlands Police
Purfleet Terminal	Essex Police
West London Terminal	Metropolitan Police
Hartland Park Terminal	Hampshire Constabulary
Alton Compound	Hampshire Constabulary

15. Each of the Constabularies has subsequently confirmed to me that they adopt a neutral position with regard to this application and that they will abide by any Order which the Court may make. Copies of the relevant correspondence are produced at Exhibit **NA4**.
16. The Claimants are concerned that:-
- (1) there may be further direct action by individuals supporting the Just Stop Oil / Extinction Rebellion campaigns; and
  - (2) unless a disclosure order is made in their favour of they may be unable to join defendants to the proceedings and / or to issue a committal application.



17. In those circumstances, I respectfully ask that a disclosure order be made in the form attached to the Claimants' application.

I believe that the facts stated in this Witness Statement and Exhibit 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.

I am duly authorised to make this statement on behalf of the Claimants.



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**Nawaaz Allybokus**

**Associate Solicitor**

**Eversheds Sutherland (International) LLP**

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N:

(1) ESSO PETROLEUM COMPANY, LIMITED  
(2) EXXONMOBIL CHEMICAL LIMITED

Claimants

- and -

**(1) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT) UPON ANY OF THE FOLLOWING SITES ("THE SITES")**

- (A) THE OIL REFINERY AND JETTY AT THE PETROCHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN EDGED RED ON THE ATTACHED 'FAWLEY PLAN')
- (B) HYTHE OIL TERMINAL, NEW ROAD, HARDLEY SO45 3NR (AS SHOWN EDGED RED ON THE ATTACHED 'HYTHE PLAN')
- (C) AVONMOUTH OIL TERMINAL, ST ANDREWS ROAD, BRISTOL BS11 9BN (AS SHOWN EDGED RED ON THE ATTACHED 'AVONMOUTH PLAN')
- (D) BIRMINGHAM OIL TERMINAL, TYBURN ROAD, BIRMINGHAM B24 8HJ (AS SHOWN EDGED RED ON THE ATTACHED 'BIRMINGHAM PLAN')
- (E) PURFLEET OIL TERMINAL, LONDON ROAD, PURFLEET, ESSEX RM19 1RS (AS SHOWN EDGED RED ON THE ATACHED 'PURFLEET PLAN')
- (F) WEST LONDON OIL TERMINAL, BEDFONT ROAD, STANWELL, MIDDLESEX TW19 7LZ (AS SHOWN EDGED RED ON THE ATTACHED 'WEST LONDON PLAN')
- (G) HARTLAND PARK LOGISTICS HUB, IVELY ROAD, FARNBOROUGH (AS SHOWN EDGED RED ON THE ATTACHED 'HARTLAND PARK PLAN')
- (H) ALTON COMPOUND, PUMPING STATION, A31, HOLYBOURNE (AS SHOWN EDGED RED ON THE ATTACHED "ALTON COMPOUND PLAN")

**(2) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT OR THE SECOND CLAIMANT) UPON THE CHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN EDGED PURPLE ON THE ATTACHED 'FAWLEY PLAN')**

**(3) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, OBSTRUCT ANY OF THE VEHICULAR ENTRANCES OR EXITS TO ANY OF THE SITES**

Defendants

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NA4

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This is the exhibit marked "NA4" referred to in the Fourth Witness Statement of Nawaaz Allybokus

**From:** Victoria James <Victoria.James@avonandsomerset.police.uk>  
**Sent:** 13 April 2022 15:54  
**To:** Allybokus, Nawaaz  
**Cc:** #Chief Constable  
**Subject:** Disclosure Order - Esso Avonmouth Terminal Our ref: GEN1-29400

This email originated from [victoria.james@avonandsomerset.police.uk](mailto:victoria.james@avonandsomerset.police.uk) and may be impersonating an internal email contact.

Do not click links, or open attachments, unless you are expecting the email and the content is trusted.

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Dear Mr Allybokus,

Thank you for your email putting us on Notice in respect of your client's injunction. The Chief Constable has forwarded your correspondence for the Constabulary's Legal Services Directorate to deal with and we would be grateful for future correspondence to be directed to the contact details provided below.

I note your email states your client has a premises at Avonmouth which does fall within Avon and Somerset Constabulary's force area. Please note there is no such organisation as 'Avonmouth & Shirehampton Police' or 'Avonmouth Police Force'.

In respect of your request for a letter confirming the Constabulary will agree to be bound by a 'Non Party Disclosure Order' we are of the view that this letter is not necessary. Our position, and indeed that of the NPoCC, is that the Constabulary maintains a neutral position in respect of a private company's application for an injunction. Should the Court deem it appropriate that third-party or non-party disclosure is necessary and the Constabulary is named in that Order then of course we will endeavour to comply with all reasonable disclosure obligations. This has been the process and position of other recent similar injunctions and we trust this will not present an issue.

Should an order for non-party disclosure be made then a specialist point of contact will be nominated for your client to obtain the necessary disclosure.

We have not been provided with the specific details of the injunction obtained to date or the type of disclosure your client will seek to obtain from us and would be grateful for the same. To assist; the following draft terms are deemed acceptable:

***Disclosure against non-party***

3. Pursuant to CPR 31.17, the Chief Constables of Avon and Somerset, **[any other named forces]** shall as soon as reasonably practicable upon request by the Claimants give disclosure by provision of copy of documents in the following classes to the Claimants:
  - 3.1 documents identifying the names and addresses of any person who (after this order has come into effect) has been arrested by one of his officers in the course of, or as a result of, protests at or in the vicinity of the Terminals and their surrounding roads;
  - 3.2 arrest notes, body cam footage and other photographic material in relation to the protests at or in the vicinity of the Terminals and their surrounding roads after this order has come into effect.
4. The duty of disclosure imposed by paragraph 3 of this Order shall be a continuing one, and shall continue until **[return date]**.
5. Without the permission of the Court, the Claimants shall make no use of any document disclosed by virtue of paragraph 3 of this Order, other than one or more of the following uses:
  - 5.1 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;

5.2 investigating, formulating and pleading and prosecuting any claim within these proceedings arising out of any alleged disruptive protest at any of the Claimants' sites which are (or become) the subject of these proceedings;

5.3 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.

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

I trust the above assist.

Please do not hesitate to contact us directly should you require anything further.

Yours sincerely,

**Victoria James**  
Lawyer

Legal Services | Avon and Somerset Police  
Legal Service Directorate, Police & Fire HQ, Valley Road, Portishead, North Somerset, BS20 8QJ

**Tel** 01278 646487 | **Ext** : 46487

**Mob** 07802874336 **Email** [victoria.james@avonandsomerset.police.uk](mailto:victoria.james@avonandsomerset.police.uk)

[www.avonandsomerset.police.uk](http://www.avonandsomerset.police.uk) |

**Avon and Somerset Police**  
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**From:** Allybokus, Nawaaz <[NawaazAllybokus@eversheds-sutherland.com](mailto:NawaazAllybokus@eversheds-sutherland.com)>

**Sent:** 13 April 2022 12:41

**To:** #Chief Constable <[Chief.Constable@avonandsomerset.police.uk](mailto:Chief.Constable@avonandsomerset.police.uk)>

**Cc:** Wortley, Stuart <[StuartWortley@eversheds-sutherland.com](mailto:StuartWortley@eversheds-sutherland.com)>

**Subject:** Disclosure Order - Esso Avonmouth Terminal

You don't often get email from [nawaazallybokus@eversheds-sutherland.com](mailto:nawaazallybokus@eversheds-sutherland.com). [Learn why this is important](#)

Dear Chief Constable

By way of an introduction, I am an Associate at Eversheds Sutherland (International) LLP.

We have recently obtained injunctions against Persons Unknown at various sites for ExxonMobil, including the Esso Terminal in Avonmouth.

I believe this site falls under the guardianship of Avonmouth & Shirehampton Police and it has been suggested, by the NPOCC, that we need to obtain disclosure orders from the court before the relevant

**From:** Adam Hunt 42006687 <Adam.Hunt@essex.police.uk>  
**Sent:** 14 April 2022 14:49  
**To:** Allybokus, Nawaaz  
**Subject:** Disclosure order - Esso Purfleet Terminal  
**Attachments:** Esso - draft Order.docx

Dear Nawaaz,

Thank you for your email of yesterday's date.

Essex Police takes a neutral position in terms of your client's proposed application for a non-party disclosure order but shall, subject to the terms of the order being reasonable, seek to comply and be bound by it.

I would be grateful if you could consider the following observations regarding the working draft;

1. The Chief Constables listed in Schedule 1 to this order shall disclose to either of the Claimants the name and address of any person who (after this Order has come into effect or on or after the Court Order dated 6 April came into effect [date?]) has been arrested by one of their officers in the course of, or as a result of, protests at the premises referred to in these proceedings.
2. The disclosure of information required by paragraph 1 of this order shall be made by 4pm on [ ] April 2022 [It would be appreciated if timescales reflect the pressure on the police – perhaps 'as soon as reasonably practicable'?]
3. The Chief Constables listed in Schedule 1 to this order shall disclose to the Claimants all arrest notes, body cam footage and/or other photographic material or otherwise relating to actual or intimated breaches of the Court Order dated 6 April 2022. [to avoid officers having to interpret the Order I suggest this should be limited to arrests not breaches and the supply of info should be 'as soon as reasonably practicable']

Regards,

Adam

Adam Hunt  
Essex Police Legal Department  
Essex Police HQ  
PO Box 2 Springfield  
Chelmsford  
Essex  
CM2 6DA  
Tel: 01245 452603

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**From:** Allybokus, Nawaaz <[NawaazAllybokus@eversheds-sutherland.com](mailto:NawaazAllybokus@eversheds-sutherland.com)>  
**Sent:** 13 April 2022 14:39  
**To:** Adam Hunt 42006687 <[Adam.Hunt@essex.police.uk](mailto:Adam.Hunt@essex.police.uk)>  
**Cc:** Wortley, Stuart <[StuartWortley@eversheds-sutherland.com](mailto:StuartWortley@eversheds-sutherland.com)>  
**Subject:** RE: EXTERNAL - Disclosure order - Esso Purfleet Terminal

Dear Adam

Thank you for your email.

A copy of the draft disclosure order is attached – this is currently a working draft and may not be the final form.

I also enclose a copy of the sealed order dated 6 April 2022.

Kind regards

Nawaaz Allybokus | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

**From:** Julia.Bartholomew@met.police.uk  
**Sent:** 14 April 2022 10:47  
**To:** Allybokus, Nawaaz  
**Subject:** RE: Disclosure order - Saffron Tower (Croydon), South Quay Plaza (Marsh Wall, London) and Esso West London Terminal

Dear Nawaaz,

Thank you for your below email, which has been passed to me to deal with. In other recent similar cases, the parties applying for an injunction have then applied to the court for a disclosure order against the relevant police forces. We have then adopted a neutral position in relation to that application. I suggest that would be the best way of dealing with this. If you are happy with that please can you send me your draft application for a disclosure order and draft order for us to consider?

Kind Regards,

Julia

**Julia Bartholomew** | Barrister | Directorate of Legal Services  
**MetPhone** 767364 | **Telephone** 020 7230 7364/ 07917 488023 | **Email** [Julia.bartholomew@met.police.uk](mailto:Julia.bartholomew@met.police.uk) **Address**  
10 Lamb's Conduit Street, London WC1N 3NR | **DX** 320101, Bloomsbury 12

*Our teams in the Directorate of Legal Services are returning to a new way of working; this means a blend of working in the office and remotely. It would therefore be helpful, other than where it is unavoidable, to continue to send all correspondence by email to ensure that it reaches the intended recipient in a timely way*

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**From:** Allybokus, Nawaaz <[NawaazAllybokus@eversheds-sutherland.com](mailto:NawaazAllybokus@eversheds-sutherland.com)>  
**Sent:** 13 April 2022 14:35  
**To:** May-Robinson Francesca - MO1 Met Ops Chief Officer Team <[Francesca.May-Robinson@met.police.uk](mailto:Francesca.May-Robinson@met.police.uk)>  
**Cc:** Wortley, Stuart <[StuartWortley@eversheds-sutherland.com](mailto:StuartWortley@eversheds-sutherland.com)>  
**Subject:** RE: Disclosure order - Saffron Tower (Croydon), South Quay Plaza (Marsh Wall, London) and Esso West London Terminal

Hi Francesca

A response this side of the weekend would be preferred – although I appreciate that Friday is a bank holiday in any event.

If it has to wait until next week, are you able to ensure that it is dealt with early next week please?

Many thanks for picking this up

Kind regards

Nawaaz Allybokus | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

M: +44 7920 590 944  
[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

**Eversheds Sutherland**

Helping our clients, our people and our communities to thrive

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**From:** [Francesca.May-Robinson@met.police.uk](mailto:Francesca.May-Robinson@met.police.uk) <[Francesca.May-Robinson@met.police.uk](mailto:Francesca.May-Robinson@met.police.uk)>  
**Sent:** 13 April 2022 14:18  
**To:** Allybokus, Nawaaz <[NawaazAllybokus@eversheds-sutherland.com](mailto:NawaazAllybokus@eversheds-sutherland.com)>  
**Subject:** RE: Disclosure order - Saffron Tower (Croydon), South Quay Plaza (Marsh Wall, London) and Esso West London Terminal

**From:** civil.litigation@hampshire.pnn.police.uk  
**Sent:** 22 April 2022 12:07  
**To:** Allybokus, Nawaaz  
**Subject:** RE: Disclosure Order- Ezzo Fawley and Hythe Terminal & Hartland Park Terminal

Dear Mr Allybokus,

We now have final instructions and confirm that we adopt a neutral position in relation to your application for the further (disclosure) Order, the terms of which we consider we would be able to comply with (if granted by the Court).

Yours faithfully

**Office of the Force Solicitor**

**Civil Litigation**

Hampshire Constabulary

Police & Fire Headquarters

Leigh Road

Eastleigh

Hampshire

SO50 9SJ

DX: 132262 Eastleigh 8

Email: [civil.litigation@hampshire.pnn.police.uk](mailto:civil.litigation@hampshire.pnn.police.uk)

Tel: 02380 479 803

Website: [www.hampshire.police.uk](http://www.hampshire.police.uk)

Ref: LHJ/JA

**IMPORTANT:** As this email is likely to contain information which is confidential and may be protected by legal privilege it must not be disclosed to any party without the prior written consent of the sender. If you believe you have received this email in error please report this to the sender and destroy all copies of this email.

The Chief Constable of Hampshire Constabulary is a data controller under the GDPR/Data Protection Act 2018 and will process your data in accordance with legislation. The basis upon which the Chief Constable will process your personal data is described in our privacy notice available on the Hampshire Constabulary website.

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**From:** Allybokus, Nawaaz <NawaazAllybokus@eversheds-sutherland.com>  
**Sent:** 22 April 2022 11:21  
**To:** CIVIL LITIGATION FORCE SOLICITOR Mailbox <civil.litigation@hampshire.pnn.police.uk>  
**Subject:** RE: Disclosure Order- Ezzo Fawley and Hythe Terminal & Hartland Park Terminal

Dear Sirs,

Please find attached a copy of the Order of 6 April 2022.

We look forward to hearing from you as soon as possible please.

Yours faithfully

Nawaaz Allybokus | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

M: +44 7920 590 944

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

**Eversheds Sutherland**

Helping our clients, our people and our communities to thrive

**From:** Jennifer Jackson <jennifer.jackson@westmidlands.police.uk>  
**Sent:** 22 April 2022 13:47  
**To:** Allybokus, Nawaaz  
**Subject:** RE: [External]: RE: Disclosure Order - Esso Birmingham Terminal

Dear Nawaaz,

Further to your below email, we adopt a neutral position in respect of the application. We also seek confirmation that any information provided (1) will only be retained for so long as is necessary to achieve the aim set out in the witness statement, (2) will only be used for that purpose and (3) will not be disclosed to any other party save insofar as is necessary to fulfil that purpose.

If an order is granted by the Court, please also send the same to Joint Legal Services, the email address being [ls\\_joint\\_services@westmidlands.police.uk](mailto:ls_joint_services@westmidlands.police.uk).

We trust this is of assistance to you.

Kind regards,

Jenni

**Jenni Jackson** | Solicitor  
Joint Legal Services for Staffordshire Police and West Midlands Police  
T: 101 – West Midlands Police | M: 07917514134

**Preventing crime, protecting the public and helping those in need.**

[If it's not 999, search WMP Online](#)



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*Please be aware that all information provided to Staffordshire and West Midlands Police Joint Legal Services will be held and treated in confidence in accordance with the Data Protection Act 2018. It may be shared with other Force departments or third party organisations including, but not limited to, external solicitors, Counsel and, in relation to claims handling, Insurers. Personal information may also be used for statistical purposes, for fraud and crime prevention and may be checked with/disclosed to regulatory bodies. The information provided may be held electronically and/or in paper form and will be kept secure at all times. Please be aware that your personal data will be processed for the performance of the exercise of the Police's official authority, and to comply with legal obligations.*



**JOINT LEGAL  
SERVICES**

**From:** Allybokus, Nawaaz [mailto:NawaazAllybokus@westmidlands.police.uk]  
**Sent:** 22 April 2022 09:37  
**To:** Shanaz Anwar <shanaz.anwar@westmidlands.police.uk>  
**Cc:** Jennifer Jackson <jennifer.jackson@westmidlands.police.uk>  
**Subject:** [External]: RE: Disclosure Order - Esso Birmingham Terminal

**CAUTION:** This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Thanks Shanaz,

Jennifer, I look forward to hearing from you as soon as possible today, as we are due to file the application.

Kind regards

Nawaaz Allybokus | Associate | Real Estate Dispute Resolution | Eversheds Sutherland

M: +44 7920 590 944  
[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

**Eversheds Sutherland**



**QUEEN'S BENCH DIVISION**

**Mr(s) Justice [...]**

**B E T W E E N:**

**(1) ESSO PETROLEUM COMPANY, LIMITED**

**(2) EXXONMOBIL CHEMICAL LIMITED**

**Claimants**

**-and-**

**(1) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT) UPON ANY OF THE FOLLOWING SITES ("THE SITES")**

- (A) THE OIL REFINERY AND JETTY AT THE PETROCHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN EDGED RED ON THE ATTACHED 'FAWLEY PLAN')
- (B) HYTHE OIL TERMINAL, NEW ROAD, HARDLEY SO45 3NR (AS SHOWN EDGED RED ON THE ATTACHED 'HYTHE PLAN')
- (C) AVONMOUTH OIL TERMINAL, ST ANDREWS ROAD, BRISTOL BS11 9BN (AS SHOWN EDGED RED ON THE ATTACHED 'AVONMOUTH PLAN')
- (D) BIRMINGHAM OIL TERMINAL, WOOD LANE, BIRMINGHAM B24 8DN (AS SHOWN EDGED RED ON THE ATTACHED 'BIRMINGHAM PLAN')
- (E) PURFLEET OIL TERMINAL, LONDON ROAD, PURFLEET, ESSEX RM19 1RS (AS SHOWN EDGED RED ON THE ATTACHED 'PURFLEET PLAN')
- (F) WEST LONDON OIL TERMINAL, BEDFONT ROAD, STANWELL, MIDDLESEX TW19 7LZ (AS SHOWN EDGED RED ON THE ATTACHED 'WEST LONDON PLAN')
- (G) HARTLAND PARK LOGISTICS HUB, IVELY ROAD, FARNBOROUGH (AS SHOWN EDGED RED ON THE ATTACHED 'HARTLAND PARK PLAN')
- (H) ALTON COMPOUND, PUMPING STATION, A31, HOLLYBOURNE (AS SHOWN EDGED RED ON THE ATTACHED 'ALTON COMPOUND PLAN')

**(2) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT OR THE SECOND CLAIMANT) UPON THE CHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN EDGED PURPLE ON THE ATTACHED 'FAWLEY PLAN')**

**(3) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, OBSTRUCT ANY OF THE VEHICULAR ENTRANCES OR EXITS TO ANY OF THE SITES**

**Defendants**

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**DRAFT  
ORDER**

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**UPON** the hearing of the Claimants' Application dated [ ]

**AND UPON** hearing counsel for the Claimants

**AND UPON** reading the Fourth Witness Statement of Nawaaz Allybokus on behalf of the Claimants

**UPON** the Metropolitan Police, Hampshire Constabulary, West Midlands Police, Avonmouth & Somerset Constabulary, Essex Police ("Constabularies") taking no objection to the Application

**AND UPON** the Constabularies not having been given three cleared days' notice of the Claimant's Application and the hearing dated [ ]

**IT IS ORDERED THAT:**

**Disclosure**

1. The Chief Constables listed in the Schedule to this Order shall disclose to either of the Claimants the name and address of any person who has been arrested by one of their officers in the course of, or as a result of, protests in connection with the Extinction Rebellion or Just Stop Oil campaigns at the Sites.
2. The disclosure of information required by paragraph 1 of this Order shall be made as soon as reasonably practicable. In respect of those arrests that have already occurred, such disclosure shall be made as soon as reasonably practicable and in any event no later than by 4pm on 6 May 2022.
3. The Chief Constables listed in the Schedule of this order shall disclose to the Claimants the name and address of any person in breach of the Court Order dated 6 April 2022 (whether or not arrested), such disclosure shall include all arrest notes, body cam footage and/or other photographic material in relation to the individual in question.

**Service**

4. A copy of this order, application notice and evidence in support of the application to be served by email on:
  - a. Metropolitan Police: [Julia.bartholomew@met.police.uk](mailto:Julia.bartholomew@met.police.uk)
  - b. Hampshire Constabulary: [civil.litigation@hampshire.pnn.police.uk](mailto:civil.litigation@hampshire.pnn.police.uk)
  - c. West Midlands Police: [ls\\_joint\\_services@westmidlands.police.uk](mailto:ls_joint_services@westmidlands.police.uk)
  - d. Avonmouth & Somerset Constabulary: [victoria.james@avonandsomerset.police.uk](mailto:victoria.james@avonandsomerset.police.uk)
  - e. Essex Police: [Adam.Hunt@essex.police.uk](mailto:Adam.Hunt@essex.police.uk)
  - f. National Police Coordination Centre: [owen.weatherill@npocc.police.uk](mailto:owen.weatherill@npocc.police.uk)

**Costs**

5. No order for costs

**Signed:**

**Dated: [       ] April 2022**

**Schedule**

<b>Site</b>	<b>Constabulary</b>
Fawley and Hythe	Hampshire Constabulary
Avonmouth Terminal	Avonmouth and Somerset Constabulary
Birmingham Terminal	West Midlands Police
Purfleet Terminal	Essex Police
West London Terminal	Metropolitan Police
Hartland Park Terminal	Hampshire Constabulary
Alton Compound	Hampshire Constabulary

