

**IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION  
Before the Honourable Mr Justice Linden  
On 18 July 2023**

**CLAIM NO. QB-2022-001098**



**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 FOR IDENTIFICATION EDGED RED AND  
GREEN BUT EXCLUDING THOSE AREAS EDGED BLUE ON THE ATTACHED  
'FAWLEY PLAN')**
- (B) HYTHE OIL TERMINAL, NEW ROAD, HARDLEY SO45 3NR (AS SHOWN FOR  
IDENTIFICATION EDGED RED ON THE ATTACHED 'HYTHE PLAN')**
- (C) AVONMOUTH OIL TERMINAL, ST ANDREWS ROAD, BRISTOL BS11 9BN (AS SHOWN  
FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'AVONMOUTH PLAN')**
- (D) BIRMINGHAM OIL TERMINAL, WOOD LANE, BIRMINGHAM B24 8DN (AS SHOWN  
FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'BIRMINGHAM PLAN')**
- (E) PURFLEET OIL TERMINAL, LONDON ROAD, PURFLEET, ESSEX RM19 1RS (AS  
SHOWN FOR IDENTIFICATION EDGED RED AND BROWN ON THE ATTACHED  
'PURFLEET PLAN')**
- (F) WEST LONDON OIL TERMINAL, BEDFONT ROAD, STANWELL, MIDDLESEX TW19  
7LZ (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'WEST  
LONDON PLAN')**
- (G) HARTLAND PARK LOGISTICS HUB, IVELY ROAD, FARNBOROUGH (AS SHOWN FOR  
IDENTIFICATION EDGED RED ON THE ATTACHED 'HARTLAND PARK PLAN')**
- (H) ALTON COMPOUND, PUMPING STATION, A31, HOLLYBOURNE (AS SHOWN FOR  
IDENTIFICATION 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 FOR IDENTIFICATION EDGED PURPLE ON THE ATTACHED  
'FAWLEY PLAN')**

**(3) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE  
'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL'  
CAMPAIGN, ENTER ONTO ANY OF THE CLAIMANTS' PROPERTY AND  
OBSTRUCT ANY OF THE VEHICULAR ENTRANCES OR EXITS TO ANY  
OF THE SITES (WHERE "SITES" FOR THIS PURPOSE DOES NOT  
INCLUDE THE AREA EDGED BROWN ON THE PURFLEET PLAN)**

**(4) PAUL BARNES**

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**ORDER**

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**PENAL NOTICE**

**IF YOU, THE DEFENDANTS, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS OR ANY OF THEM TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

**IMPORTANT NOTICE TO THE DEFENDANT**

This Order prohibits you from doing certain acts. You should read this Order very carefully. You are advised to consult a solicitor as soon as possible.

If you disobey this Order you may be found guilty of contempt of court and you may be sent to prison or your assets seized.

You have the right to apply to the court to vary or discharge this Order (which is explained below).

**RECITALS**

**FOLLOWING** the Orders of Ellenbogen J dated 6 April 2022, Bennathan J dated 27 April 2022, Collins Rice J dated 30 March 2023 and Linden J dated 10 July 2023

**UPON** the hearing of the Claimants' claim issued on 4 April 2022

**AND UPON** the application dated 14 June 2023

**AND UPON** hearing Leading Counsel and Junior Counsel for the Claimants

**AND UPON** reading the evidence recorded in Schedule 1 to this Order

**AND UPON** the Claimants having received assurances from Paul Barnes and Diana Hekt that they do not intend to breach any injunction covering the Sites (as defined below)

**AND UPON** the Court handing down its judgment on 18 July 2023

**IT IS ORDERED THAT:**

**NAMED DEFENDANTS**

1. In view of the assurances given by them mentioned above, Paul Barnes and Diana Hekt are not to be subject to the injunctions set out in paragraphs 3, 4 and 5 below, without further order.

**FURTHER EVIDENCE**

2. The Claimants be permitted to rely on the Second Witness Statement of Martin Pullman dated 6 June 2023 and the Seventh Witness Statement of Nawaaz Allybokus dated 13 June 2023.

**THE INJUNCTIONS**

3. Until 11 July 2028, or further order in the meantime, the First Defendant must not:
  - 3.1 enter or remain upon any part of the First Claimant's properties ("the Sites") without the consent of the First Claimant at:
    - (1) the Oil Refinery and Jetty at the Petrochemical Complex, Marsh Lane, Southampton SO45 1TH (as shown for identification edged red and green but excluding those areas edged blue on the attached 'Fawley Plan').
    - (2) Hythe Terminal, New Road, Hardley, SO45 3NR (as shown for identification edged red on the attached 'Hythe Plan').
    - (3) Avonmouth Terminal, St Andrews Road, Bristol BS11 9BN (as shown for identification edged red on the attached 'Avonmouth Plan').

- (4) Birmingham Terminal, Wood Lane, Birmingham B24 8DN (as shown for identification edged red on the attached ‘Birmingham Plan’).
  - (5) Purfleet Terminal, London Road, Purfleet, Essex RM19 1RS (as shown for identification edged red and brown on the attached ‘Purfleet Plan’).
  - (6) West London Terminal, Bedfont Road, Stanwell, Middlesex TW19 7LZ (as shown for identification edged red on the attached ‘West London Plan’).
  - (7) Hartland Park Logistics Hub, Ively Road, Farnborough (as shown for identification edged red on the attached ‘Hartland Park Plan’).
  - (8) Alton Compound, Pumping Station, A31, Hollybourne (as shown for identification edged red on the attached ‘Alton Compound Plan’);
- 3.2 damage any part of any of the Sites;
  - 3.3 affix themselves or any person or object to any part of any of the Sites;
  - 3.4 erect any structures on any part of any of the Sites;
4. Until 11 July 2028, or further order in the meantime, the Second Defendant must not without the consent of the First Claimant or Second Claimant:
- 4.1 enter or remain upon any part of the Second Claimant’s property at the Chemical Plant, Marsh Lane, Southampton SO45 1TH (“the Chemical Plant”) (as shown for identification edged purple on the attached ‘Fawley Plan’);
  - 4.2 damage any part of the Chemical Plant;
  - 4.3 affix themselves or any person or object at the Chemical Plant;
  - 4.4 erect any structures on any part of the Chemical Plant.
5. Until 11 July 2028, or further order in the meantime, the Third Defendant must not enter onto the Claimants’ property and obstruct any of the vehicular entrances or exits to any of the Sites (where “Sites” for this purpose does not include the area edged brown on the Purfleet Plan) so as to restrict or prevent or endanger the use of such entrances or exits for the Claimants, their contractors, servants, agents, employees or licensees.

**VARIATION OR DISCHARGE OF THIS ORDER**

6. The Defendants may apply to vary or discharge this Order at any time upon giving not less than 3 clear days' notice to the Claimant's solicitors, Eversheds Sutherland (International) LLP, by emailing [exxonmobil.service@eversheds-sutherland.com](mailto:exxonmobil.service@eversheds-sutherland.com). Any evidence to be relied upon in support of such an application must be communicated in writing to the Claimants' solicitors at least 2 clear days before the hearing.
7. Any person applying to vary or discharge this Order must provide their full name and address, an address for service.
8. The Claimants have liberty to apply.

### **REVIEW HEARINGS**

9. Within 14 days of the judgment of the Supreme Court in *Wolverhampton City Council v London Gypsies and Travellers* (2022/0046) being handed down, the Claimants will apply to the King's Bench Division for a review of this Order. Subject to the views of the judge who considers the matter, such review may be conducted on paper in the event that there is no material change in the law as stated by the Court of Appeal in *London Borough of Barking & Dagenham & Others v Persons Unknown* [2022] EWCA Civ 13; [2023] QB 295.
10. Subject to the paragraph above, the injunctions made herein shall be reviewed on each anniversary of this order (or so close thereto as is convenient having regard to the Court's list) with a time estimate of 2.5hrs (plus reading time). The Claimants are permitted to file and serve any evidence in support 14 days before the review hearing.
11. The Claimants shall file and serve a trial bundle not less than 7 days before the review hearing.
12. Skeleton arguments on behalf of any represented party shall be lodged and exchanged, with bundle of authorities, not less than 3 days before the review hearing.

### **INTERPRETATION OF THIS ORDER**

13. A Defendant who is ordered not to do something must not do it him/herself/themselves or in any other way. He/she/they must not do it through another acting on his/her/their behalf or on his/her/their instructions or with his/her/their encouragement.

## **SERVICE OF THIS ORDER**

14. Pursuant to CPR 6.15 and 6.27 and 81.4(2)(c) and (d), service of this Order shall be effected on the First, Second and Third Defendants as follows:

14.1 fixing copies thereof in clear transparent sealed containers at a minimum number of 2 locations on the perimeter of each of the Sites together with a notice which states (a) that a copy of the Order may be obtained from the Claimants' solicitors, Eversheds Sutherland (International) LLP, One Wood Street, London EC2V 7WS (Ref: Stuart Wortley tel: 020 7919 4500) email: [exxonmobil.service@eversheds-sutherland.com](mailto:exxonmobil.service@eversheds-sutherland.com) and (b) that a copy of the Order may be viewed at the website referred to in Paragraph 13.2 of this Order;

14.2 posting the Order on the following website:  
<https://www.exxonmobil.co.uk/Company/Overview/UK-operations>;

14.3 fixing a minimum of four large warning notices in the forms annexed to this Order in conspicuous places around the perimeters of the Sites. Such notices must be a minimum of A2 size; and

14.4 sending an email to each of the following email addresses: (i) with the information that a copy of the Order may be viewed at the website referred to in Paragraph 14.2 of this Order; and/or (ii) enclosing a copy of this Order (whether by Mimecast link or otherwise):

(a) [xr-legal@riseup.net](mailto:xr-legal@riseup.net)

(b) [enquiries@extinctionrebellion.uk](mailto:enquiries@extinctionrebellion.uk)

(c) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com)

15. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), this Order shall be deemed to be served on the First, Second and Third Defendants on the latest date on which all of the methods of service referred to in Paragraph 14 above have been completed.

16. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), the steps identified in Paragraph 14 of this Order shall stand as good service of the Order on the First, Second and Third Defendants.

## **SERVICE OF OTHER DOCUMENTS**

17. Pursuant to CPR 6.15 and 6.27 and 81.4(2)(c) and (d), service of any other applications and evidence in support by the Claimants (“the Further Documents”), shall be effected on the First, Second and Third Defendants as follows:

17.1 fixing copies thereof in clear transparent sealed containers at a minimum number of 2 locations on the perimeter of each of the Sites together with a notice which states (a) that copies of the Further Documents may be obtained from the Claimants’ solicitors, Eversheds Sutherland (International) LLP, One Wood Street, London EC2V 7WS (Ref: Stuart Wortley tel: 020 7919 0969) email: [exxonmobil.service@eversheds-sutherland.com](mailto:exxonmobil.service@eversheds-sutherland.com) and (b) that copies of the Further Documents may be viewed at the website referred to in Paragraph 14.2 of this Order;

17.2 posting the Further Documents on the following website: <https://www.exxonmobil.co.uk/Company/Overview/UK-operations>; and

17.3 sending an email to each of the following email addresses: (i) with the information that copies of the Further Documents may be viewed at the website referred to in Paragraph 17.2 of this Order; and/or (ii) enclosing copies of the Further Documents (whether by Mimecast link or otherwise):

- (a) [xr-legal@riseup.net](mailto:xr-legal@riseup.net)
- (b) [enquiries@extinctionrebellion.uk](mailto:enquiries@extinctionrebellion.uk)
- (c) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com)

18. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), the Further Documents shall be deemed to be served on the First, Second and Third Defendants on the latest date on which all of the methods of service referred to in Paragraph 17 above have been completed.

19. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), the steps identified in Paragraph 17 of this Order shall stand as good service of the Further Documents on the First, Second and Third Defendants.

20. Pursuant to CPR 81.4(2)(c) and (d), the Court dispenses with the requirement for personal service in relation to the Fifth Defendant.

## **COSTS**

21. No order as to costs.

## **THE COURT**

22. The Court will provide sealed copies of this Order for service to the Claimants' solicitors, whose details are set out in Paragraphs 14.1 and 17.1 of this Order.

23. All communications to the Court about this Order should be sent to:

- King's Bench Division, Royal Courts of Justice, Strand WC2A 2LL
- The office are open between 10.00am and 4.30pm Monday to Friday (except Bank Holidays)
- The telephone number is 020 3936 8957
- The email address is [kjudgeslistingoffice@justice.gov.uk](mailto:kjudgeslistingoffice@justice.gov.uk)

## **SERVICE OF THE ORDER**

24. This Order shall be served by the Claimants on the Defendants.

18 July 2023



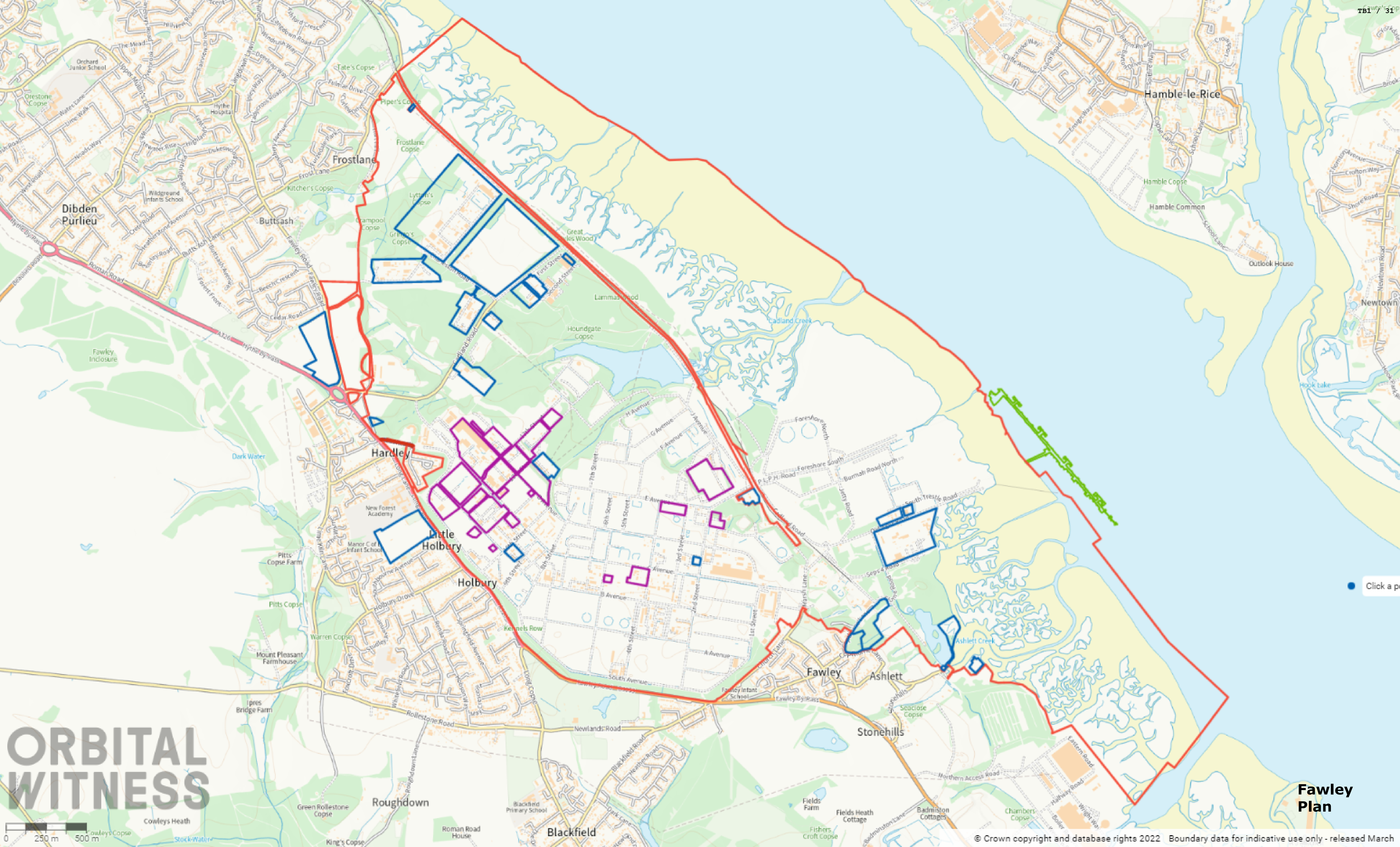
## SCHEDULE 1

The Judge read the following Witness Statements before making this Order:

- (1) First Witness Statement of Stuart Sherbrooke Wortley dated 4 April 2022 together with the exhibits marked “SSW1” - “SSW9”.
- (2) First Witness Statement of Anthony Milne dated 3 April 2022 together with the exhibits marked “AM1” – “AM15”.
- (3) First Witness Statement of Nawaaz Allybokus dated 5 April 2022 together with the exhibit marked “NA1”.
- (4) Second Witness Statement of Nawaaz Allybokus dated 5 April 2022 together with the exhibit marked “NA2”.
- (5) First Witness Statement of Martin Pullman dated 27 February 2023 together with exhibits marked “MP1” and “MP2”.
- (6) Third Witness Statement of Nawaaz Allybokus dated 22 April 2022 together with the exhibit marked “NA3”.
- (7) Fourth Witness Statement of Nawaaz Allybokus dated 22 April 2022 together with the exhibit marked “NA4”.
- (8) Fifth Witness Statement of Nawaaz Allybokus dated 20 March 2023 together with the exhibit marked “NA5”.
- (9) Sixth Witness Statement of Nawaaz Allybokus dated 24 May 2023 together with the exhibit marked “NA6”.
- (10) Second Witness Statement of Martin Pullman dated 6 June 2023 together with the exhibits marked “MP3” – “MP5”.
- (11) Seventh Witness Statement of Nawaaz Allybokus dated 13 June 2023 together with the exhibits marked “NA7” – “NA8”.
- (12) Eighth Witness Statement of Nawaaz Allybokus dated 4 July 2023 together with the exhibit marked “NA9”.
- (13) Ninth Witness Statement of Nawaaz Allybokus dated 11 July 2023 together with the exhibit marked “NA10”.
- (14) Witness Statement of Sarah Pemberton dated 11 July 2023.
- (15) Tenth Witness Statement of Nawaaz Allybokus dated 12 July 2023.

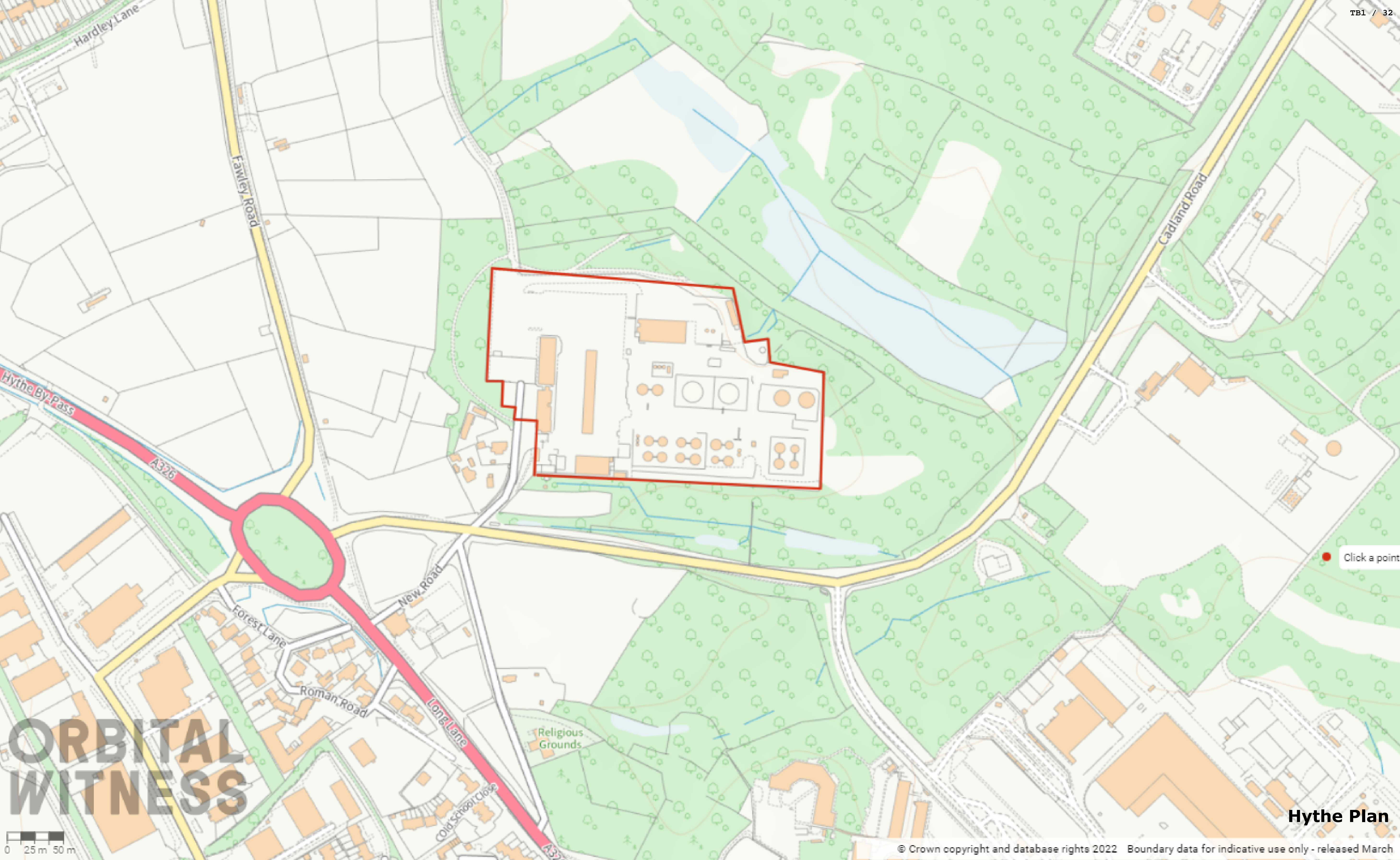
## **SCHEDULE 2 - Plans**

1. Fawley Plan
2. Hythe Plan
3. Avonmouth Plan
4. Birmingham Plan
5. Purfleet Plan
6. West London Plan
7. Hartland Park Plan
8. Alton Compound Plan



**ORBITAL WITNESS**

**Fawley Plan**



**ORBITAL  
WITNESS**



Click a point

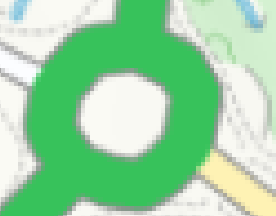
**Hythe Plan**

# ORBITAL WITNESS

0 50 m 100 m



BL105954



Smoke Lane

Smoke Lane

Poplar Way West

Worthing Road

Greens...

## Avonmouth Plan



ORBITAL WITNESS

0 25m 50m

Birmingham Plan

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Harris Academy Riverside

Purfleet Baptist Church

London Road Purfleet

EX869958

Purfleet Thames Terminal

Purfleet Plan

ORBITAL WITNESS

0 25m 50m



Purfleet Baptist Church

London Road Purfleet

Linden Close

Locker Road

Macott Close

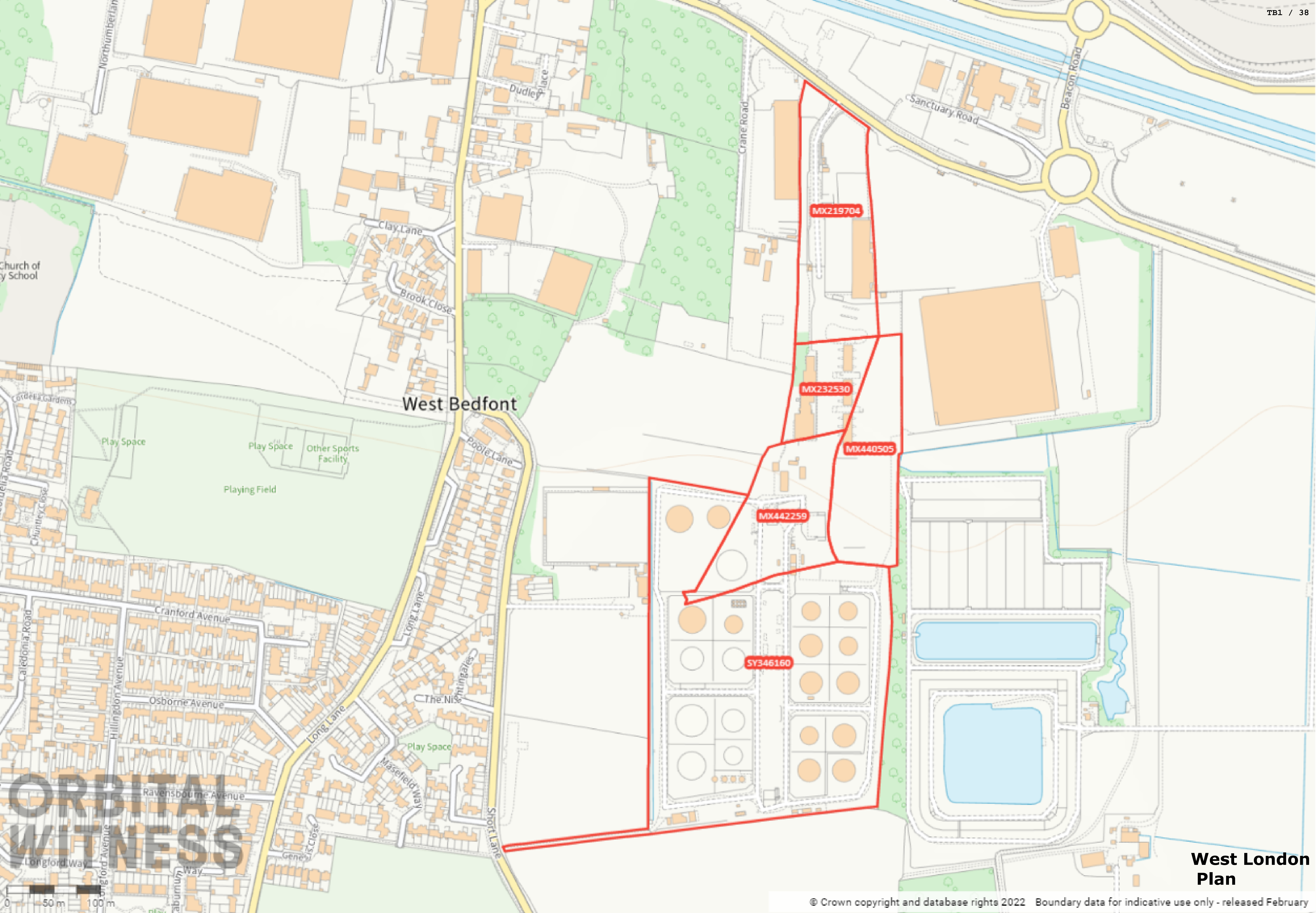
Purfleet Thames Terminal

**ORBITAL  
WITNESS**

**Purfleet  
Plan B**

0 25m 50m

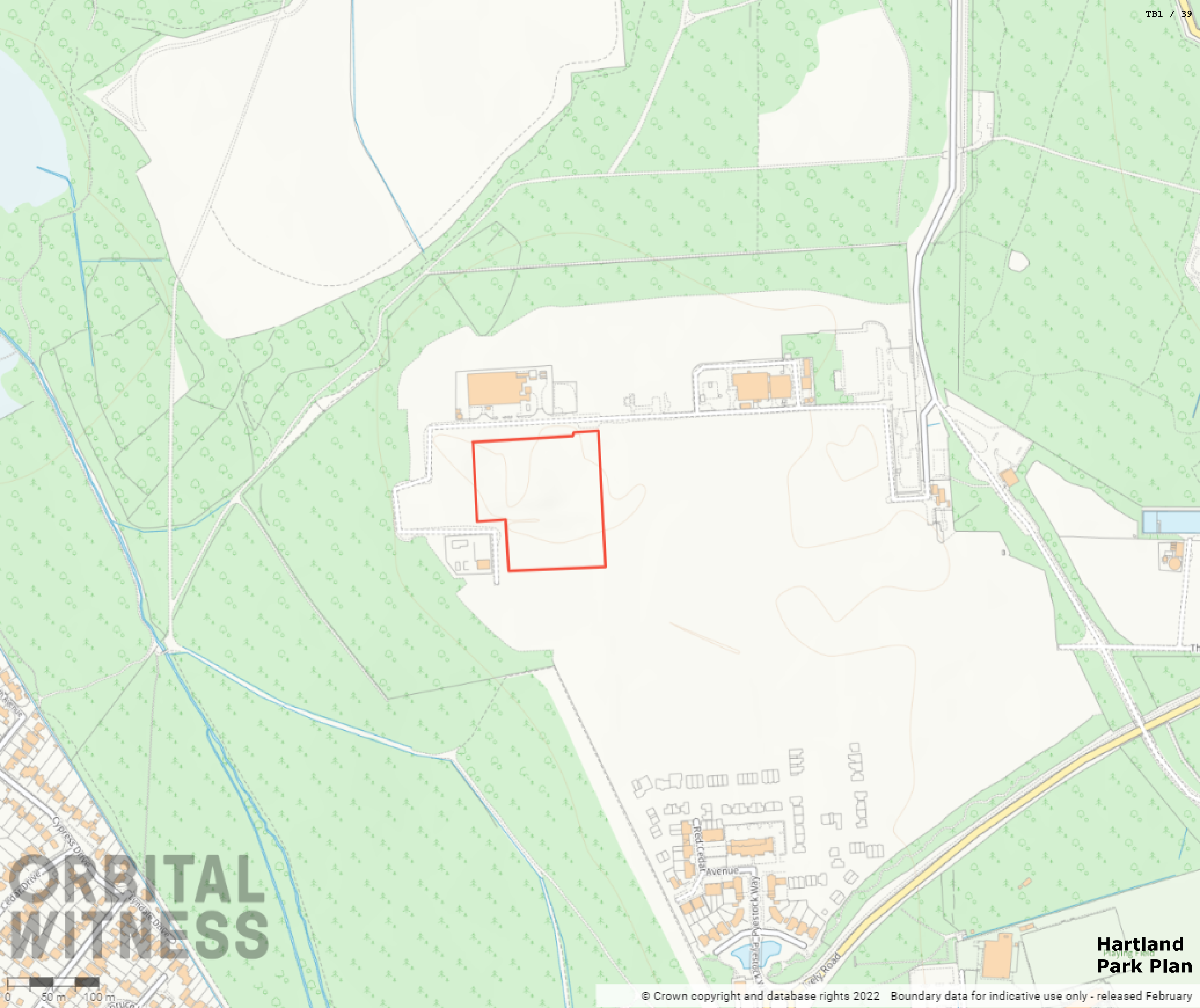




**ORBITAL  
WITNESS**



**West London  
Plan**



**ORBITAL WITNESS**

**Hartland Park Plan**



ORBITAL  
WITNESS



Alton Compound  
Plan