CLAIM NO: KB-2024-0002317

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

B E T W E E N

(1) LEEDS BRADFORD AIRPORT LIMITED
(2) LONDON LUTON AIRPORT OPERATIONS LIMITED
(3) NEWCASTLE INTERNATIONAL AIRPORT LIMITED
(4) NIAL SERVICES LIMITED

Claimants

- v –

PERSONS UNKNOWN
AS MORE PARTICULARLY DESCRIBED
IN THE AMENDED CLAIM FORM

Defendants

SSW1

This is the exhibit marked "SSW1" referred to in the witness statement of Stuart Sherbrook Wortley dated 6 June 2025.

Climate activists blockade Farnborough private jet airport's three main gates

June 02, 2024 by Extinction Rebellion

Contact: Tom Maidment 07900 065913 | Carol 07791 737093
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Location: W3W copy.tree.alarm
Images: Link for photos

Extinction Rebellion climate activists are blocking access to Farnborough Airport this morning (Sunday 2 June) to protest against the increasing use of highly polluting private jets by the super-rich and to call on the government to ban private jets, tax frequent flyers and make polluters pay.

Today's blockade is part of a global week of action against private aviation under the banner Make Them Pay with actions in Denmark, Germany, Mexico, Norway, Sweden, Switzerland and the US, and follows Europe's largest private jet convention EBACE in Geneva this week.

In Farnborough, protesters have barricaded the airport's Gulfstream Gate with the iconic XR pink boat with "LOVE IN ACTION" painted on the side, Ively Gate has four protesters locked on to oil drums, and the airport's departure gate has an activist mounted on a tripod blockading the entrance. Police have seized a second tripod.

A fourth group of protesters are playing cat and mouse with the airport authorities, moving between the airport's other gates to block them. At all three main gates, protesters are releasing colourful smoke flares, chanting slogans and engaging with members of the public, accompanied by the XR Rebel Rhythms band of drummers.

The activists are supported at all three main entrances to the airport by scores of demonstrators holding banners reading "FLYING TO EXTINCTION", "PRIVATE FLIGHTS = PUBLIC DEATHS", "STOP PRIVATE FLIGHTS", "PRIVATE FLIGHTS COST THE EARTH" and "TAX FREQUENT FLYERS".

Climate activists are targeting Farnborough Airport in an escalating campaign because it is the UK's largest private jet airport. Last year 33,120 private flights landed and took off from its runways, carrying an average of just 2.5 passengers per flight, making them up to 40 times more carbon intensive than regular flights. Currently 40% of flights to and from the airport are empty. The airport is now seeking planning permission to increase the number of planes taking off or landing from a maximum of 50,000 a year to up to 70,000 a year.

Farnborough Airport claims to be a centre for business aviation yet around 50% of Farnborough flights headed to the Mediterranean during summer months, rather than business locations, with around 25% heading to Alpine destinations during the winter months. Last year a service was launched specifically to shuttle dogs and their owners to Dubai and back.

The demonstration includes campaigners from Extinction Rebellion, who have joined forces with local residents, Quakers, and campaign organisations Farnborough Noise Group, Blackwater Valley Friends of the Earth, and Bristol Aviation Action Network to voice their opposition to the airport's expansion plans.

Dr Jessica Upton, 54, from Oxford, a Veterinary surgeon and foster carer said: "I'm here today because private airports are an abomination. Expanding Farnborough would be putting the indulgent wants of the rich minority over the needs of the majority. Local people need cleaner air and less noise pollution, and the world's population urgently

needs rapid reductions in greenhouse gas emissions to survive. Private airports disproportionately contribute to climate breakdown and closing them would boost our chances of sticking to the Paris Climate Accords, the supposedly legally binding international treaty agreed to and signed by our government."

Daniela Voit, 37, from Surbiton, a Shiatsu Practitioner and Teacher, said: "Last year we hit a global average temperature rise of 1.5°C degrees celsius over an entire year. For decades we were told a 1.5°C rise needs to be avoided to avoid catastrophic changes to our lives due to the planetary warming caused by humanity's CO2 emissions. We can see the consequences of this temperature rise all over the world – currently immense flooding in Brazil and Afghanistan and temperature of 52C in Pakistan. To carry on flying in private jets, one of the biggest causes for CO2 emissions per person, in a time of climate crisis is reckless. The rich 1% that are flying from Farnborough Private Jet Airport seem to think they are exempt from taking responsibility for what they are doing to our only home. Banning Private Jets is one of the first things we need to do to stop further temperature rises. This is vital to ensure the survival of all life – human, animal and plant – on this planet that we call our Mother Earth."

Make Them Pay demands:

1) Ban private jets. Flying in a private jet is the most inefficient and carbon-intensive mode of transport. Flights on private jets can be as much as 40 times more carbon-intensive than regular flights, and 50 times more polluting than trains. A four-hour private flight emits as much as the average person does in a year. Private jet use is entirely inappropriate during a climate emergency. There's strong public support for banning private jets and banning this mode of travel was a key recommendation of the Climate Assembly.

2) Tax frequent flyers. Various citizens' assemblies, for example in the UK, Scotland, and France, have recommended that frequent flyers and those who fly further should pay more.

They believe this would "address issues of tax fairness, as currently those who don't fly are subsidising those who do" and that "this would deliver significant behaviour changes across society and have a positive impact on reducing overall carbon emissions caused by flying."

Taxes on air travel would be a socially progressive way of raising climate funds and have been proposed by the group representing the most vulnerable countries at COP27 as an effective way to raise climate finance and pay for loss and damage, alongside debt cancellation.

3) Make polluters pay. It is only fair that the wealthiest in society and the highest-

income, highest-emitters pay for their climate damage, and pay the most into climate Loss and Damage funds for the most affected peoples and areas to mitigate and adapt to the worst impacts of climate change.

The top 1% of the global population by income are responsible for more emissions than the bottom 50% combined. So not only is it a question of morality that the wealthiest in society pay the most, and commit to the most rapid emissions reductions – it's also a mathematical necessity and a question of practicality and science.

About Extinction Rebellion

Extinction Rebellion (XR) is a decentralised, international and politically non-partisan movement using non-violent direct action and civil disobedience to persuade governments to act justly on the Climate and Ecological Emergency.

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Why Citizens' Assemblies? | Breaking the political deadlock
XR UK Local Groups | View a map of all local groups
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Time has almost entirely run out to address the climate and ecological crisis which is upon us, including the sixth mass species extinction, global pollution, and increasingly rapid climate change. If urgent and radical action isn't taken, we're heading towards 4 ° C warming, leading to societal collapse and mass loss of life. The younger generation, racially marginalised communities and the Global South are on the front-line. No-one will escape the devastating impacts.

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Women deny £52k spray paint damage to private jets

GETTY IMAGES

The jets appeared to have been sprayed at London Stansted Airport on Thursday

Alex Pope & PA Media
BBC News, Essex

22 June 2024

Two women have denied causing £52,000 worth of damage after private jets were sprayed with orange paint by Just Stop Oil activists at Stansted Airport.

Jennifer Kowalski, 28, and Cole Macdonald, 22, pleaded not guilty to causing criminal damage and interfering with national infrastructure.

Ms Macdonald, of Baker Street, Brighton, East Sussex, and Ms Kowalski, of Williamson Avenue, Dumbarton, in West Dumbartonshire, were not asked to enter pleas to a third charge of aggravated trespass.

Just Stop Oil had said the private jet of popstar Taylor Swift was at the Essex airport, but police said it was not there at the time.

The pair were accused of using angle grinders to break through an airport fence at about 05:00 BST on Thursday before entering a taxiway with fire extinguishers filled with orange spray paint.

Prosecutors said the cost of cleaning up the paint was £52,000, but the full extent of the damage to the fence and extra security was not known.

Chelmsford Magistrates' Court heard 75 flights were disrupted during a 38-minute delay, affecting thousands of passengers.

The pair were denied bail and were due to appear for another hearing at Chelmsford Crown Court on 22 July.

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Just Stop Oil protesters 'arrested and removed' after blocking Gatwick Airport

MERIDIAN | GATWICK AIRPORT | SUSSEX POLICE | Monday 29 July 2024 at 10:23am

Seven people entered the South Terminal at around 8am and "used suitcases with lock-on devices to block the departure gates", Just Stop Oil claimed.
Credit: Just Stop Oil

Just Stop Oil supporters who blocked departure gates at Gatwick Airport have been arrested and are being removed, the airport has said.

Seven people entered the South Terminal at around 8am and "used suitcases with lock-on devices to block the departure gates", Just Stop Oil claimed.

A video shared by the group showed the protesters sitting on the floor inside the airport, blocking an entrance.

Passengers with suitcases appeared to step over the activists and continue with their journeys.

A London Gatwick spokesman said: “London Gatwick is open and operating normally today.

“There are a small number of protesters at the airport who have now been arrested and are being removed from the airport.”

In central London, environmental protesters have caused criminal damage and blocked access to an office building on Old Queen Street in Westminster, the Metropolitan Police said.

One person has been arrested for criminal damage, and the incident is ongoing, the force added.

Last week, 10 Just Stop Oil activists suspected of planning to disrupt Heathrow Airport were arrested.

The latest action is part of the “Oil Kills international uprising”, the group said, taking place at airports around the world.

Earlier this month, the airport became the latest major airport to secure a High Court injunction in an attempt to stop would-be environmental activists trespassing on its land after receiving police intelligence over protest plans.

Timothy Morshead KC, representing Gatwick at the hearing, said such action could cause “severe disruption and financial loss” and “significant delays for passengers”.

A spokesperson for Sussex Police said: "Police responded to a report that protesters were demonstrating near the security entrance at the South Terminal in Gatwick Airport at around 8am today (July 29).

"Eight people have been arrested on suspicion of interfering with public infrastructure, and a heightened police presence should be expected at this time.

"The airport is functioning as usual, and no disruption has been caused by protest activity."

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Just Stop Oil protesters who sprayed Stonehenge are bird-watching Oxford student, 21, and Quaker, 73

Police have arrested six Just Stop Oil activists at a supposed soup night in London this evening.

Hackney Police has detained a number of key organisers for the group who had allegedly been plotting to cause mayhem for thousands of holidaymakers this summer by disrupting airports across the UK.

Officers swooped on an east London community centre earlier today and arrested six activists during an event which JSO later claimed was a 'soup night'.

The eco group also claimed another protestor named Daniel was arrested whilst staying at their parents home in the capital.

Protesters had allegedly planned to disrupt airports in a 'sustained period of action', warning that an attack on Stansted airport last week, where two private jets were sprayed in orange paint, was just a 'prelude'.

Police are seen leading a Just Stop Oil activist away after arresting her and another five people at a supposed soup night in London this evening

An officer is seen speaking to another activist who had allegedly been part of a plot to cause mayhem for thousands of holidaymakers this summer by disrupting airports across the UK

The eco group also claimed another protestor named Daniel was arrested whilst staying at their parents home in the capital

JSO shared a video on X, showing the moment the suspected organisers were arrested earlier this evening.

One officer is heard telling one of the group: 'By taking part in the organisation of this event this evening, I suspect you are taking part in a plot to cause serious disruption to UK airports.'

A female activist is then see being led out of the hall in handcuffs as she is surrounded by several officers and other members of the public.

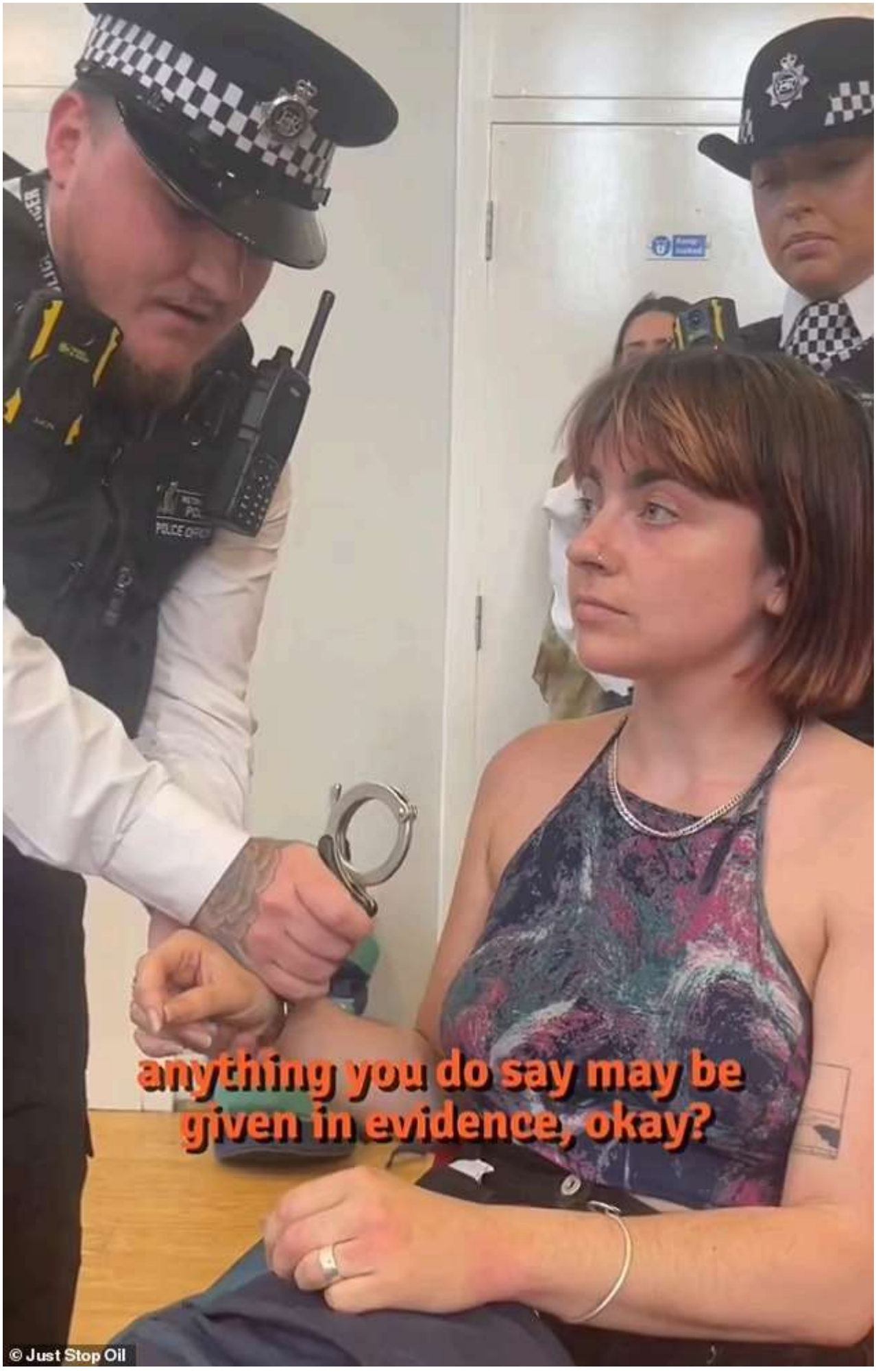
The video later cuts to a video of an activist, named Daniel, being arrested in a house by two police officers.

Daniel can be heard telling the camera: 'I'm being arrested. I'm not really sure why.

'I'm at my parents' house right now. I was just here in London visiting my parents.

'I think I've been told I'm under arrest for conspiracy to commit a public nuisance.

'Well this is what happens when you resist the British state.'



JSO shared a video on X, showing the moment the suspected organisers were arrested earlier this evening

A female activist is then see being led out of the hall in handcuffs as she is surrounded by several officers and other members of the public

Hackney Police said in a statement: 'Tonight (27 June), our officers made six arrests during an event at an east London community centre.

Read More

'We believe some of those in custody are key organisers for Just Stop Oil.

'All the arrests were under a section of the Public Order Act which makes it illegal to conspire to disrupt national infrastructure.

'We continue to work with airport operators and others to prevent significant disruption.

'Activists do not have the right to commit criminal acts that may also endanger themselves and others.

'Anyone who disrupts the safety and security of an airport can expect to be dealt with swiftly and robustly.'

The climate group has made headlines in recent weeks for its latest stunts including spray painting Stonehenge and spraying two private jets at Stansted airport.

But according to a source, the stunt at Stansted was only a 'prelude' to plans to disrupt even more airports over the coming months.

A Just Stop Oil activist is seen stood in Stansted airport after spraying two private jets

Jennifer Kowalski and Cole Macdonald broke into Stansted airport's VIP airfield just hours after the pop sensation landed in London ahead of this weekend's Wembley shows

Speaking to The Times, the source said: 'This is just another way of us taking action in the theatres of life we exist in because we're not politicians.

'Private jets are obviously mental for emissions and most people would agree they need to stop.

'It's a wake-up call for government that we need big radical changes.

'If this incoming government doesn't get us on war footing then we're not going to have anywhere to fly to.'

A JSO spokesman told MailOnline: 'We have smashed through the 1.5 degree threshold that was supposed to keep us safe, the consequences of this are catastrophic and this is leading to runaway extreme temperatures that are making large parts of the world unable to support human life. We cannot continue business as usual.

'To protect our families and communities we need an emergency, international legally binding treaty to phase out fossil fuel burning by 2030.'

When asked whether they would disrupt people's summer holidays, the spokesman said: 'We will be taking action at sites of key importance to the fossil fuel economy to demand an emergency, international legally binding treaty to phase out oil, gas and coal burning by 2030.'

One activist can be seen spraying the fuselage and windows of two parked white planes with orange paint

Video shows the pair using a disc cutter to slice through a chain link fence at the airport's perimeter, before using fire extinguishers to spray orange paint on the aircraft

Last week two JSO activists were also arrested and later bailed for throwing orange powder paint at Stonehenge.

Rajan Naidu, 73, and Niamh Lynch, 21, ran up to the stones and attacked them as members of the public tried to intervene.

Video footage showed two people wearing white shirts with the Just Stop Oil slogan, approaching the stone circle with canisters and spraying orange powder paint.

The group claimed it would wash off in the rain but archaeologists are concerned about potential damage to the 5,000-year-old world icon and landmark.

Tim Daw, a local farmer and historic property steward who used to volunteer at the site, carried out an experiment by mixing cornflour and food dye and then applying it to a small piece of sarsen, which is the same stone as Stonehenge.

On the piece of sarsen a series of little back dots are visible, which are the lichen.

Mr Daw described this on BBC Breakfast as a 'very, very rare plant organism that grows on rocks' which 'takes hundreds of years to grow because there's no nutrition'.

Just Stop Oil protesters spray Stonehenge with orange paint

He then washed the bottom half of the stone before gently rubbing it and noticed that the cornflour was in the stone's pores and therefore 'displacing the lichen'.

Mr Daw told the show that he was 'worried' about the lichen on the monument, and said of yesterday's attack: 'I was shocked and saddened. I couldn't believe it.

'Stonehenge is so precious, not just to me but to so many people. To do this act, which I think has worked against their cause, just seems pointless and damaging.'

Rishi Sunak and Sir Keir Starmer were united in the condemnation of Just Stop Oil after the incident.

The Prime Minister described it as a 'disgraceful act of vandalism' while the Labour leader branded the group 'pathetic'.

Just Stop Oil founder Roger Hallam handed longest-ever jail sentence for peaceful protest over M25 chaos

Five Just Stop Oil protesters, including one of its co-founders, have been jailed for conspiring to organise protests that blocked the M25 motorway.

Roger Hallam, 58, Daniel Shaw, 38, Louise Lancaster, 58, Lucia Whittaker De Abreu, 35, and Cressida Gethin, 22, agreed to cause disruption to traffic by having protesters climb onto gantries over the motorway for four successive days in November 2022.

Hallam was sentenced to five years' imprisonment while the other four defendants were each handed four years' imprisonment.

Prosecutors alleged the protests, which saw 45 people climb up the gantries, led to an economic cost of at least £765,000, while the cost to the Metropolitan Police was more than £1.1 million.

They also allegedly caused more than 50,000 hours of vehicle delay, affecting more than 700,000 vehicles, and left the M25 "compromised" for more than 120 hours.

Just Stop Oil protesters caused delays on the M25
PA Media

A police officer suffered concussion and bruising after being knocked off his motorbike in traffic caused by one of the protests on November 9 2022, prosecutor Jocelyn Ledward KC said at the sentencing hearing at Southwark Crown Court on Thursday.

The sentences are thought to be the longest sentences ever given in the UK for non-violent protest, the Guardian reports, beating those given to Just Stop Oil protesters Morgan Trowland and Marcus

Decker for scaling the Dartford Crossing.

At the sentencing at Southwark Crown Court, Judge Christopher Hehir said: “The plain fact is that each of you some time ago has crossed the line from concerned campaigner to fanatic.

“You have appointed yourselves as sole arbiters of what should be done about climate change.”

The defendants, referred to as the Whole Truth Five by Just Stop Oil on social media, shouted “we love you” from the dock immediately after the sentences were passed down.

They were greeted by Just Stop Oil supporters as they were driven from prison to Southwark Crown Court on Thursday.

All five defendants joined a Zoom call on November 2 2022 in which discussions were held about the planned protests, based off “what was said expressly and what could be inferred”, and were aiming to recruit others for the protests on the call, Ms Ledward told the court.

On the call, Hallam reportedly said they intended to cause “the biggest disruption in British modern history” as the climate group repeated calls for the Government to end to new oil and gas exploration in the North Sea.

A journalist from the Sun newspaper, who had joined the call pretending to be interested in the protest, managed to record some of it and passed the recordings on to the police.

Judge Christopher Hehir said the Zoom call showed “how intricately planned the disruption was and the sophistication involved”, and was “compelling evidence” of the existence of a conspiracy.

There was “extensive organisation and planning” for the protests and each defendant had a “significant role” in the conspiracy, Ms Ledward said.

The defendants were convicted by a jury of conspiracy intentionally to cause a public nuisance, contrary to section 78 of the Police, Crime, Sentencing and Courts Act 2022 and Section 1 of the Criminal Law Act 1977, on July 11.

In a statement on Thursday Just Stop Oil said the five were sentenced to jail for “nothing more than attending a Zoom call”.

The judge told the court 11 protesters were arrested on suspicion of contempt outside the court during the case’s trial on July 2, but the court had discontinued its proceedings against them on July 11 after he became “concerned” about their position.

There have been no protests on the M25 since November 2022.

Ten climate activists charged after Heathrow protest

Ten Just Stop Oil supporters were arrested at Heathrow

26 July 2024

Ten Just Stop Oil (JSO) activists have been charged with conspiring to disrupt Heathrow Airport.

An intelligence-led operation led to 10 people being arrested either at the airport or in its vicinity on Wednesday, the Metropolitan Police said.

They were charged on Thursday with conspiracy to interfere with key national infrastructure under Section 7 of the Public Order Act 2003.

The group appeared at Westminster Magistrates' Court later on Thursday where Sally Davidson, 36, Adam Beard, 55, Rosa Hicks, 28, Rory Wilson, 26, Luke Elson, 31, Luke Watson, 34, Sean O'Callaghan, 29 and Hannah Schafer, 60, were remanded in custody.

Two people, Julia Mercer, 74, and William Goldring, 27, were bailed following their court appearance.

JSO said the action at the airport was part of an "international uprising" and demanded the government commit to ending the extraction and burning of fossil fuels by 2023.

The organisation said on Thursday evening that 13 groups across 10 countries had participated in the action over the past two days, which had involved about 37 arrests globally, including those held at Heathrow on Wednesday.

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Ten Just Stop Oil activists arrested at Heathrow

24 July 2024

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Almost 200 protest London City Airport's expansion plans

28 July, 2024 5:26 pm 3 Min Read

Activists chanted 'they fly, we choke', outside the Department of Transport yesterday. The government is shortly expected to make a decision on the airport's expansion, reports Marco Marcelline

Credit: Fossil Free London

Close to 200 air pollution and climate campaigners gathered outside the Department for Transport yesterday (27th July) to protest against the proposed expansion of a London airport with a flight path over Leytonstone.

Chanting 'they fly, we choke', protesters were calling on the Department of Transport to reject London City Airport's expansion bid.

The penalty for breaching the injunction could have been as much as two years in prison, activists said.

In July 2023, London City Airport's bid for expansion was unanimously rejected by Newham Council, but airport bosses appealed it, meaning a final decision will now be taken by the government.

The airport, based in the docklands, wants to extend its cut-off time for flights from 1pm on Saturdays to 6.30pm all year round and 7.30pm during the summer months, as well increasing its daily limit of flights from six to nine between 6.30am and 7am.

Speaking previously, the airport's CEO Robert Sinclair said the proposals were part of a wider plan to increase the number of annual passengers from 6.5million to nine million by 2031.

Sinclair has argued that if approved, more jobs would be made available for local residents, while there would be more affordable flights to different destinations. In terms of its environmental commitment, City Airport has pledged to use a "cleaner, quieter new generation aircraft".

But, environmental activists and local residents have long-argued that the airport causes significant pollution. Protesters have also stressed that it does not serve the communities living around it who cannot afford a plane ticket due to high levels of poverty in Newham.

Credit: Fossil Free London

The airport is popular with bankers flying in business class and in 2023, one in four flights leaving the ort were more than half empt

Joanna Warrington, spokesperson for Fossil Free London, said: “As businessmen fly off over one of London’s poorest boroughs, we’re left choking on their excess fumes that fuel climate collapse.

“London City Airport is pressing ahead with irresponsible expansion plans, despite the opposition of locals who are already sick of all the noise and air pollution over their homes. And worse still, after appealing a unanimous decision by the local council to stop an increase in flights, they’ve gagged local dissent through expensive and threatening anti-protest injunctions.

Joanna added: “Our government needs to listen to Londoners, reject these plans and act for our health and futures.”

Toni Cottee from South West Essex Fight the Flights said: “Flights have been growing and growing in number with bigger and bigger jets, more and more disturbance and emissions. Local people can’t have a conversation in their own front gardens when the planes are going over. Now the airport wants to increase this and abandon the only respite residents get at the weekend.

“We need this airport closed. It’s in the wrong place and we’re living in a climate emergency – we need to reduce flights, not increase them.”

Just Stop Oil protesters arrested after trying to block Gatwick Airport departure gates

Just Stop Oil protesters who tried to block departure gates at Gatwick Airport have been “arrested and are being removed”, the airport said.

Police responded to a report that protesters were demonstrating near the security entrance at the South Terminal in Gatwick Airport at around 8am on Monday. Sussex Police said eight people were arrested on suspicion of interfering with public infrastructure, and no disruption was caused by the protests.

A London Gatwick spokesman said: “London Gatwick is open and operating normally today.

“There are a small number of protesters at the airport who have now been arrested and are being removed from the airport.”

The environmental protest group shared footage of demonstrators sitting on the floor at one of the airport’s gate as frustrated travellers climbed over them.

The group claimed to use suitcases with lock-on devices to block the departure gates and protesters were spotted wearing Just Stop Oil T-shirts, with their hands in orange-coloured boxes.

Passengers could be seen carrying their luggage over the protesters, who sat silently on the floor.

Just Stop Oil said they were joining 21 other protest groups taking part in an Oil Kills international uprising.

Mel Carrington, 63, a mother and former environmental consultant from Dorset, and Greg Sculthorpe, a mathematician from Doncaster, were said to be among the activists involved.

Protests have taken place at 17 airports across Europe, Canada and the US, Just Stop Oil said.

A Sussex Police spokesperson said: “Police responded to a report that protesters were demonstrating near the security entrance at the South Terminal in Gatwick Airport at around 8am today.

“Eight people have been arrested on suspicion of interfering with public infrastructure, and a heightened police presence should be expected at this time.

“The airport is functioning as usual, and no disruption has been caused by protest activity.”

In central London, environmental protesters have caused criminal damage and blocked access to an office building on Old Queen Street in Westminster, the Metropolitan Police said.

One person has been arrested for criminal damage, and the incident is ongoing, the force added.

Travellers climbed over Just Stop Oil protesters at Gatwick
Just Stop Oil

It comes after 10 protesters were arrested at Heathrow Airport or nearby on Wednesday following a Europe-wide campaign threatening summer travel chaos.

The activists were charged with conspiracy to interfere with key national infrastructure under Section 7 of the Public Order Act 2003.

Earlier this month, Gatwick became the latest major airport to secure a High Court injunction in an attempt to stop would-be environmental activists trespassing on its land after receiving police

intelligence over protest plans.

Timothy Morshead KC, representing Gatwick at the hearing, said such action could cause “severe disruption and financial loss” and “significant delays for passengers”.

Sussex Police has been contacted for comment.

Two Just Stop Oil activists arrested at Heathrow Airport after paint sprayed on departure board

Video from Just Stop Oil

Two Just Stop Oil activists have been arrested after they sprayed orange paint on departure boards at Heathrow Airport. The Metropolitan Police said the pair were held on suspicion of criminal damage. Officers “remain in the area to deal with any further offences”, the force added. The incident happened inside Terminal 5 on Tuesday morning. A Heathrow spokesperson said: “Working with partners we have quickly resolved a protest incident in Terminal 5 and all involved have been removed from the airport. “The airport continues to operate as normal and passengers are travelling as planned. “We are in full agreement that the aviation industry needs to decarbonise, but unlawful and irresponsible protest activity is not the way forward and will not be tolerated.” Climate activists have repeatedly targeted airports around the world in recent days, in a campaign named Oil Kills. Just Stop Oil said 21 groups across 12 countries have taken action at 18 airports so far.

The group issued a statement from Phoebe Plummer, 22, who was one of the two suspects arrested at Heathrow. She said: “People around the world are rising up to demand an end to oil by 2030. “This is an international problem, so ordinary people are doing what our politicians will not, working together globally to put a stop to the harm and suffering that fossil fuels cause.” Jane Touil, 58, who was the other person arrested, said: “Ordinary people have to stand up and make their governments do the right thing, because without pressure from us, they won’t. “I feel so angry and betrayed that politicians have let this happen when they’ve known about climate breakdown for over 50 years.”

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JUST STOP OIL

Phoebe Plummer and Jane Touil imprisoned

Court & Prison, Press / July 31, 2024

Two Just Stop Oil supporters have been imprisoned after painting Heathrow airport yesterday. Just Stop Oil is working with groups internationally to demand governments establish a fossil fuel treaty, to end the extraction and burning of oil, gas and coal by 2030. [1]

Phoebe Plummer and Jane Touil appeared before Judge Neeta Minhasat at Westminster magistrates court this afternoon, after taking action at Terminal 5, Heathrow Airport yesterday. They have been remanded to HMP Bronzefield until August 28th at Isleworth Crown Court, where they will appear for a case management hearing.

Yesterday, the pair used fire extinguishers to spray water-based paint at the departure boards in the terminal. The Crown is alleging £50,000 worth of damages.

During today's hearing Phoebe said to the judge:

"Sending peaceful protestors like me to prison isn't going to prevent us from resisting. You're upholding an abysmal system. And you're doing that to maintain business as usual. You won't be protected from the climate emergency."

Speaking before the hearing Jane Touil said:

person was to take direct action to highlight the catastrophic situation we're in, I became a Just Stop Oil supporter."

"I was arrested for the first time in April 2022 and have been arrested several times since. I spent a short time on remand in prison after climbing an M25 gantry in November 2022. I will continue to act on my conscience to protect life and to challenge the greed, corruption and cowardice that are killing people right now. I refuse to die for fossil fuels."

Phoebe Plummer took action yesterday after being found guilty of property damage last week, in regards to throwing soup at Van Gogh's Sunflowers in 2022. She had been advised to expect prison for this action at sentencing in September. [2]

As long as political leaders fail to take swift and decisive action to protect our communities from the worst effects of climate breakdown, Just Stop Oil supporters, working with other groups internationally, will take the proportionate action necessary to generate much needed political pressure. This summer, areas of key importance to the fossil fuel economy will be declared sites of civil resistance around the world. Are you in?

Sign up to take action at juststopoil.org.

ENDS

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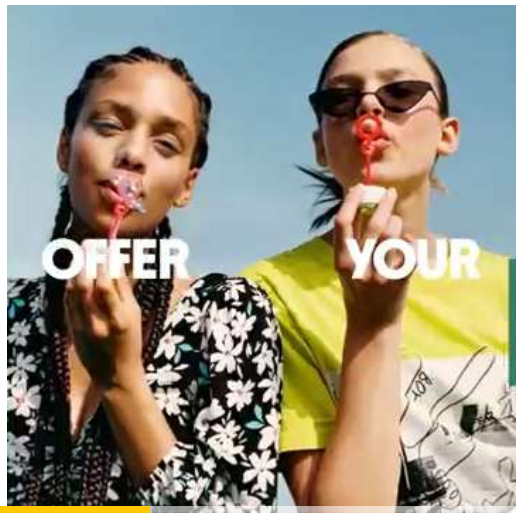
Just Stop Oil eco-clowns play dead as they are arrested for spraying Heathrow Airport with orange paint as part of 'summer chaos' crusade - forcing FIVE officers to drag their slumped bodies out of departures

- **YESTERDAY -** JSO activists are arrested for blocking Gatwick departure gate

By MARK DUELL
PUBLISHED: 08:57, 30 July 2024 | **UPDATED:** 11:04, 30 July 2024

Just Stop Oil eco warriors held a sit-down protest at London **Heathrow** Airport today, then played dead as they were dragged away by police.

But their protest fell flat and failed to cause any disruption to holidaymakers passing through the airport at the start of the summer holidays.



The protest began at 8.35am before a team of police officers arrived to arrest the duo before hauling them away and into a police van by 8.50am. Heathrow officials later confirmed the airport 'continues to operate as normal'.

One of the activists today was Phoebe Plummer, who last week was **found guilty of criminal damage** after throwing soup over Vincent van Gogh's painting Sunflowers.

The 22-year-old will be sentenced on September 27 over the incident at the National Gallery in **London** in October 2022 and has been warned by a judge to expect jail.

The second activist, Jane Touil, 58, shouted while sat down today: 'Refuse to die for **fossil fuels**. We have seen the hottest two days in recorded history. Last year was the hottest year in recorded history.'

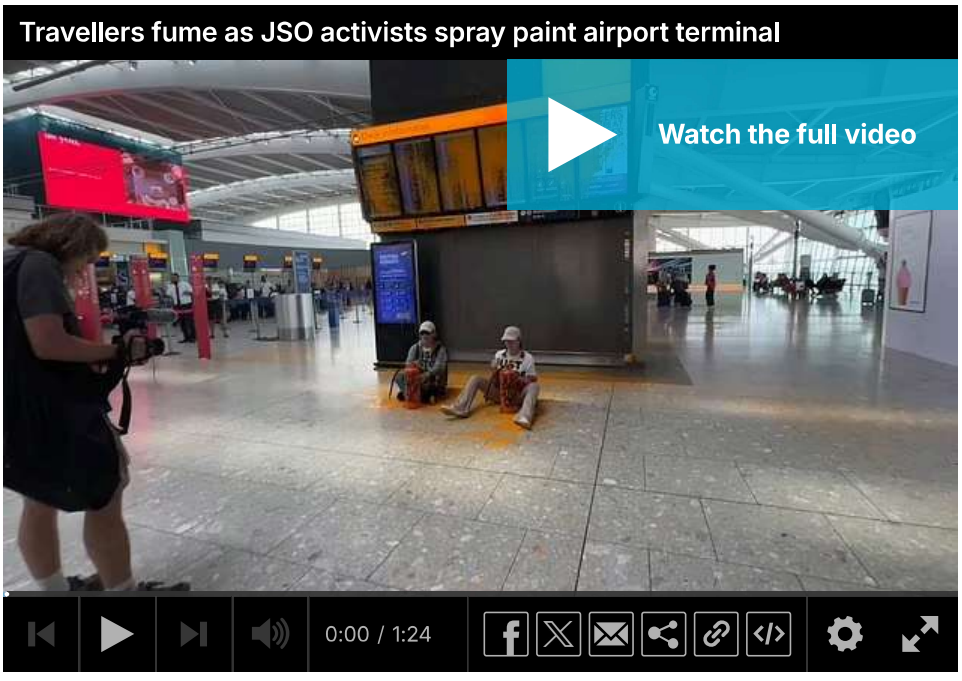
The **Metropolitan Police** said two people were arrested on suspicion of criminal damage, and officers remained at the scene to 'deal with any further offences'.

Yesterday, furious families stepped over seven Just Stop Oil activists who entered **Gatwick**'s South Terminal at about 8am and 'used suitcases with lock-on devices to block the departure gates'.

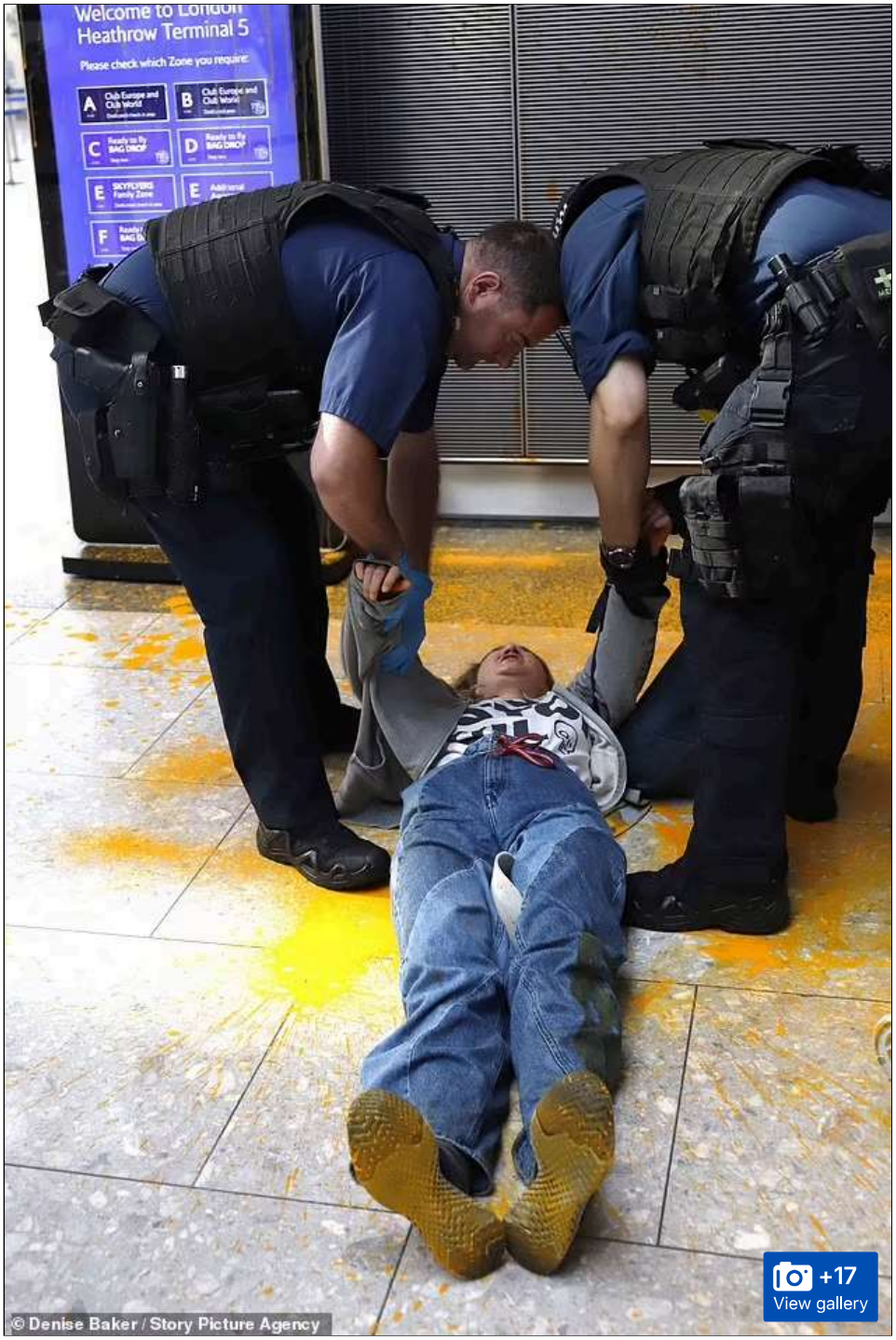
1 of 3) Just Stop Oil protesters Phoebe Plummer (left), 22, and Jane Touil (right), 58, walked into London Heathrow Airport Terminal 5 today, spraying orange paint on the floor and walls

2 of 3) The activists then sprayed orange paint on departure boards at Heathrow Airport today

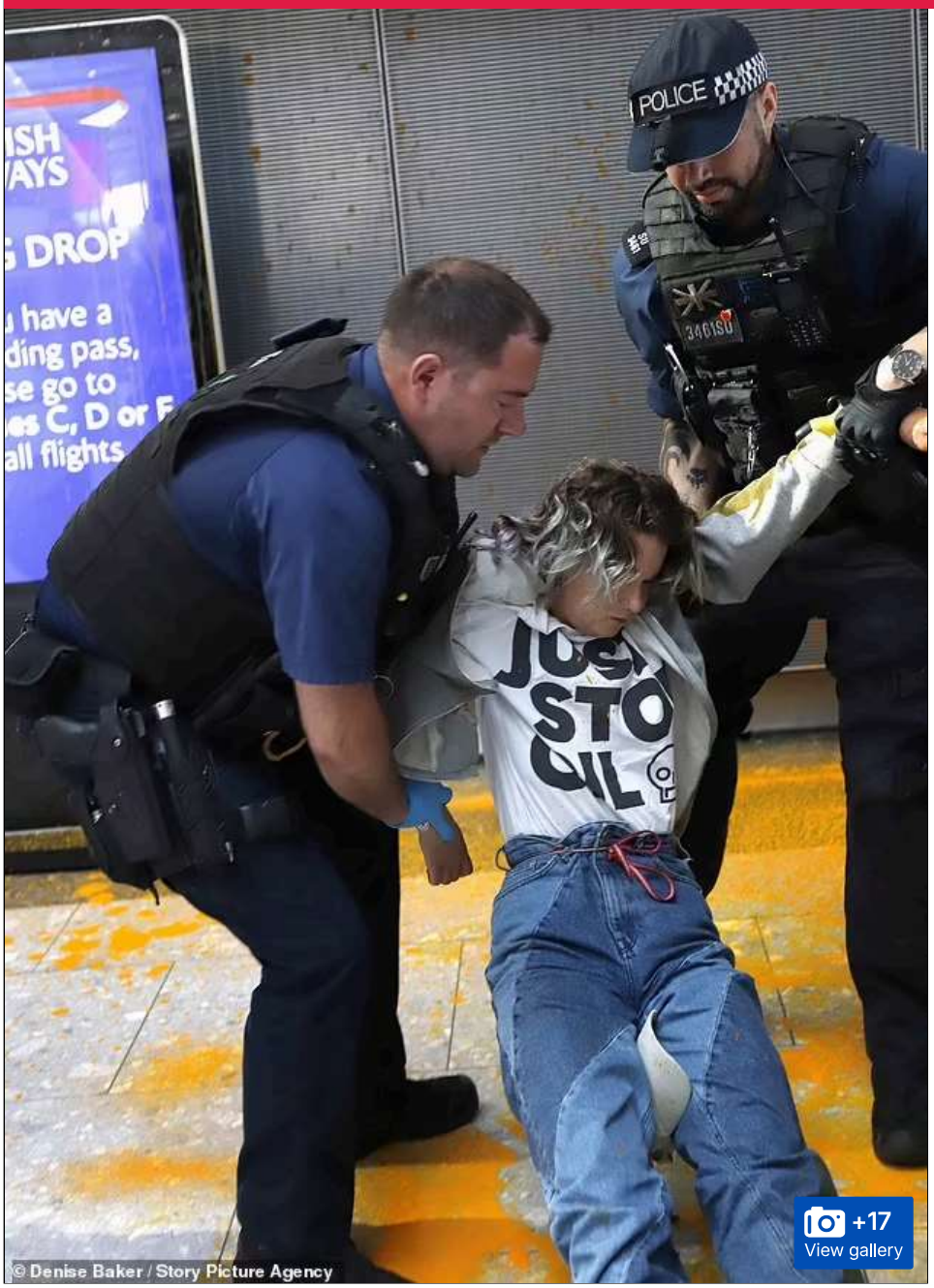
3 of 3) Just Stop Oil activists Phoebe Plummer (left) and Jane Touil (right) then sat on the floor



Phoebe Plummer (left) and Jane Touil (right) sit on the floor this morning at Heathrow Airport



Just Stop Oil activist Phoebe Plummer is arrested by police at London Heathrow Airport today



Police officers take away Just Stop Oil activist Phoebe Plummer today at Heathrow Airport

The protesters then sat on the floor inside the airport, blocking an entrance – but passengers with suitcases stepped over them to continue with their journeys.

Sussex Police said eight people were arrested on suspicion of interfering with public infrastructure, and a 'heightened

Read More

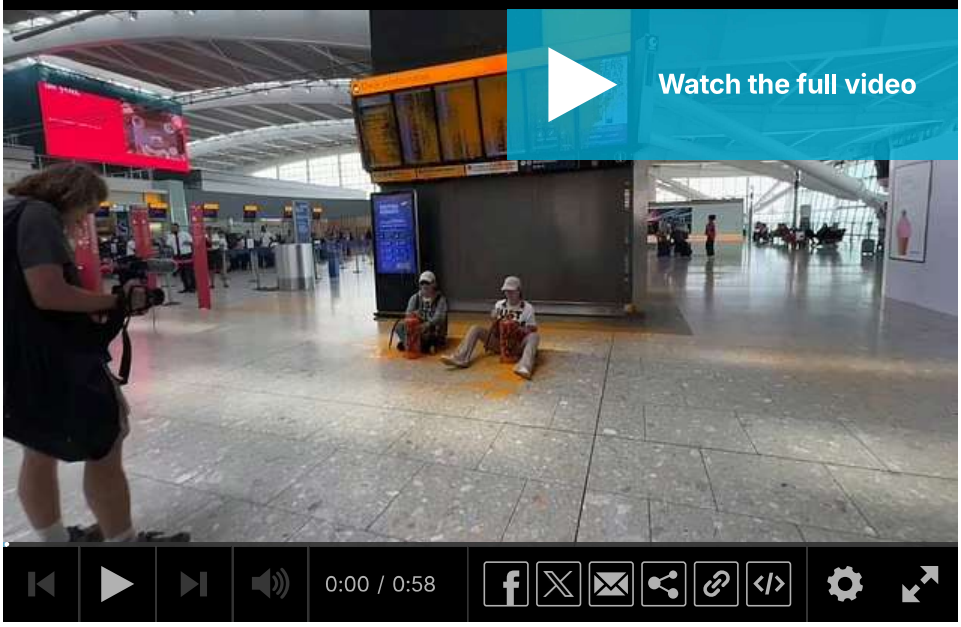
quoted Plummer as saying: 'People around the world are rising up to demand an end to oil by 2030.

'This is an international problem, so ordinary people are doing what our politicians will not, working together globally to put a stop to the harm and suffering that fossil fuels cause.'

'Repression and prison time will not stop people stepping up to defend our families and communities. We have to put a stop to oil and gas. We've had fires raging in Jasper (national park in Canada).

mercilessly mocked ›

JSO eco-morons strike Heathrow as part of 'summer chaos crusade'



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Five Just Stop Oil activists remanded in prison in connection with plot to disrupt passengers at Manchester Airport

Five Just Stop Oil supporters have been remanded to prison after being arrested near Manchester Airport earlier this week.

Daniel Knorr, 22, Margaret Reid, 53, Ella Ward, 21, Noah Crane, 19, and Indigo Rumbelow, 30, were arrested on Monday in connection with a plot to disrupt passengers at Manchester Airport.

They were found to be in possession of items that Greater Manchester Police believed would have been used to 'cause damage and significant disruption to the airport and its operations', the force said.

The quintet today appeared at Manchester Magistrates' Court charged with intentionally or recklessly causing public nuisance.

The five protesters were all remanded until at least their next appearance on September 10.

(Left to right) Indigo Rumbelow, 30, Margaret Reid, 53, Ella Ward, 21, Noah Crane, 19, and Daniel Knorr, 22, were arrested on Monday near Manchester Airport

Noah Crane, 18, was also arrested later in the day from an address in Birmingham

Four Just Stop Oil protesters have been arrested near Manchester Airport (pictured) in a police swoop

Ella, Daniel, Indigo and Margaret were all arrested in the early hours of yesterday morning near Manchester Airport, Just Stop Oil said.

Noah was arrested later in the day from an address in Birmingham, after police seized a phone he allegedly purchased on August 3, the group added.

Activists from the environmental group have seen their attempts in recent weeks to unleash a 'summer of chaos' at airports across Europe foiled by officers.

They have been targeting airports in recent weeks in the campaign named 'Oil Kills'. Just Stop Oil said 21 groups across 12 countries have taken action at 21 airports so far.

Speaking before her imprisonment Indigo Rumbelow, 30, from Swansea, said: 'Just Stop Oil supporters have been taking part in an International Uprising for a Fossil Fuel Treaty, because we have an international crisis and we need an international solution. We're in a dangerously hot world and our leaders are hell-bent on making it worse.'

'The climate crisis threatens everything we know and love, yet our so-called leaders are continuing to make the problem worse, the courts are protecting fossil fuel profits and imprisoning those who stand-up to make change, whilst the media is still grappling to tell the truth.

AUGUST 1: Just Stop Oil protesters block the security screening area at Heathrow Terminal Five

AUGUST 1: Just Stop Oil protesters block the security screening area at Heathrow Terminal Five

AUGUST 1: Police officers remove a Just Stop Oil protester at London Heathrow Airport

AUGUST 1: Just Stop Oil protesters hold 'Oil Kills' signs as they block the security gates

AUGUST 1: Police officers remove a Just Stop Oil protester at London Heathrow Airport

'Many of my friends have been sent to prison, but we will not be deterred. Nothing will stop us trying to protect our families and our communities from the danger imposed on all of us through continued oil, gas and coal burning.'

Daniel Knorr, 22, from Oxford said: 'We were not born to stand-by and do nothing whilst hundreds of millions of lives are thrown into the furnace.

'To be human is to care. This is terrifying but we need to be brave. Courage is not the absence of fear, it is to drive forwards towards what's right, despite your fear.'

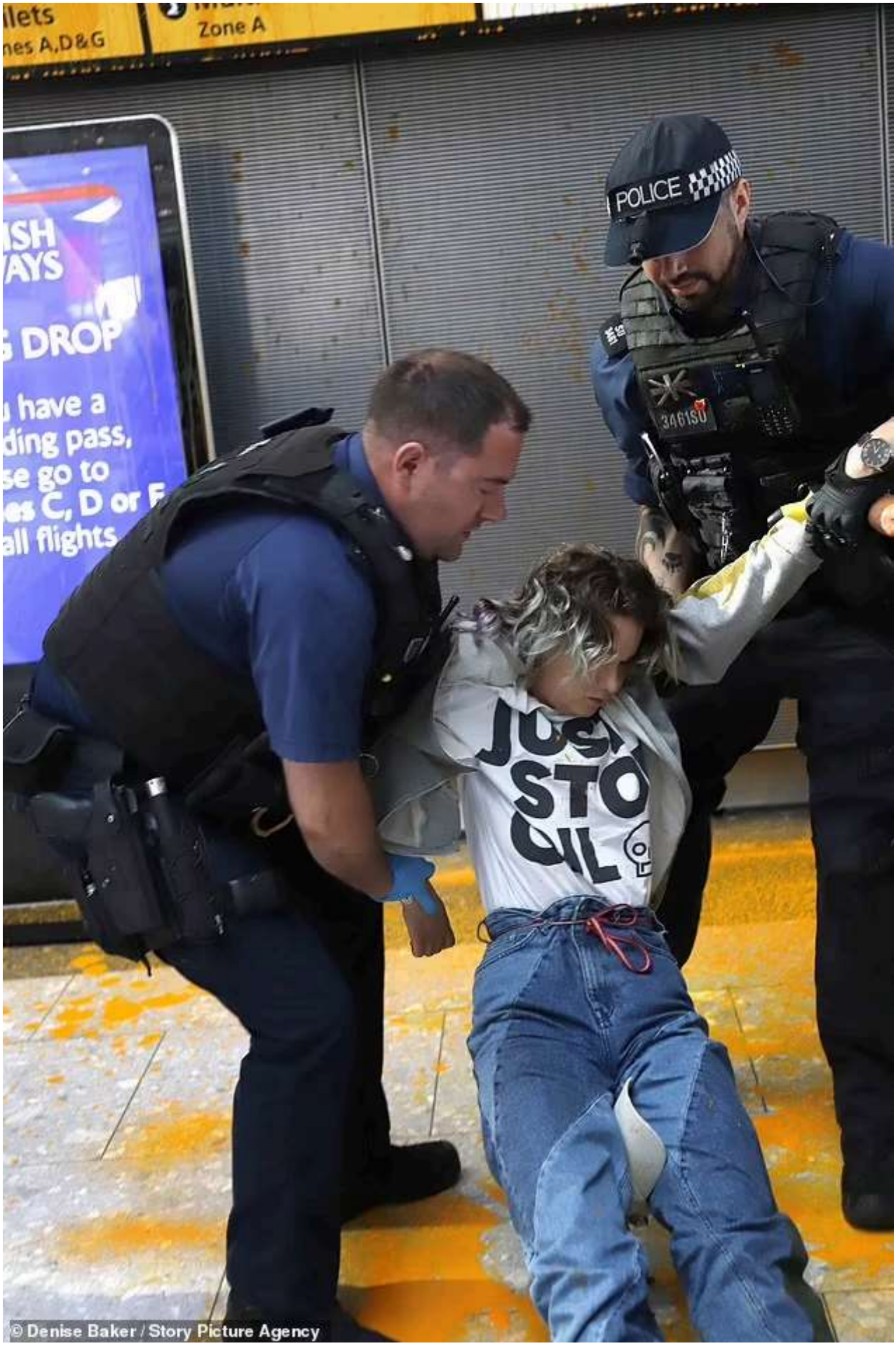
'We stand to lose everything if our government continues to fuel the climate crisis. It would be completely self defeating to not be in resistance at this time in history.

'Our leaders must enact a Fossil Fuel Treaty to phase down oil and gas if we are to stand any hope.'

Noah Crane, 19, from Norwich said: 'When I think about the situation we're in, I realise we are faced with a choice; we can either sit back and watch as governments allow the deaths of hundreds of millions of people to protect profit, or we can do everything in our power to prevent that. When I think about it that way, it's really a no-brainer.'

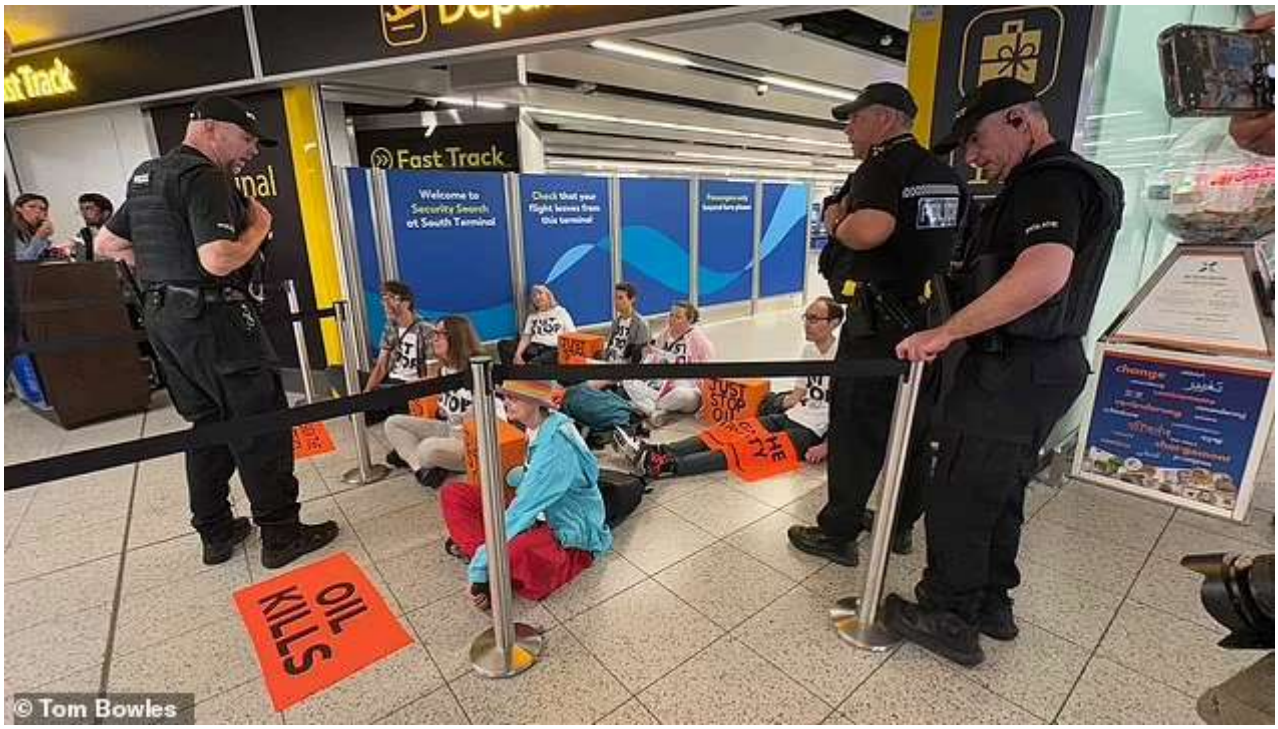
'I'm not scared of going to prison. What I am scared of is what will happen if we don't act on this crisis. The world is in a position where there is no threat they can make towards me, that outweighs the consequences of inaction.'

JULY 30: Phoebe Plummer, 22, and Jane Touil, 58, spray orange paint on departure boards at Heathrow's Terminal Five in another protest at the airport



JULY 30: Phoebe Plummer is arrested on suspicion of criminal damage at Heathrow Airport

JULY 30: Phoebe Plummer is removed by police at Heathrow after the group's latest stunt



JULY 29: Just Stop Oil supporters block departure gates at Gatwick Airport in another protest

JULY 29: The seven Just Stop Oil protesters at Gatwick earlier this week were arrested

A Just Stop Oil spokesperson said: 'In the wake of the four hottest days in recorded history during the past two weeks, governments are still failing to take action that is commensurate with the scale of the crisis humanity faces.

'Meanwhile, those demanding our leaders take necessary action, are being given increasingly draconian sentences by those in the judiciary who are complicit with the crimes against humanity, being perpetrated by governments and corporations.

'It's time world leaders stood up to fossil capital and enact a fossil fuel treaty to Just Stop Oil by 2030.'

Last week, a group of six demonstrators tried to block the security screening zone at London Heathrow's Terminal Five.

They sat or stood holding signs saying 'oil kills' and 'sign the treaty' in front of the barriers to enter the area for departing passengers - but they were dragged away by police officers.

Heathrow paint spraying trial ends with a hung jury

Court & Prison, Press / January 16, 2025

Two Just Stop Oil Supporters who sprayed Heathrow departure boards with orange paint during the Oil Kills, international uprising to end fossil fuels last July have won a temporary reprieve as their jury failed to reach a majority decision. [1]

Phoebe Plummer and Jane Touil were appearing before Her Honour Judge Duncan at Isleworth Crown Court accused of criminal damage over £5,000 for their action on 30 July 2024 to demand a fossil fuel treaty to end oil and gas by 2030. The trial, which lasted nine days, ended when the jury failed to reach a majority decision. The Judge has scheduled a retrial for May 2026. [2]

Phoebe was remanded for 58 days and Jane for 14 days following the action in which the pair used fire extinguishers to spray water-based paint at the departure boards in the terminal. The Crown alleged that the action caused £8,000 worth of damages. [3]

Phoebe is currently serving a two year prison sentence for criminal damage for throwing soup on a Van Gogh painting in October 2022. She was sentenced by Judge Hehir at South Crown Court on 27th September 2024, a sentence that is now being challenged in an appeal scheduled for 29th January 2025. [4]

During the trial, Judge Duncan ruled out the defence of necessity, saying this did not extend to civil disobedience and what she called the defendants' "honestly held opinions" about climate change.

Jane Touil responded that:

"It is not accurate to say that I am acting on my beliefs. It [the climate crisis] is not 'a cause'. This is physics, an objective reality. I can see that everything is at risk. We only do the right thing if we know what's going on."

Phoebe was not allowed to be present in court to make their closing speech as during the course of the trial, the heating system in the holding cells at Isleworth Crown court, contracted to the private company Serco broke down and no one currently in custody could be produced in court.

A Just Stop Oil supporter who was present throughout the trial said that:

"Phoebe and Jane had all their substantial defences removed, a severely mismanaged prosecution, logistical nightmares and a jury that was told to completely disregard their motivations. This is absolutely huge!"

In their closing speech Phoebe Plummer said:

"I have struggled with not being able to talk about the climate crisis- hearing it being called irrelevant feels inhumane and dishonest. The prosecution says I'm 'committed to breaking the law'; my only commitment is to act in line with my conscience. They say 'I do what I like without thinking about the law'. I don't think following the law and doing the right thing are always the same thing.

I cannot be a bystander to suffering where I see it. Nonviolence means being honest and living in line with the truth. I need to tell the truth about what I see. I act in a way that I think will be effective in saving life. When a doctor breaks a rib while doing CPR the doctor's intent is still obviously saving life not causing grievous bodily harm, the context always matters."

Just Stop Oil will be stepping into action again in 2025. To join a talk or sign up for action, register at juststopoil.org.

ENDS

Press contact: 07762 987334

Press email: juststopoilpress@protonmail.com

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Protesters block airport over expansion plans

Campaigners say private jets are up to 30 times more polluting than passenger planes

2 February 2025

Residents and activists have blocked access to an airport in protest over expansion plans.

Farnborough Airport, in Hampshire, has submitted plans to up its annual flight limit from 50,000 to 70,000 planes.

Campaigners from Extinction Rebellion, Farnborough Noise, Blackwater Valley Friends of the Earth and Alton Climate Action Network, as well as local

residents, blockaded the main entrance on Sunday, holding banners and releasing coloured smoke flares.

Rushmoor Borough Council has yet to make a decision on the proposed increase in flights.

The protest followed a consultation period on Farnborough Airport's expansion plans, which ended on 18 October.

The proposals have seen opposition from local residents and environmental campaigners.

Local residents joined climate activists to block the airport's main entrance

The plans include increasing the airport's annual weekend flight limit from 8,900 to 18,900 flights and upping its annual flight limit from 50,000 to 70,000.

In a statement, Extinction Rebellion said the 33,120 private jet flights to and from the airport in 2024 carried an average of 2.5 passengers, with each passenger responsible for the emission of nine times as much carbon as an economy flight to the US and 20 times that to Spain.

"For the limited benefit it provides to a small number of people, private aviation has a disproportionately large impact on climate change due to its high carbon emissions," it said.

Protesters are calling for a total ban on private jets

Steve Williams, environment lead for Waverley Borough Council, said: "Aviation has no realistic prospect of becoming sustainable in the near future, so any form of airport expansion is unacceptable, given the climate crisis."

Chris Neil, from Shackleford, Surrey, said it was "unacceptable that a tiny number of very wealthy people award themselves the right to fly in private jets, emitting huge amounts of carbon".

The government has announced plans to boost UK economic growth through airport expansion and the use of sustainable air fuel.

In January, Chancellor Rachel Reeves backed a **third runway at Heathrow** as part of a fresh plan to get the UK economy growing.

She has also backed expansions at Luton and Gatwick airports.

Protesters are calling for a total ban on private jets

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Activists hold demonstration at Scots airport over private jet company

Billionaire Anders Povlsen's firm targeted over environmental hypocrisy

Activists at Inverness Airport on Saturday (Image: XR Scotland)

Extinction Rebellion Scotland held a demonstration at Inverness Airport on Saturday, calling out Blackbird Air's chief executive Anders Povlsen, who protesters say uses private jets frequently, while making commitments to nature conservation.

Protesters waved banners emblazoned with "Ban Private Jets", "Blackbird Nae mAir" and "We're in a climate emergency, we need to step up and take action".

They called upon Povlsen to shut down Blackbird Air and instead invest in environmentally-friendly transportation.

The protesters joined fellow activists from Scientist Rebellion in Denmark, who staged a similar demonstration at Blackbird headquarters at Billund Airport.

Povlsen - Scotland's richest person - owns a vast amount of land in Scotland and also operates Wildland, a private enterprise which aims to act upon the climate crisis.

Sarah Birkby, from Extinction Rebellion Highlands and Islands and Moray, said: "It is completely contradictory to state the importance of acting on the climate emergency and at the same time run a private jet company.

“The time when people, no matter how rich, could say one thing and do the exact opposite is over.

“As Wildland itself declares, we need people to step up and take action.”

Anthony Graham, from Scientists for Extinction Rebellion, added: “The evidence is clear: our current emissions pathway is incompatible with a safe planet.

“Every tonne of CO2 fuels climate change, yet private jets - used by the wealthiest 0.003% - emit disproportionate amounts, worsening both the climate crisis and inequality.

“Scientists for Extinction Rebellion urge action on luxury emissions, stressing that those with the most power must lead by example.”

Inverness Airport is operated by Highland and Islands Airports.

A spokesperson said: “Police were in attendance and there was no impact on passengers.

“Operations at Inverness Airport continue as normal.”

Blackbird Air was approached for comment.

News

Four Just Stop Oil protesters found guilty of conspiracy to cause disruption at Manchester Airport

"Their plan displayed a clear disregard for members of the public."

Emily Sergeant - 24th February 2025

Four Just Stop Oil protesters have been found guilty of conspiracy to intentionally cause public nuisance at Manchester Airport.

Indigo Rumbelow, Leanorah Ward, Margaret Reid, and Daniel Knorr each appeared at Manchester Minshull Crown Court last Friday (21 February) where they were found guilty after being arrested by officers from **Greater Manchester Police**'s (GMP) Specialist Operations Branch and Serious Crime Division **during the early hours of the morning last August.**

The four defendants were detained while walking along South Park Road in Gatley, as they were making their way to **Manchester Airport**.

According to GMP, they were equipped with heavy duty bolt cutters, angle grinders, glue, sand, Just Stop Oil high visibility vests, and a leaflet containing instructions to follow when interacting with police.

One of the defendants, Leanorah Ward, was also found in possession of a handwritten detailing the motive of the group – which was to enter the airfield of Manchester Airport, before contacting the **police** to alert them of their activity.

They were planning to stick themselves to the airfield taxiway using the glue and sand, with one main goal – to disrupt airport activity and gain media attention.

GMP says the arrests managed to 'prevent large-scale disruption' at Manchester Airport, amid a summer of chaos threatened by Just Stop Oil, a result of extensive work and national coordination.

"This was a planned and targeted attack against one of the country's busiest airports which could have caused significant disruption," explained Natalie Mackenzie, who is the District Crown Prosecutor for CPS North West.

"Their plan displayed a clear disregard for members of the public using the airport at the height of summer.

Read more:

- **Police arrest four Just Stop Oil protesters near Manchester Airport**
- **Sneak peak inside Manchester Airport's brand new terminal following £1.3bn transformation**
- **Council tax could be increased to help keep Greater Manchester Police 'one of the best' in the UK**

"The right to protest is important but it must be balanced against the rights of other citizens to go about their daily business."

Featured Image – Just Stop Oil

JSO co-founder's sentence reduced by appeal court

PA MEDIA

Lucia Whittaker De Abreu, Cressida Gethin, Louise Lancaster, Daniel Shaw and Roger Hallam had their sentences reduced

Dominic Casciani >
Home and Legal Correspondent
@BBCDomC >

Jess Warren
BBC News

7 March 2025

Six climate change activists, including the co-founder of Just Stop Oil (JSO), have had their sentences reduced after organising what they hoped would be a massive blockade of the M25, the Court of Appeal has ruled.

Roger Hallam and 15 other protesters were jailed last year for their roles in four demonstrations held by JSO, including climbing on gantries over the M25 and throwing soup over Vincent van Gogh's Sunflowers painting, between August and November 2022.

They challenged their sentences at the Court of Appeal, with their lawyers claiming they were "manifestly excessive".

The judges dismissed appeals by two women who threw the soup in the National Gallery in London in October 2022.

In their judgment, the Lady Chief Justice Baroness Carr, Mr Justice Lavender and Mr Justice Griffiths ruled that six of the 16 should have their sentences reduced while dismissing the other appeals.

Just Stop Oil: What is it and what are its goals?

The Court of Appeal said that the judge who sentenced Hallam and others convicted of conspiracy had not taken into account their conscientious motivation when he had assessed their "culpability" – a formal part of the sentencing calculation.

"Some attention must be paid to conscientious motivation, although much less than would have been the case had the offending been less disproportionate," said Baroness Sue Carr, the Lady Chief Justice.

During the hearing on Friday, several campaigners stood up and turned their backs on the judges while wearing white T-shirts with the words "Corruption in Court".

PA MEDIA

Campaigners turned their backs on the judges while wearing T-shirts with the words "Corruption in Court"

Hallam was originally jailed for five years for agreeing to disrupt traffic by having protesters climb onto gantries over the M25. His sentence was reduced to four years.

The M25 demonstrations took place over four successive days, from 7 to 10 November 2022, with impacted locations including, junction two in Dartford, junction six to seven in Godstone, junction eight to nine in Reigate, junction 13-14 in Staines, junction 21a-22 in Watford, junction 25 in Cheshunt and junction 27 in Epping.

Daniel Shaw, Louise Lancaster, Lucia Whittaker De Abreu, and Cressida Gethin originally received four-year jail terms for their involvement in the same protest.

Shaw's and Lancaster's sentences were reduced to three years, while Whittaker De Abreu's and Gethin's sentences were reduced to 30 months.

Gaie Delap, who climbed an M25 gantry at the age of 75, was previously jailed for 20 months.

She was told her sentence would be reduced to 18 months because the judge had not taken into account the onerous bail conditions she had faced while awaiting trial.

Last year, she was briefly returned to jail, having been released on licence, because the authorities could not find a monitoring tag small enough to fit her.

PA MEDIA

The M25 protests led to around 50,000 hours of delays and cost the Metropolitan Police more than £1.1m

Ten other protesters had their sentences upheld.

These included Phoebe Plummer and Anna Holland, who threw soup over Van Gogh's Sunflowers at the National Gallery in London, in October 2022. They saw no change in their sentences of two years and 20 months, respectively.

Baroness Carr said: "We do not consider that Ms Plummer's sentence of 24 months' imprisonment was manifestly excessive or wrong in principle. Damage caused to heritage and or cultural assets was an aggravating factor."

Her sentence for criminal damage had been "well within the range" of available terms to the judge, who had to consider the minimum period to act as an appropriate punishment.

Ms Holland's sentence had been correctly slightly shorter, said the Lady Chief Justice and two other senior judges, because she had given up taking part in such JSO protests.

The Court of Appeal also threw out the challenges of George Simonson, Theresa Higginson, Paul Bell and Paul Sousek for their roles in the M25 protests.

Larch Maxey, Chris Bennett, Samuel Johnson and Joe Howlett, who were jailed after occupying tunnels dug under the road leading to the Navigator Oil Terminal in Thurrock, Essex, also had their appeals dismissed.

Raj Chada, who represented Hallam and other protesters, said: "No country in Europe gives such draconian sentences for peaceful protests, proving we are out of kilter with the rest of the civilised world.

"We are reviewing the judgment and considering an appeal to the Supreme Court."

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Heathrow Airport 10 : 8 found guilty, 1 acquitted after Judge removed all legal defences

Court & Prison, Press / March 20, 2025

Eight Just Stop Oil supporters were found guilty of conspiracy to cause a public nuisance at Heathrow by a jury at Isleworth Crown Court today, while 1 other supporter was acquitted. [1]

The Heathrow 10 were arrested on 24 July 2024, on the first day of the Oil Kills International Uprising to end fossil fuels. Nine defendants have been on trial since January 27th before Judge Duncan. One, Rory Wilson (26), pleaded guilty last September. [2][3]

Yesterday, Julia Mercer (74) , who was arrested leaving a house in Wraysbury, where she had volunteered to cook meals for the group, was acquitted unanimously by the jury.

Today eight Just Stop Oil supporters: Sally Davidson (37), Adam Beard (55), Luke Elson (31), Luke Watson (34), Sean O'Callaghan (29), Hannah Schafer (60), William Goldring (27) and Rosa Hicks (28) were found guilty by majority verdict.

Sentencing was adjourned until 16th May. Luke Elson, Luke Watson and Rory Wilson are to remain in prison, where they have been held since 24 July 2024. William Goldring was also remanded ahead of sentencing. The remaining five were granted bail.

Luke Elson

Luke Watson

Rory Wilson

Sean O'Callaghan, Sally Davidson, Hannah Schafer, Julia Mercer and William Goldring were all granted bail in the weeks after the action last July. Rosa Hicks, was bailed in January after 6 months on remand because of a heating failure in the female court cells and Adam Beard was released in February, but Rory Wilson, Luke Elson and Luke Watson remained in prison serving something close to a 2 year prison sentence without having been convicted of anything.

The trial was adjourned in January due to Ministry of Justice rules limiting court sitting days as a cost saving measure, only to be reinstated on January 24th giving the defendants just half a working day to reorganise.[4]

During the trial the judge removed all legal defences from the jury's consideration, ruled the climate emergency to be 'irrelevant' and forbade defendants from mentioning that a jury has a right to acquit a defendant as a matter of conscience. The defendants were not permitted to bring expert witnesses on international law or climate science or to show the jury videos they recorded of themselves speaking before the action, nor were they allowed to read the quotes from news articles about their arrests and subsequent remand to prison.

The prosecution argued that between 1st March and 24 July 2024 the nine defendants had, along with Rory Wilson, planned an action which involved some of them entering Heathrow airport and gluing themselves to runways or taxiways in order to cause maximum disruption.

During the seven week trial, expert witnesses including a retired pilot, members of Heathrow Operations team and the Met Police Protest Removal Team presented their hypothetical scenarios of what might have happened had the defendants entered the airfield. Scenarios ranged from people being sucked into aircraft engines, vulnerable plane passengers being stranded in disabled aircraft with no access to air conditioning, planes being diverted to far flung locations or forced to make emergency landings in unsuitable locations. None of which actually happened.

The defendants argued that their intention was not to cause disruption, indeed none thought that they would make it to the perimeter fence, let alone cut a hole and go airside. Their plan was to use the publicity surrounding their arrests at Heathrow in order to get good information to the public about the scale and

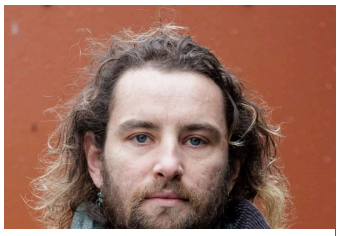
danger of the climate crisis. Evidence for the defence included the prepared statements they had carried with them to the action, which outlined their justification for the action and the steps they would take to minimise harm. This included their commitment to remain clear of the runways and to wait until a 999 call had been made before entering the airport perimeter.

Sally Davidson
Credit Crispin Hughes

William Goldring
Credit Crispin Hughes

Hannah Schafer
Credit Crispin Hughes

Julia Mercer
Credit Crispin Hughes



Sean O'Callaghan
Credit Crispin Hughes

Rosa Hicks
Credit Crispin Hughes

Despite repeated interruptions from the Judge, Sally Davidson, 37, a hairdresser from Portland, Dorset spoke at length about the climate crisis and said that although evidence had been included in the agreed facts of the case, facts could not convey the emotional force of the losses people are experiencing. She said: *"if you hear about the father who watched his wife and baby being swept off their car roof while trying to escape the floods last summer in Valencia, your emotional response to this is valid. It is what makes you human."*

Luke Elson, 31, a support worker from East London told the court that he felt compelled to take action because he knew one day his young nieces would ask him, *"Uncle what did you do when you knew this was happening?" and he said – "I want to be able to look them in the eye and say that I did everything I could".*

In her closing statement Julia Mercer, 74 from Todmorden in Yorkshire referred to her time at Greenham Common Women's Peace Camp saying: *"Back in those Greenham days, peaceful protestors were treated differently by the law. And what's happening now is that the law is becoming increasingly punitive with police raids and arrests; long periods for people in prison on remand before trial. It's not right. It doesn't*

serve the public to silence and jail those sounding the alarm. It's only serving the interests of the arms dealers and oil barons. We have a long and honourable tradition of peaceful protest in the UK."

In his closing statement Sean O'Callaghan, 30, an Environmental educator, from Dorking, Surrey referred to the Police, Crime, Sentencing and Courts Act and said: *"Let's not forget these anti-protest laws can be traced back to fossil fuel lobbyists. The repression being applied to peaceful activists since these laws came in, is a desperate attempt by powerful corporations to prevent the horrifying truth of decades of deception being revealed to the general public. If the fossil fuel companies had been held to account for their lies, we wouldn't need to be doing this. If the Government had done its job to protect us, we wouldn't need to be doing this. Who are the democrats in this situation? Those trying to conceal the truth, or those trying desperately to reveal it?"*

In his closing statement Adam Beard, 55, a gardener from Stroud, Gloucestershire said:: *"While the climate crisis was central to why I took the action, it has been ruled irrelevant to this case... I don't have huge resources behind me but I do have my body, and sacrificing my freedom through civil resistance to get a message of truth into the media is within my power. This is what it was all about. So our action did not fail as the prosecution has claimed, it was a success. This was achieved because we were arrested at a high-profile location and then remanded into custody, with all the press attention that that brought. And all this coverage was about our message and information for the public, not about delayed flights."*

Following the verdict the defendants issued the following statement:

"We thank the jury for their service and accept their decision. We recognise the constraints they were under given that the judge removed all legal defences, ruled the climate emergency to be 'irrelevant', and forbade us from mentioning that a jury has a right to acquit a defendant as a matter of conscience.

Some of us now face many months in prison for planning an action that never happened. We sought to get media attention so that we could explain the growing suffering and the horror of our heating world and the urgency for global action. In that we count ourselves successful. A small victory won in the wider struggle against complacency, false hope and denial.

We have no regrets. We planned our campaign with care, aiming to avoid harm and with the intention of preventing greater harm. The bigger crime would have been not to act.

When it comes to global heating there are no winners. Governments are rolling the dice on billions of deaths and economic collapse as extreme heat, crop failure and starvation drive mass migration and civil unrest. Our government is failing to protect us and the courts and the judiciary are complicit. They are protecting those who profit from death and destruction while criminalising those standing up against it.

Civil resistance to a morally bankrupt political class is not only necessary as an act of self-defence, it is also morally justified. There are many who know the horror of our situation, who nonetheless are carrying on with business as usual, in the mistaken belief that someone else will solve the problem. We are sorry to be the bearer of bad news, but if you don't stand up and do something, we are going to lose literally everything."

In 2024 Just Stop Oil successfully won its original demand of 'no new oil and gas'. Now the courts agree that new oil and gas is unlawful. Just Stop Oil supporters are on the right side of history and nonviolent civil resistance works. Just Stop Oil will once again be stepping into action this April to demand that governments work together to end the extraction and burning of oil, gas and coal by 2030. You can help make this happen by coming to a talk and signing up for action at juststopoil.org.

ENDS

Press contact: 07762 987334

Press email: juststopoilpress@protonmail.com

High quality images & video here: https://juststopoil.org/press-media

Heathrow 10 images here:
https://drive.google.com/drive/folders/1mByhU4LBPB6t5pMAP_-5dJOkhvsxwTNX?usp=sharing

Website: https://juststopoil.org/

Facebook: https://www.facebook.com/JustStopOil/

Instagram: https://www.instagram.com/just.stopoil/

Twitter: https://twitter.com/JustStop_Oil

Youtube: https://juststopoil.org/youtube

TikTok: https://www.tiktok.com/@juststopoil

Notes to Editors

[1] Just Stop Oil is committed to nonviolent direct action to resist the destruction of our communities as a result of climate breakdown. We do not consent to plans that will result in 3C of warming and mass death.

We demand an emergency plan to Just Stop Oil by 2030. Our government must work with other governments to end the extraction and burning of all oil, gas and coal by 2030.

Just Stop Oil is a member of the A22 Network of civil resistance projects.

Just Stop Oil 'Blue Lights' policy: our policy is, and has always been, to move out of the way for emergency vehicles with siren sounding and 'blue lights' on.

We take all possible steps to ensure that no-one's safety is compromised by our actions.

[2] Arrests: https://juststopoil.org/2024/07/24/just-stop-oil-supporters-arrested-as-international-uprising-begins/

Just Stop Oil is hanging up the hi vis

Press / March 27, 2025

Three years after bursting on the scene in a blaze of orange, at the end of April we will be hanging up the hi vis.

Just Stop Oil's initial demand to end new oil and gas is now government policy, making us one of the most successful civil resistance campaigns in recent history. We've kept over 4.4 billion barrels of oil in the ground and the courts have ruled new oil and gas licences unlawful.

So it is the end of soup on Van Goghs, cornstarch on Stonehenge and slow marching in the streets. But it is not the end of trials, of tagging and surveillance, of fines, probation and years in prison. We have exposed the corruption at the heart of our legal system, which protects those causing death and destruction while prosecuting those seeking to minimize harm. Just Stop Oil will continue to tell the truth in the courts, speak out for our political prisoners and call out the UK's oppressive anti-protest laws. We continue to rely on small donations from the public to make this happen.

This is not the end of civil resistance. Governments everywhere are retreating from doing what is needed to protect us from the consequences of unchecked fossil fuel burning. As we head towards 2°C of global heating by the 2030s, the science is clear: billions of people will have to move or die and the global economy is going to collapse. This is unavoidable. We have been betrayed by a morally bankrupt political class.

As corporations and billionaires corrupt political systems across the world, we need a different approach. We are creating a new strategy, to face this reality and to carry our responsibilities at this time. Nothing short of a revolution is going to protect us from the coming storms.

We are calling on everyone who wants to be a part of building the new resistance to join us for the final Just Stop Oil action in Parliament Square on April 26th. Sign up here. See you on the streets.

ENDS

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Facebook: https://www.facebook.com/JustStopOil/

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Youtube: https://juststopoil.org/youtube

TikTok: https://www.tiktok.com/@juststopoil

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We take all possible steps to ensure that no-one's safety is compromised by our actions.

[2] During our 3 year history Just Stop Oil supporters have been arrested 3,300 times and imprisoned 180 times, for having broken laws that were drafted by the fossil fuel industry. 7 people are now in prison serving sentences of up to 4 years and 8 are on remand. 16 Just Stop Oil supporters are due to be sentenced in the next few months.

Youth Demand supporters RAIDED by cops across UK as outrageous clampdown begins

Police repression has reached a new level after direct action group Youth Demand's welcome talk and a number of houses were raided last night and this morning. Nine people, including one attending their first meeting and a journalist were arrested.

Youth Demand: multiple raids across the UK

At around 7:30pm on Thursday 27 March, over 30 Met Police officers crashed into the Youth Demand Welcome Talk at the Quaker Meeting House in Westminster and arrested six people, including one attending their first ever welcome talk and a journalist.

Three people were released in the early hours of the morning but three remain in custody:

Police said that they were arresting people for conspiracy to cause a public nuisance.

In a separate incident at around 8:00am on Friday 28 March, Youth Demand supporter Eddie Whittingham was arrested at his house in Exeter, but has been released without charge. Three other supporters were arrested at another location:

Then, at around 12:30pm cops raided another Youth Demand supporter's home and arrested them.

The situation is ongoing:

The Welcome Talk is an opportunity to share information about Israel's ongoing genocide of the Palestinian people in Gaza and the West Bank and about the mass killing that is being imposed on

marginalised people across the globe as a result of the accelerating climate crisis. It is also an opportunity to share plans for nonviolent civil resistance actions to take place in April:

> *@youth.demand*
>
> *🚨SIX ARRESTED FOR SPEAKING THE TRUTH IN UNPRECEDENTED REPRESSION TO STOP US🚨 At 7:30pm yesterday, over 30 Metropolitan Police officers broke into a Welcome Talk at the Quaker Meeting House in Westminster and arrested six people, including one attending their ever event and a journalist. Police said that they were arresting people for conspiracy to cause a public nuisance. This is how we know the state is scared of us telling the truth. We will not be intimidated. Only sustained mass resistance can put an end to genocide. This April we are taking action every week: join us at the rally to kick it all off on Tues 1st April @ 6:30pm on Malet Street in front of Senate House Library*
>
> *♬ original sound – Youth Demand*

Outrageous and repressive

One of those arrested last night and released this morning was Ella Grace-Taylor, 20, an actor musician student who said:

> *At this point, it couldn't be clearer that we are in a police state. Our politicians will stand by as police engage in mass arrests and imprisonment of anyone who speaks out against the government for being responsible for genocide. By arming Israel and refusing to call what is happening a genocide, they are perpetrating mass slaughter. Hundreds of children were killed in Palestine in the last week.*
>
> *We won't stop saying it. We won't be intimidated.*

A Youth Demand spokesperson said:

> *It's clear that the government sees Youth Demand as a threat. They know that we are right. There are thousands of young people who are horrified by what the government is doing to facilitate genocide and who know that they have been betrayed as their future is fucked. We will not be silenced. Young people all over the country are coming together to shut London down day after day throughout April.*
>
> *We refuse to be ruled by liars, war criminals and arsonists. We will not let them get away with this. We refuse to be ignored. It's time for young people to take to the streets day after day and shut London down.*
>
> *Only sustained mass resistance can put an end to genocide. By standing together we can grind the murder machine to a standstill. It's time to disrupt. Join us every week in April, starting with a rally next Tuesday 1 April, at 6:30pm on Malet Street in front of Senate House Library.*

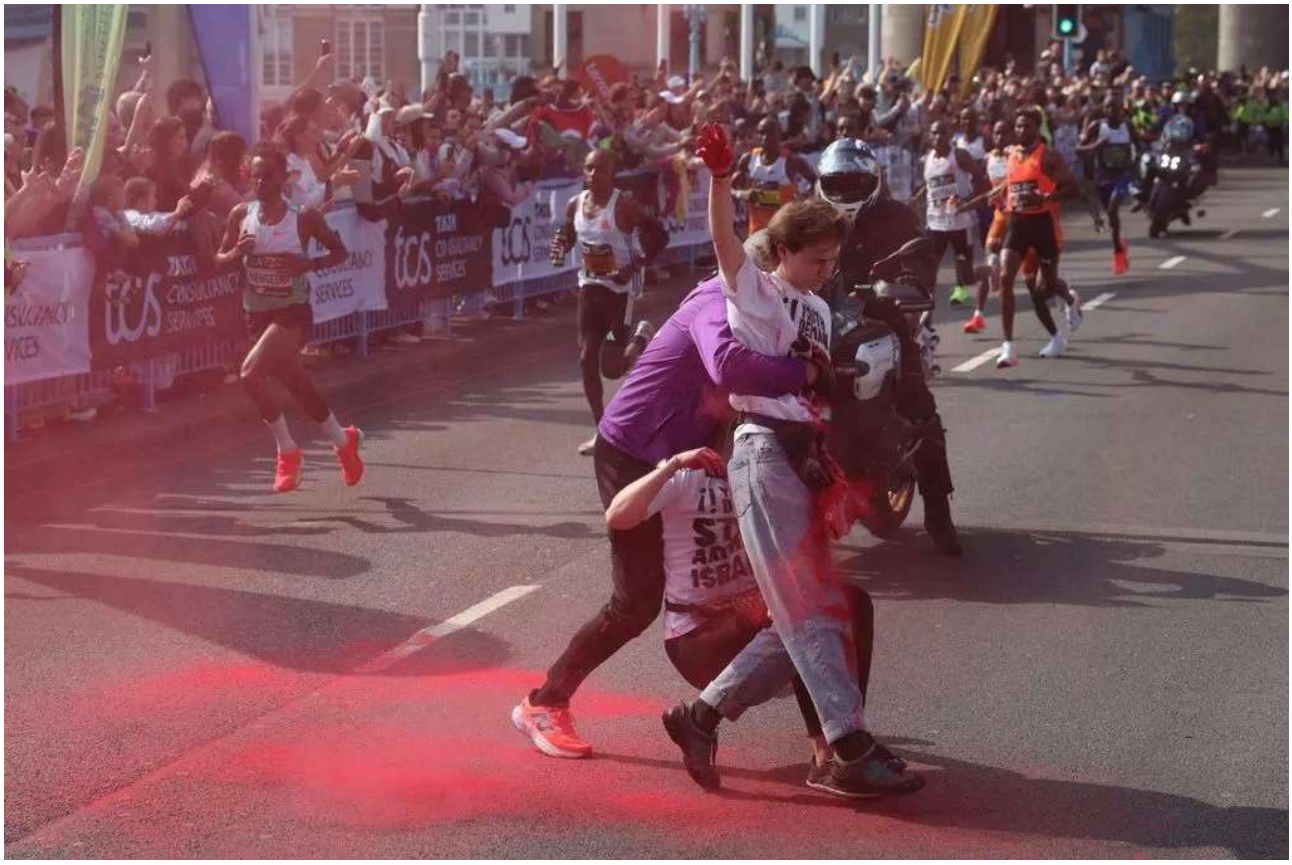
Then, there are more actions going on in London:

You can sign up for action at youthdemand.org

Featured image and additional images supplied

London Marathon disrupted as UK Youth Demand protesters storm Tower Bridge

Activists stormed the London landmark at 10:30am and threw bright pink powder across the road as the elite runners crossed the River Thames



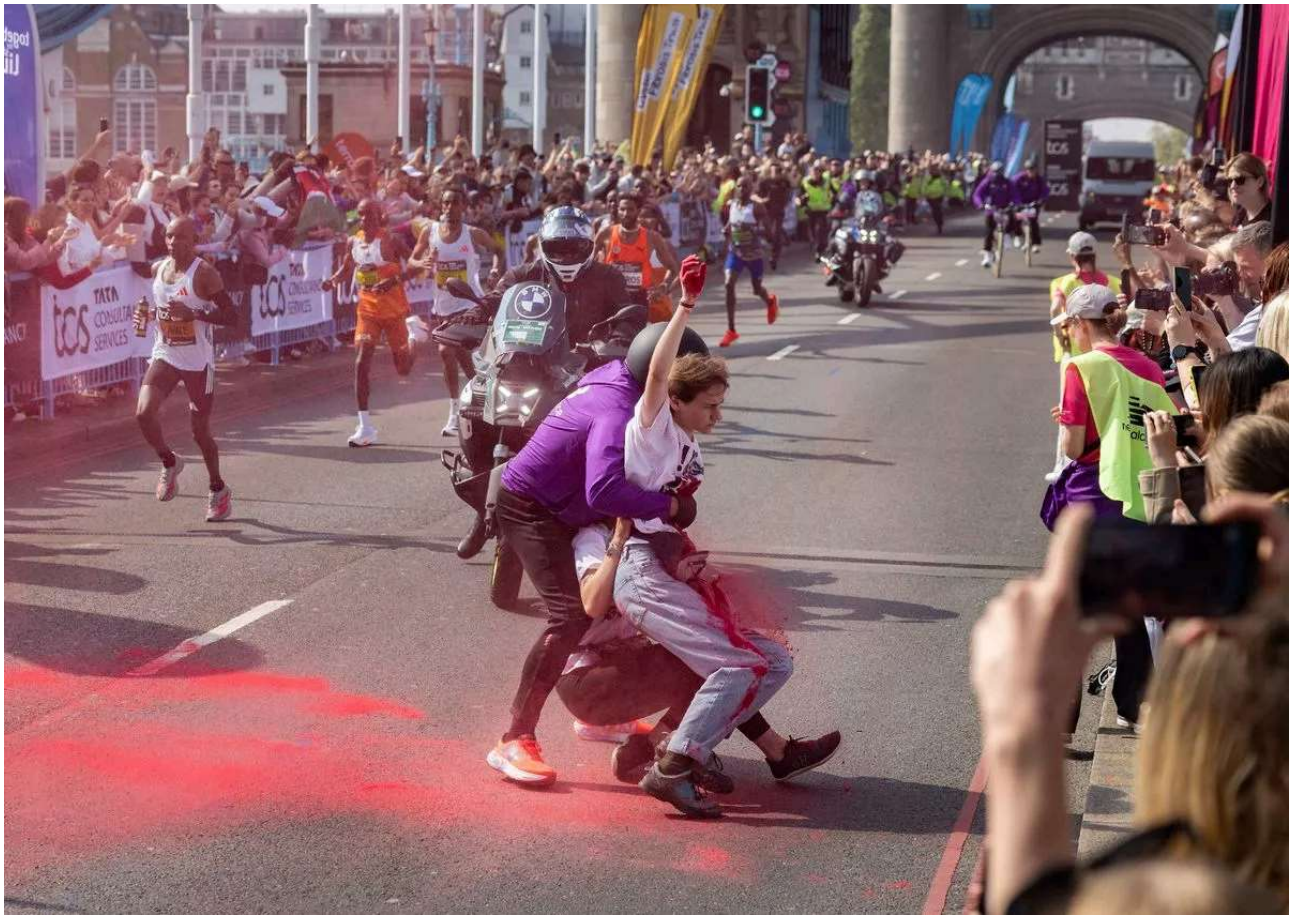
The two supporters were seen wearing t-shirts that read 'Youth Demand: Stop Arming Israel'(Image: Peter Macdiarmid/LNP)

Protestors from UK Youth Demand have disrupted the London Marathon's elite men's race with a protest on the city's iconic Tower Bridge.

Activists stormed the London landmark at 10:30am and threw bright pink powder across the road as the elite runners crossed the River Thames. Pictures taken at the scene show protestors being tackled by stewards, and led away from the course.

Youth Demand said the pair were arrested.

The two supporters were seen wearing t-shirts that read 'Youth Demand: Stop Arming Israel.' City of London police quickly moved to arrest the two of them. Before taking action with fellow protester Cristy North, Willow Holland, 18, from Bristol, said: "I am taking action with Youth Demand because I have run out of other options: thousands are being killed in Gaza, our government is making no effort to stop it and no other course of action, marches or rallies, has worked.



UK Youth Demand disrupted the protest(Image: Peter Macdiarmid/LNP)

Article continues below

"I refuse to be complicit in a genocide funded by our politicians.

Profit should never be prioritised over basic decency, we're taking action for human lives and human rights. We don't want blood on our hands, we don't want to be forced into complicity with a genocide. We need more people in resistance, refusing to be complicit whilst upholding international law, now more than ever."

The vast numbers at today's London Marathon are expected to surpass the roughly 55,646 finishers of the New York Marathon in November, and will be accompanied by thousands more people cheering them on, with massive television coverage following the crowds through the city.

Article continues below

More than 56,000 people are expected to complete the 26.2 mile course(Image: Getty Images)

Live coverage of the race started at 8.30 this morning, and BBC One will carry the main race until around 2pm, when it will switch to BBC Two.

For the latest breaking news and stories from across the globe from the Daily Star, sign up for our newsletter by clicking here.

Heathrow Airport 9: Five supporters given jail terms of up to 15 months for an action that never happened

Court & Prison, Press / May 16, 2025

Five Just Stop Oil supporters were today given jail terms of up to 15 months, while the remaining four were given suspended sentences for an action at Heathrow Airport that never happened. The group planned action to demand a fossil fuel treaty to end the extraction and burning of oil, gas and coal by 2030. [1]

The nine supporters were arrested near Heathrow on 24 July 2024, the first day of the Oil Kills International Uprising to end fossil fuels and were convicted in March 2025 of conspiracy to cause a public nuisance. Since last July, the group has spent a combined total of 44 months in prison on remand. [2][3]

Today, at Isleworth Crown Court, Judge Duncan handed down a mix of prison and suspended sentences of between 11 and 15 months.

be released in view of time already served on remand. The remaining defendants Sally Davidson (37), Sean O'Callaghan (30), Hannah Schafer (61) and William Goldring (27) were each given suspended sentences of between 11 and 15 months, suspended for 2 years.

Luke Elson was further sentenced in the matter of the M25 gantry actions for which he was given a prison sentence of 15 months suspended for 2 years.

All defendants were ordered to pay costs of £2000, except Hannah Schaffer and Rory Wilson. All those with suspended sentences were also ordered to complete up to 180 hours of unpaid work in the community over the next 12 months.

The defendants issued the following statement:

"We are relieved to have avoided further incarceration, but it remains the case that we have all endured time in prison, some for many months for a nonviolent action that never happened. The UK is dangerously close to becoming an authoritarian regime in which human rights mean nothing and no dissent will be tolerated.

We planned our campaign with care, aiming to avoid harm and we remain convinced that to stand by and do nothing in the face of the incalculable harm that unchecked fossil fuels will bring would be the greater crime.

There's a reason that our judge removed all legal defences and ruled the climate emergency to be 'irrelevant' at our trial, and it has nothing to do with justice or morality. It has to do with the profits and political power of the fossil fuel companies and the billionaires that control them.

Fossil fuels are driving us toward 2°C of global heating in the 2030s and billions of deaths within decades. Our government is failing to protect us and the courts and the judiciary are complicit. Prosecuting those who peacefully resist is no solution. Faced with the true horror of our situation, many more people will step into civil resistance to protect themselves and those they love. If not, we are all going to lose everything."

At the sentencing hearing, the defendants argued amongst other things that the prosecution sought sentencing on the basis of facts that had not been evidenced in court, had omitted important information about the climate crisis which was relevant to their motivation and failed to mention that no-one has previously been jailed in this country for an agreement to take part in nonviolent direct action, where no actual damage or disruption has resulted.

Wildlife presenter Chris Packham wrote a letter to the court in support of the defendants in which he said [4]:

"As someone with a responsibility to communicate facts about science to the British public, I have been horrified to hear judges refer to the science of climate breakdown as 'a matter of political opinion or belief'. Treating uncontested, peer reviewed, established science as a matter of opinion or belief is a

Jonathon Porritt, CBE also wrote to the court saying [5]:

"Campaigners are increasingly frustrated that government policy and specific interventions do not reflect even the mainstream consensus of climate scientists, let alone the growing number of so-called 'outliers'.

"I've thought about these matters long and hard over the last 40 years. I completely understand why many more people today have come to see civil disobedience (and consequential acts of nonviolent direct action) as critical to 'shifting the needle', to ensuring that urgent and applied attention is now paid to what will otherwise become by far the most catastrophic crisis that humankind has ever faced."

During their trial in March 2025 the judge removed all legal defences from the jury's consideration, ruled the climate emergency to be 'irrelevant' and disallowed expert witnesses on international law or climate science. Five of the group have subsequently launched an appeal against the verdict after evidence emerged of serious misconduct by the jury. [6]

The Heathrow 9 took part on the first day of the Oil Kills International Uprising to end fossil fuels in which over 500 ordinary people from 22 different civil resistance groups and 14 countries across Europe, North America and Africa engaged in a campaign of civil resistance at international airports to demand a Fossil Fuel Treaty. Action takers glued themselves to tarmac, stood up in aeroplanes, glued and locked on at departure gates and held placards in airport terminals. There were 144 arrests at 31 different international airports.[7]

Commenting ahead of the sentencing, Tzeporah Berman, Chair, Fossil Fuel Non-Proliferation Treaty Initiative said:

"The citizens standing up to raise awareness of how fossil fuels are causing lethal heat waves, floods and droughts and threatening our children and our health are not criminals – history will remember them as heroes. Our laws have been distorted by the wealth and influence of the oil and gas companies that continue to call the shots to protect their obscene profits over the public good."

Inês Teles, a spokesperson for Stay Grounded said:

"While the aviation industry profits from fuelling climate breakdown, those who fight for our present and future face escalating repression. This is no coincidence: governments are complicit with climate criminals, backing projects that will drive emissions even higher—such as the multiple airport expansion plans across the UK. They will go to any length to defend the status quo, even if it means trampling on our basic rights."

Calum Macintyre, 32, from Folk Mot Fossilmakta, who also joined the campaign last summer said:

"I took action as part of the Oil Kills campaign last summer in Norway. We broke through the fence at Oslo airport and glued ourselves to the taxiway. Afterwards the police took our details and drove us to the train

"Compared to the treatment of our friends in the UK – many of whom have been sitting on remand since last summer – the difference could not be more stark. It is terrifying to see the erosion of people's civil liberties in the UK. But we know that locking people up to silence them will never work.

"For us in Norway the Just Stop Oil prisoners are a sign of strength, courage and commitment that inspires us to up our resistance against the fossil fuel elite that are driving us all towards a dystopian future. Along with everyone that took action with Just Stop Oil, they are a shining beacon of hope."

In 2024 Just Stop Oil successfully won its original demand of 'no new oil and gas' and on March 27th 2025 announced an end to the campaign of action. However, our supporters will continue to tell the truth in court, to speak out for our political prisoners and to help build what comes next.

During our 3 year history Just Stop Oil supporters have been arrested 3,300 times and imprisoned 180 times, for having broken laws that were drafted by the fossil fuel industry. After today's sentencing there will be seven people in prison as a result of taking action with Just Stop Oil.

ENDS

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Heathrow 10 images here:
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Twitter: https://twitter.com/JustStop_Oil

Youtube: https://juststopoil.org/youtube

TikTok: https://www.tiktok.com/@juststopoil

Notes to Editors

[1] Just Stop Oil is a member of the A22 Network of civil resistance projects.

Four Just Stop Oil activists are jailed for plot to break into Manchester Airport with bolt-cutters and glue themselves to runaway

Four Just Stop Oil protesters have been jailed for plotting to break into Manchester Airport equipped with heavy-duty bolt cutters, angle grinders, glue and sand.

Indigo Rumbelow, 31, Daniel Knorr, 23, Leanorah Ward, 22, and Margaret Reid, 54, had all been convicted of conspiracy to intentionally cause a public nuisance.

They had planned to break into the airport in August last year and glue themselves to the taxiway.

Manchester Minshull Crown Court heard they were all arrested near to the airport.

They were carrying break-in gear, Just Stop Oil high visibility vests and a leaflet containing instructions to follow when interacting with police.

Ward was also found in possession of a handwritten note which detailed the motive of the group to enter the airfield and to then contact the police to alert them of their activity.

Following a trial the four defendants were found guilty in February of conspiracy to intentionally cause a public nuisance. A fifth defendant was acquitted.

Rumbelow, from London, was jailed for 30 months; Knorr, from Birmingham, was jailed for two years; Ward, also from Birmingham, was sentenced to 18 months in custody; and Reid, from Kendal, Cumbria was also locked up for 18 months.

Pictured left to right: Leanorah Ward, 22, Margaret Reid, 54, Indigo Rumbelow, 31, and Daniel Knorr, 23

The group were carrying heavy duty bolt cutters, angle grinders, glue and sand

Following a trial the four defendants were found guilty in February of conspiracy to intentionally cause a public nuisance

Each was also ordered to pay £2,000 in costs.

Detective Chief Inspector Tony Platten, who led the investigation, said: 'We know this disruption was deliberately planned to coincide with the height of the summer holidays, targeting the public and their families.

'It was vital that we prevented this from happening. People work hard for their time off, and we have a duty to ensure they can enjoy it without fear or disruption.

'The group's actions demonstrated a complete disregard for the impact on the lives of those travelling via Greater Manchester, and I welcome the sentences handed down today.'

Rad Taylor, from Manchester Airport, said: 'The safety and security of our passengers is always our number one concern.

'What these individuals were planning would not only have caused significant disruption for tens of thousands of passengers, but also a significant safety risk.

'The potential consequences of that do not bear thinking about.'

In statements released by Just Stop Oil after the sentencing, the defendants said the action was part of a campaign for a treaty to end the extraction and burning of oil, gas and coal by 2030.

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The group had planned to break into the airport in August last year and glue themselves to the taxiway

They were carrying break-in gear, Just Stop Oil high visibility vests and a leaflet containing instructions to follow when interacting with police

Knorr, who had been remanded in custody prior to sentencing, said: 'Since my imprisonment began, things have continued to get worse. The world still sleepwalks towards hell.

'People are taking action because they are terrified of what rising temperatures and food shortages will mean for them and for their kids.

'So as long as the climate crisis keeps getting worse, people will keep taking action, prison or not.'

Ward said: 'I'm not worried about my sentence, I'm worried about living in a world where crop failure means I can't put food on the table.

'I acted because doing nothing is unthinkable and because the science is clear. We have no other option.'

CLAIM NO: KB-2024-0002317

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

B E T W E E N

(1) LEEDS BRADFORD AIRPORT LIMITED
(2) LONDON LUTON AIRPORT OPERATIONS LIMITED
(3) NEWCASTLE INTERNATIONAL AIRPORT LIMITED
(4) NIAL SERVICES LIMITED

Claimants

- v –

PERSONS UNKNOWN
AS MORE PARTICULARLY DESCRIBED
IN THE AMENDED CLAIM FORM

Defendants

SSW2

This is the exhibit marked "SSW2" referred to in the witness statement of Stuart Sherbrook Wortley dated 6 June 2025.

Neutral Citation Number: [2025] EWCA Crim 199

Case No: 202402963 A5; 202402960 A5; 202402964 A5; 202402965 A5; 202402969 A5; 202403124 B5; 202403120 B5; 202403122 B5; 202403125 B5; 202403126 B5; 202403583 A2; 202403585 A2; 202403587 A2; 202403589 A2; 202403834 A3; 202403837 A3

IN THE COURT OF APPEAL (CRIMINAL DIVISION)
ON APPEAL FROM THE CROWN COURT AT SOUTHWARK
His Honour Judge Hehir
T20227305 & T20220798

ON APPEAL FROM THE CROWN COURT AT BASILDON
His Honour Judge Collery KC
T20230007, T20230014 & T20240019

ON APPEAL FROM THE CROWN COURT AT BASILDON
His Honour Judge Graham
T20227191, T20220422 & T20230086

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 07/03/2025

Before :

THE LADY CARR OF WALTON-ON-THE-HILL
THE LADY CHIEF JUSTICE OF ENGLAND AND WALES
MR JUSTICE LAVENDER
and
MR JUSTICE GRIFFITHS

- -

Between :

JULIAN ROGER HALLAM
LUCIA WHITTAKER DE ABREU
DANIEL SHAW
LOUISE CHARLOTTE LANCASTER
CRESSIDA GETHIN

PAUL SOUSEK
GAIE DELAP
THERESA HIGGINSON
PAUL BELL
GEORGE SIMONSON

CHRIS BENNETT
JOE HOWLETT

SAMUEL JOHNSON
LARCH MAXEY

PHOEBE PLUMMER
ANNA ELLEN HOLLAND **Appellants**

- and -

REX **Respondent**

- and -

FRIENDS OF THE EARTH LTD
GREENPEACE LTD **Interveners**

- - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - -

Danny Friedman KC and Owen Greenhall (instructed by **Hodge Jones & Allen Solicitors**) for **Hallam, Whittaker de Abreu, Shaw** and **Gethin**
Danny Friedman KC and Robbie Stern (instructed by **Hodge Jones & Allen Solicitors**) for **Lancaster**
Raj Chada, Solicitor Advocate (instructed by **Hodge Jones & Allen Solicitors**) for **Bennett** and **Maxey**
Jacob Bindman (instructed by **Hodge Jones & Allen Solicitors**) for **Bell, Delap, Sousek** and **Higginson**
John Briant (instructed by **Amosu Robinshaw Ltd**) for **Simonson**
Francesca Cociani, Solicitor Advocate, (instructed by **Hodge Jones & Allen Solicitors**) for **Howlett**
Laura O'Brien, Solicitor Advocate, (instructed by **Hodge Jones & Allen Solicitors**) for **Johnson**
Rosalind Comyn (instructed by **Hodge Jones & Allen Solicitors**) for **Plummer**
Brenda Campbell KC (instructed by **Hodge Jones & Allen Solicitors**) for **Holland**

Jocelyn Ledward KC and Fiona Robertson (instructed by the **Crown Prosecution Service**) for the **Respondent** in respect of **Hallam, Whittaker de Abreu, Shaw, Gethin and Lancaster**
Paul Sharkey and Edward Gordon-Saker (instructed by the **Crown Prosecution Service**) for the **Respondent** in respect of **Sousek, Delap, Bell, Simonson and Higginson**
James Curtis KC and Charlotte Oliver (instructed by the **Crown Prosecution Service**) for the **Respondent** in respect of **Bennett, Howlett, Johnson and Maxey**
Ben Lloyd (instructed by the **Crown Prosecution Service**) for the **Respondent** in respect of **Plummer and Holland**

Alex Goodman KC and Jessica Jones (instructed by **Lloyds PR Solicitors**) for the **Interveners**

Hearing dates: 29 and 30 January 2025

- - - - - - - - - - - - - - - - - - - -

Approved Judgment

This judgment was handed down in Court 4 at 10.00am on Friday 7 March 2025 by circulation to the parties or their representatives by e-mail and by release to the National Archives.

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The Lady Carr of Walton-on-the-Hill, CJ :

The structure of this judgment is as follows:

(1) Introduction

1. 16 applications for leave to appeal against sentence have been referred to the full court by the Registrar. We grant leave to appeal on all applications and proceed to consider the substantive appeals.

2. The appellants were among the defendants sentenced in four cases for offences committed in connection with protests in the period from August to November 2022. The protests were committed in the name of Just Stop Oil about climate change issues. In this introductory section, we summarise the four cases in chronological order of the offences committed.

3. ***The Thurrock Tunnels Case***: In August 2022 protesters occupied tunnels under the roads providing access to the industrial estate which includes the Navigator oil terminal in Thurrock, Essex. Their activities caused the roads to be closed. Four appellants, each convicted on 20 March 2024 of conspiracy to cause a public nuisance contrary to s. 1(1) of the Criminal Law Act 1977, appeal against the immediate custodial sentences imposed on them on 6 September 2024 in the Crown Court at Basildon by HHJ Graham, namely:

    i) Chris Bennett: 18 months' imprisonment.

    ii) Dr Larch Maxey: 36 months' imprisonment.

    iii) Samuel Johnson: 18 months' imprisonment.

    iv) Joe Howlett: 15 months' imprisonment.

4. ***The Sunflowers Case***: On 14 October 2022 two protesters threw soup onto Vincent van Gogh's painting known as "Sunflowers" in the National Gallery. They were each convicted on 25 July 2024 of criminal damage contrary to s. 1(1) of the Criminal Damage Act 1971 and appeal against the immediate custodial sentences imposed on them on 27 September 2024 in the Crown Court at Southwark by HHJ Hehir, namely:

    i) Phoebe Plummer: 24 months' imprisonment.

    ii) Anna Holland: 20 months' imprisonment.

5. ***The M25 Conspiracy Case:*** Between 7 and 10 November 2022 45 protesters were arrested after climbing, or attempting to climb, onto various gantries across the M25 motorway. Five appellants, each of whom was convicted on 11 July 2024 of conspiracy to cause a public nuisance contrary to s. 1(1) of the Criminal Law Act 1977, appeal against the custodial sentences imposed on them on 18 July 2024 in the Crown Court at Southwark by HHJ Hehir, namely:

    i) Roger Hallam: 5 years' imprisonment.

    ii) Daniel Shaw: 4 years' imprisonment.

    iii) Lucia Whittaker de Abreu: 4 years' imprisonment.

    iv) Louise Lancaster: 4 years' imprisonment.

v) Cressida Gethin: 4 years' imprisonment.

6. ***The M25 Gantry Climbers Case:*** Five appellants were among those who climbed gantries over the M25 on 9 November 2022 as part of the protest organised by the defendants in the M25 Conspiracy case. On the second day of trial, 5 March 2024, they pleaded guilty to causing a public nuisance contrary to s. 78(1) of the Police, Crime, Sentencing and Courts Act 2022 (s.78(1)) (the 2022 Act). They appeal against the custodial sentences imposed on them on 1 August 2024 in the Crown Court at Basildon by HHJ Collery KC, namely:

i) Gaie Delap: 20 months' imprisonment.

ii) Paul Sousek: 20 months' imprisonment.

iii) Theresa Higginson: 24 months' imprisonment.

iv) Paul Bell: 22 months' imprisonment.

v) George Simonson: 24 months' imprisonment.

7. These appeals raise certain general issues concerning the approach to sentencing in cases of this nature which are common to some or all of the individual cases. We were provided with lengthy written submissions and authorities by all parties, including the interveners, supplemented by two days of oral submissions. Nevertheless, the central points of principle can be made shortly:

i) The exercise of sentencing in cases of non-violent protests is to be carried out in accordance with normal sentencing principles, including those contained in ss. 57, 63 and 231(2) of the Sentencing Act 2020.

ii) The correct approach to issues that may arise when sentencing in cases of non-violent protests, such as conscientious motivation and deterrence, was considered authoritatively in *R v Trowland* [2023] EWCA Crim 919; [2024] 1 WLR 1164 (*Trowland*), to which there was no challenge before us.

iii) The sentencing exercise in cases of non-violent protest should not be over-complicated because of the engagement of the European Convention of Human Rights (ECHR). Whether or not Articles 10 and/or 11 of the ECHR (Article 10; Article 11) are engaged should be simple; if engaged, the court then has to carry out what should be a straightforward proportionality exercise. There should be no need to make extensive reference to domestic or international authorities. The parties agreed that the common law and the ECHR are in step. As was also common ground, if the common law principles in *Trowland* (identified below) are applied properly, the defendant's ECHR rights should be observed.

iv) References to the sentencing outcomes in different cases are unlikely to be helpful, since each case will turn on its own facts. It can also be dangerous. The parties spent much time pointing to the custodial sentence (of three years) imposed on Morgan Trowland. However, the term of three years was not a tariff of any sort. Indeed, whilst upheld on appeal, it was held to be severe (and arguably manifestly excessive). An approach that treats a three year term for

offending similar to that in *Trowland* as a benchmark risks undesirable and unwarranted sentence inflation.

8. We address the general issues first before turning to the facts of the individual cases.

(2) The Common Issues

(2)(a) R v Trowland

9. *Trowland* concerned the sentences imposed on two Just Stop Oil protesters who disrupted the M25 motorway by climbing onto the Queen Elizabeth II bridge above the motorway on 17 October 2022. They were each convicted on 4 April 2023 of causing a public nuisance contrary to s. 78(1). They appealed against the sentences imposed on them on 21 April 2023 in the Crown Court at Basildon, namely 3 years' imprisonment in the case of Morgan Trowland, and 2 years and 7 months' imprisonment in the case of Marcus Decker.

10. The judgment of the court (at [42] to [51]) addressed the relevant legal background and principles authoritatively.

11. It dealt first with the introduction of the new offence in s. 78 of the 2022 Act (s. 78) as follows:

> "42. …Section 78, which came into force on 28 June 2022, enacted a new offence of intentionally or recklessly causing public nuisance and (by section 78(6)) abolished the common law offence of public nuisance. It was introduced in the context of increasing non-violent protest offending by organisations such as Extinction Rebellion and Insulate Britain.

12. The court went on:

> "46. By section 78 Parliament thus introduced a new offence which covers (intentional or reckless) non-violent protest (for which there is no reasonable excuse). Three points deserve emphasis. First, s. 78(1)(c) introduces a fault element (of intention or recklessness), which the common law offence did not require. The LCR commented that: "[i]t is unjust that defendants should be exposed to such a serious sanction unless there is equally serious fault on their part" (see [3.53]). Secondly, s. 78(1)(b)(ii) makes it a criminal offence if a person "obstructs the public or a section of the public in the exercise or enjoyment or a right that may be exercised or enjoyed by the public at large". There is no qualification that the act of obstruction must be serious or significant before it becomes a criminal offence. Thirdly, custodial sentences of up to 10 years can be warranted."

13. The court also commented later:

> "83… In implementing section 78 Parliament expressed its clear intention that stringent custodial sentences may be required for (intentional or reckless) non-violent protest offending for which there is no reasonable excuse. The 10-year maximum term provides sentencing context that

was previously absent; it represented Parliament's assessment of the seriousness of the offending."

14. The court addressed the correct approach to sentencing for s. 78(1) offences as follows:

> "47. There is no definitive Sentencing Council Guideline specific to the offence (nor for any obvious analogous offence). The court thus takes into account the statutory maximum and any relevant sentencing judgments of this court. We have not been shown any appellate judgments addressing the sentencing regime for the statutory offence of public nuisance, although there are appellate judgments arising out of sentences for the old common law offence. They are considered below, in particular *Roberts* and *Brown*, where the relevant Strasbourg jurisprudence was also examined.
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> 48. The seriousness of the offence is to be assessed by considering the culpability of the offender and the harm caused by the offending (see s. 63 of the Sentencing Act 2020). The court must also consider which of the five purposes of sentencing identified in s. 57 of the Sentencing Act 2020, namely punishment, reduction of crime (including its reduction by deterrence), reform and rehabilitation, public protection and the making of reparation, it is seeking to achieve through the sentence that is to be imposed. Once a provisional sentence is arrived at, the court takes into account relevant aggravating and mitigating features. Other considerations, such as totality, may be engaged under the stepped approach set out in the Sentencing Council's General Guideline: Overarching Principles. Custodial sentences must be what is, in the opinion of the court, the shortest term commensurate with the seriousness of the offence (see s. 231(2) of the Sentencing Act 2020).
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> 49. The (qualified) rights to freedom of expression and assembly under Articles 10 and 11 are relevant to sentence. Article 11 is generally seen as a more specific, or lex specialis, form of the right to freedom of expression in Article 10, and the two can be considered together. Particular caution is to be exercised in imposing a custodial sentence in non-violent protest cases. (See *Taranenko v Russia* (App No 19554/05) (2014) ECHR 485 ; 37 BHRC 285 at [87]; *Kudrevicius v Lithuania* (App No 37553/05) (2016) 62 EHRR 34; 40 BHRC 114 ("Kudrevicius") at [146]; *Roberts* at [43].) It may also be relevant if the views being expressed relate to important and substantive issues (see *DPP v Ziegler and others* [2021] UKSC 23; [2022] AC 408 ("*Ziegler*") at [72]), although we emphasise immediately below the limits of such consideration. Determination of the proportionality of an interference with ECHR rights is a fact-specific enquiry which requires the evaluation of the circumstances in the individual case. It is a flexible notion, which depends on fair and objective judicial assessment; there are no rigid rules to be applied. The inquiry requires consideration of the questions identified by the Divisional Court at [63] to [65] of its judgment in *DPP v Ziegler* [2019] EWHC 71 (Admin); [2020] QB 253 (cited by the Supreme Court at [16]).
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> 50. It is no part of the judicial function to evaluate (or comment on) the validity or merit of the cause(s) in support of which a protest is made

(see Roberts at [32]). However, a conscientious motive on the part of protesters may be a relevant consideration, in particular where the offender is a law-abiding citizen apart from their protest activities. In such cases, a lesser sanction may be appropriate: a sense of proportion on the part of the offender in avoiding excessive damage or inconvenience may be matched by a relatively benign approach to sentencing. The court may temper the sanction imposed because there is a realistic prospect that it will deter further law-breaking and encourage the offender to appreciate why in a democratic society it is the duty of responsible citizens to obey the law and respect the rights of others, even where the law is contrary to the protesters' own moral convictions. However, the more disproportionate or extreme the action taken by the protester, the less obvious is the justification for reduced culpability and more lenient sentencing. (See *R v Jones (Margaret)* [2006] UKHL 16; [2007] 1 AC 136 ("*Jones*") at [89]; *Roberts* at [33] and [34]; *Cuadrilla Bowland Ltd v Persons Unknown* [2020] EWCA Civ 9; [2020] 4 WLR 29 ("*Cuadrilla*") at [98] and [99]; *National Highways Ltd v Heyatawin and others* [2021] EWHC 3078 (QB); [2022] Env LR 17 at [50] to [53]; *Brown* at [66].)

51. Ultimately, whether or not a sentence of immediate custody for this type of offending is warranted, and if so what length of sentence is appropriate, will be highly fact-sensitive, set in the context of the relevant legislative and sentencing regime identified above."

15. The court also indicated that conscientious motivation was a factor most logically relevant to the assessment of culpability, as opposed to general mitigation (see [55]).

16. These general principles are applicable in the present cases, while recognising that the M25 Gantry Climbers case was the only case in which the defendants were convicted of the substantive offence of causing a public nuisance, contrary to s. 78(1). (As set out above, in the Thurrock Tunnels and M25 Conspiracy cases the defendants were convicted of conspiracy to cause a public nuisance; and in the Sunflowers case the defendants were convicted of criminal damage, for which there is a Sentencing Council Guideline.)

17. In terms of the application of the principles to the facts in Trowland and conscientious motivation, the court stated:

> "56. The judge does appear to have treated the protesters' conscientious motives primarily as a matter of mitigation (for which he applied 25% credit). This reflected the manner in which the issue was presented to him on behalf of the protesters at the time of sentencing (i.e. that this was a matter of mitigation). As set out above, we consider that, strictly speaking, these were matters more relevant to culpability. However, the judge elsewhere referred to the fact that the protesters' motives led him to reduce his assessment of their culpability; and, ultimately, we do not consider that any error in approach was material. What matters is whether the protesters' conscientious motives which caused them to exercise their rights of freedom of expression and assembly were reflected properly in the ultimate sentences. As set out further below, we consider that they were."

18. As for culpability, the court stated:

> "72. The judge was entitled to find the protesters' culpability to be high, despite their conscientious motivation, not least given the extensive planning involved. There was an event planner working with the protesters; the bridge had been chosen as a spectacular protest site in order to attract media attention; another individual had dropped them off on the bridge and then called the police; Mr Trowland had sketched the bridge to work out how the plan could be executed; the date had been chosen by reference to the government's autumn agreement to increase gas and oil licences; Mr Trowland undertook media communications training in order that his message could be better communicated; both protesters practised climbing and throwing ropes between them to facilitate the erection of the banner and the hammocks; specific equipment had been purchased and they carried out a risk assessment; they took food and drink with them.
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> 73. The reasons given by the judge for his finding of culpability were entirely sound: the choosing of a high profile target for maximum disruption; the extensive organisation and planning; the protesters' awareness that the road would be closed and disruption would be caused; that they stayed on the bridge for far longer than was proportionate; their choice to ignore the disruption and anger that would be caused to others; the fact that requests to come down were ignored, as were the risks to those who had to remove them from the bridge in the cherry picker. The protesters' motive was their concern about climate change but the action taken was totally disproportionate."

19. The court proceeded on the basis that the defendants' rights under Articles 10 and 11, whilst engaged, were significantly weakened on the facts:

> "74. The Article 10 and Article 11 protections, whilst not removed, were significantly weakened on the facts. As set out above, the s. 78(3) defence of "reasonable excuse", which incorporates Article 10 and Article 11 protections, was not available to the protesters. The protest was taking place on land from which the public were excluded. The further away from the core Article 10 and 11 rights a protester is, the less those rights merit an assessment of lower culpability or, putting it another way, a significant reduction in sentence (see *Kudrevicius* at [97]). In fact, by ascending the bridge, the protesters were committing a criminal offence under the Dartford-Thurrock Crossing Act 1988 (as set out above). This is relevant to an evaluation of whether the sentences were manifestly excessive and/or proportionate.
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> 75. Further, the Article 10 and Article 11 protections were weakened by the fact that the disruption here was the central aim of the protesters' conduct, as opposed to a side-effect of the protest. Persuasion is very different from attempting (through physical obstruction or similar conduct) to compel others to act in a way a defendant desires. The distinction between protests which cause disruption as an inevitable side effect and protests which are deliberately intended to cause disruption is an important one. (See *Cuadrilla* at [43] and [94].)

> 76. The judge was also entitled to conclude that the obstruction was significant: indeed, in this case it was of the utmost seriousness. It affected the Strategic Road Network, a network that was essential to the growth, wellbeing and balance of the nation's economy. We have referred to the protest's striking effects in statistical terms above, together with the evidence from affected individuals and businesses. Hundreds of thousands of members of the public were affected, some very significantly. In short, the protest resulted in enormous practical and personal disruption, alongside damage to businesses and the economy and a need for the deployment of significant police and Highways Agency resource and assistance."

20. The court addressed the judge's approach to the protesters' previous convictions and rehabilitation prospects as follows:

> "58. … The judge did not ignore the prospect of rehabilitation; as recorded above, he referred expressly to it as "an important factor". But he concluded that there were no signs that the protesters were any less committed to the causes that they espoused, and referred to Mr Trowland's evidence in which he set out at length the beliefs that motivated him. The strength of the protesters' beliefs was on any view material to the question of rehabilitation. As was stated in *Roberts* at [47], when making a judgment about the risks of future offending, underlying motivations can be of great significance.
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> 59. The judge was entitled to reject that the protesters' apologies were genuine and to take the view that they were inadequate and self-serving. The judge was concerned that they would continue to engage in their illegal activities despite their indications to the contrary. As he put it, "history indicate[d] that they were unreliable in that regard". They had been repeatedly released on bail and continued to offend. The fact that, in other domestic cases, undertakings by defendants not to offend have been accepted (see for example Roberts at [46] to [51] and McKechnie at [38]) is nothing to the point. This was pre-eminently a matter for the judge to assess...
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> 77. As for mitigation, as already identified above, the judge was entitled to take the view that the protesters' apologies rang hollow and to harbour real concern that they would continue to engage in such protest activities as they though fit, despite their evidence to the contrary. The judge was aware of the protesters' personal histories. We do not consider that any significant weight falls to be attached to character references in the context of this type of offending, which is typically committed by those of otherwise good character. As set out above, albeit that it was a matter more properly addressed in the context of culpability, the judge also took account of their conscientious motives, affording 25% credit in this regard. This was not only fair, but arguably generous to the protesters in circumstances where there was no sense of proportion in their activities. They did nothing to avoid excessive damage or inconvenience: on the contrary, their conduct was designed to (and did) cause extreme damage and inconvenience."

21. Finally, it is relevant to note what was said in relation to deterrence as an aim of sentencing in these types of cases. The protesters relied on the observations made by Leggatt LJ in *Cuadrilla Bowland Ltd v Persons Unknown* [2020] EWCA Civ 9; [2020] 4 WLR 29 *(Cuadrilla*) (in [98] and [99]), to the effect that, in general, there is reason to expect that less severe punishment is required to deter protesters from further law-breaking in comparison to other offenders. The court in *Trowland* commented:

> "66. These comments do not appear to us materially to advance the protesters' challenge. First, they are general in nature and always subordinate to the fact-sensitive exercise to be carried out in each case. Secondly, the direct aim of the protesters here was to cause maximum disruption (in order to deliver their message); a stand-out feature in this case is the lack of moderation on the part of the protesters. Thirdly, conscientious motivation/moral difference is already factored into the question of culpability, as identified above. Fourthly, as for deterrence, that is an area pre-eminently to be assessed on the facts, and in any event Leggatt LJ was addressing only deterrence to the offenders themselves, not the wider public, which may be a highly relevant consideration. Fifthly, whilst the social bargain or "dialogue" continued beyond the offending itself, the disproportionate nature of the protesters' actions remains highly relevant; and again the specific facts of each case, such as previous convictions and bail status, take precedence."

22. Secondly, in addressing the protesters' reliance on *R v Roberts* [2018] EWCA Crim 2739; [2019] 1 Cr App R (S) 48 (*Roberts*) and *R v Brown* [2022] EWCA Crim 6; [2022] 1 Cr App R 18 (*Brown*) the court stated:

> "86. As set out above, the offending in *Roberts* and *Brown* occurred in 2017 and 2019 respectively. A court's perception of the strength of the need for deterrence can change over time. Specifically, as is common knowledge, supporters of organisations such as Just Stop Oil have staged increasingly well-orchestrated, disruptive and damaging protests. It can be said that the principle of deterrence is of both particular relevance and importance in the context of a pressing social need to protect the public and to prevent social unrest arising from escalating illegal activity."

23. It is against the background of the principles stated and applied in *Trowland* that we address the issues which arise in these cases. Indeed, counsel for the appellants submitted that the principal basis for the proposed appeals is the appellants' contention that the sentencing judges did not properly apply the principles stated in *Trowland*, not that those principles were wrong. Considering that submission will primarily be a matter for reviewing the facts of, and the sentencing exercise conducted in, each case.

24. Nevertheless, it is helpful to address at this stage the parties' submissions on principle in relation to i) conscientious motivation; ii) Articles 10 and 11; iii) sentences in other public nuisance cases; and iv) the Aarhus Convention.

(2)(b) Conscientious Motivation

25. It is not disputed that each of the appellants was motivated to act as they did by a conscientious desire to communicate their views about the appropriate response to climate change issues. The appellants contend that the sentencing judge in each case erred because he declined to make any reduction in the sentences imposed on them by reason of their conscientious motivation. The interveners, Friends of the Earth Limited and Greenpeace Limited, support this contention. The Crown submits that in each case the sentencing judge referred to *Trowland* and correctly acknowledged that conscientious motivation may result in greater leniency in sentencing, but explained why he considered that that factor should be afforded no particular weight on the facts.

26. We will consider in due course the sentencing remarks in each case, but it can be said in general terms at this stage:

    i) The appellants' conscientious motivation was a factor relevant to sentencing in each case. It would have been an error for the sentencing judge to conclude on the facts that it had no part whatsoever to play in the sentencing exercise;

    ii) As stated in *Trowland* (at [55]), conscientious motivation fell most logically to be factored into the assessment of culpability. However, conscientious motivation did not preclude a finding that any appellant's culpability was still high (see *Trowland* at [50] and [72]);

    iii) Contrary to Mr Friedman's submission for the protesters, a sentencing judge is not obliged to specify an amount by which they have reduced a custodial term to reflect a defendant's conscientious motivation. As a general proposition, a sentencing judge is not obliged to attribute specific percentage values or figures to individual factors which have been taken into account in the sentencing exercise: see for example *R v Ratcliffe* [2024] EWCA Crim 1498 at [81]. That includes not only aggravating and mitigating factors, but also factors, such as conscientious motivation, going to the assessment of culpability. There is no parallel to be drawn with the approach to discounts for guilty pleas, for which a quantified reduction in sentence is made at a discrete stage in the sentencing process.

(2)(c) Articles 10 and 11

27. Article 10 provides as follows:

> "1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
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> 2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in

> confidence, or for maintaining the authority and impartiality of the judiciary."

28. We note that the appellants' message in these cases constituted "political speech", to which particular respect is afforded: it involved a call for a change in the law. There were ways in which the appellants could have communicated that message without trespassing and without committing a criminal offence. But the fact that they committed a trespass and a criminal offence in communicating that message did not mean that their activity ceased to be an expression of their views.

29. Article 11 provides as follows:

> "1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.
> 2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State."

30. As with other ECHR rights, the analysis of alleged violations of these rights generally follows five stages:

i) Does the right apply to the facts of the case? (This is often expressed by asking whether the right is "engaged" by the facts of the case.)

ii) Has there been an interference with the right?

iii) Was the interference "prescribed by law"?

iv) Did the interference pursue a legitimate aim?

v) Was the interference "necessary in a democratic society"? (This is usually expressed by asking whether the interference with the right was proportionate. In cases such as the present, the assessment of proportionality applies at each stage, i.e. prosecution, conviction and sentence.)

31. The appellants submitted that the sentences imposed constituted a disproportionate interference with their rights under Articles 10 and 11. The interveners supported this submission; the Crown opposed it. We address the proportionality of the sentences when we consider the individual cases, while noting the guidance in *Trowland* at [49], [74] and [75]. We deal here, however, with two preliminary issues which arise in connection with this ground of appeal and which concern the question whether Articles 10 and 11 apply at all on the facts of these cases.

32. Miss Ledward for the Crown submitted that Articles 10 and 11 are not engaged in a protest case if the protesters are trespassing (a contention not positively advanced in *Trowland*). It was not disputed that the protesters who climbed gantries on the M25

were trespassing, since the public are not allowed access to the gantries. It was submitted that the legal position is less straightforward in the Thurrock Tunnels case, since the tunnels were underneath a public highway, but that the occupants of one of the tunnels had trespassed on railway property in order to access the tunnel. As for the Sunflowers case, it was said that the judge was right to conclude, as he did, that Articles 10 and 11 did not apply because the protest was violent or non-peaceful.

(2)(c)(i) Articles 10 and 11 and Trespass

33. There can be circumstances in which speech falls outside the protection afforded by Articles 10 and 11, such as those identified in Article 17 of the ECHR. However, Article 17 was not relied on in the present cases.

34. Articles 10 and 11 did not confer on the appellants a right of entry to private property: see *Appleby v United Kingdom* (2003) Application No. 44306/98. Moreover, disrupting traffic has been held not to be at the core of Articles 10 and 11: see *Kudrevičius v Lithuania* (2015) 62 E.H.R.R. 34, at 91. However, we were not referred to any case in which the European Court of Human Rights (the ECtHR) has decided that a protester who commits an act of trespass thereby automatically loses their rights under Article 10 or 11 altogether. On the contrary, *Steel v United Kingdom* (1998) 23 September was a case involving "a protest against the extension of a motorway involving a forcible entry into the construction site and climbing into the trees to be felled and onto machinery in order to impede the construction works" (see the description in *Taranenko v Russia* (2014) Application No. 19554/05 (*Taranenko*), at §70). The expression of opinion was found to be protected by Article 10.

35. We do not consider that *DPP v Cuciurean* [2022] EWHC 736 (Admin); [2022] QB 888 (*Cuciurean*) at [39] to [50] assists us on this point. *Cuciurean*, which involved a challenge to prosecution and conviction (not sentence) for aggravated trespass, contrary to s. 68 of the Criminal Justice and Public Order Act 1994, did not determine the question of whether Articles 10 and 11 were engaged.

36. Although the appellants' activities were not at the core of Articles 10 and 11, we do not consider that their acts of trespass removed them completely from the scope of Articles 10 and 11. Rather, as in *Trowland* (at [74] and [75]), the fact that the appellants' expressions of opinion involved criminal trespass significantly weakened the protections afforded by Articles 10 and 11 (and so the weight to be attached to those protections when considering proportionality of sentence).

(2)(c)(ii) The Applicability of Articles 10 and 11 in the Sunflowers Case

37. In the Sunflowers case, the judge gave a careful ruling during the course of trial in which he held that neither the conviction nor the sentencing of the appellants engaged any issue of proportionality. In his judgment, Articles 10 and 11 did not apply at all because i) the actions of Ms Plummer and Mx Holland were violent and not peaceful; and ii) they caused significant damage. He referred in particular to *Attorney General's Reference (No 1 of 2022)* [2022] EWCA Crim 1259; [2023] KB *37 (Colston)* at [120] and [121].

38. The judge was correct to state that Articles 10 and 11 were not engaged if Ms Plummer and Mx Holland's actions were violent/non-peaceful (see for example *Colston* at [115]

and [120]); but he was wrong to hold that they were also not engaged if the damage was significant. *Colston* at [120] and [121] provides no support for such a conclusion: all that was being said in *Colston* was that the extent of damage was relevant to the proportionality of any conviction.

39. If, as we conclude below, this was not violent offending, the judge's error was material.

40. *Colston* confirmed that "[v]iolence is not confined to assaults on the person but may include damage to property" (see [87]). For example, criminal damage might be appropriately deemed "violent" if it intimidates onlookers. *Colston* concerned the prosecution for criminal damage of protesters who pulled down a statue and threw it into a harbour.

41. For present purposes, the case of *Murat Vural v Turkey* (2014) Application No. 9540/07 provides the most useful comparison. There the applicant poured paint on five public statutes of Kemal Atatűrk. The ECtHR held that Article 10 was engaged by the applicant's actions. In the same way, we consider that Ms Plummer and Mx Holland's actions engaged Articles 10 and 11. While shocking, their actions were not violent.

42. For these reasons, Articles 10 and 11 were engaged on the facts of the Sunflowers case (albeit significantly weakened).

(2)(d) Sentences in Other Public Nuisance Cases

43. The appellants in the M25 Conspiracy, M25 Gantry Climbers and Thurrock Tunnels cases submitted that the sentencing judge in each case failed to have proper regard to relevant caselaw on sentencing for public nuisance. The appellants referred in particular in this context to:

    i) *R v Chee Kew Ong* [2001] 1 CrAppR (S) 117, in which the defendant committed the offence of conspiracy to cause a public nuisance when he extinguished the floodlights at a Premier League football match, causing the match to be abandoned, for the benefit of individuals who had placed bets on the match abroad.

    ii) *R v Cleator* [2016] EWCA Crim 1361, in which the drunken defendant committed the common law offence of causing a public nuisance by climbing onto and remaining on a structure over the M56 motorway near Manchester.

    iii) *Roberts*, in which the defendant protesters committed the common law offence of causing a public nuisance by climbing on top of lorries and blocking the A583 near Blackpool.

    iv) *Brown,* in which the defendant committed the offence of aggravated trespass, contrary to s. 68 of the Criminal Justice and Public Order Act 1994, by climbing on top of and gluing himself to an aeroplane at London City Airport.

    They also referred to the Sentencing Council Guideline for Offences of Violent Disorder.

44. The Crown submitted that the sentencing judges each had proper regard to what was the only case on sentencing for the new offence created by s. 78(1), namely *Trowland*.

45. The submissions made by the appellants and the interveners address the issue of the relationship between the new statutory offence under s. 78(1) and the common law offence abolished by s. 78(6) of the 2022 Act. In this regard, we see no reason to depart from what was said in *Trowland* (at [46], [47], [78], [79] and [83] to [86]). Each case must, of course, be decided on its own facts, but, insofar as comparisons with sentences in other cases are relevant at all (as to which see paragraph 7(iv) above), sentencing judges in cases such as the present are more likely to be assisted by decisions on the new statutory offence than by decisions on other offences.

46. Particular reference is made in this context to the issue of deterrence. Again, we see no reason to expand on what was said on this issue in *Trowland,* including in relation to *Roberts* and *Brown* (see [66], [83] and [86]). (It can of course also be noted that the sentences imposed in cases decided before *Trowland* did not in fact deter these appellants from committing the offences of which they were convicted. As Mr Friedman volunteered, the appellants expected to go to prison for at least a while. The prospect of short immediate custodial sentences was self-evidently not a sufficient deterrent.)

(2)(e) The Aarhus Convention

47. The appellants submitted that the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention) is relevant both as an aid to interpreting ECHR rights and as something to be taken into account by a judge in exercising a discretion, as judges do in determining the appropriate sentence in a particular case. On that basis, the appellants submitted that the Aarhus Convention, in particular article 3(8), supplements their other grounds of appeal. In addition, the appellants submitted that the sentencing judges should have had regard to the views of the UN Special Rapporteur on Environmental Defenders (the UN Special Rapporteur), who had criticised the decision in *Trowland*. However, Mr Friedman confirmed that it was not the appellants' case that the Aarhus Convention added anything to the other grounds of appeal, rather than simply supporting them.

48. The Crown submitted that the Aarhus Convention did not apply to the activities of the appellants in the present cases and that it would not have been appropriate for the sentencing judges to take account of or to afford any weight to expressions of opinion by the UN Special Rapporteur.

49. In our judgment, it would not have been appropriate for the sentencing judges to have had regard to the Aarhus Convention or the views of the UN Special Rapporteur. The Aarhus Convention is not incorporated into English law. That is sufficient, in itself, to decide the point. However, we also agree with the Crown's submission that article 3(8) of the Aarhus Convention did not apply to the appellants' activities. Article 3(8) provides as follows:

> "Each Party shall ensure that persons exercising their rights in conformity with the provisions of this Convention shall not be penalized, persecuted or harassed in any way for their involvement. This provision shall not affect the powers of national courts to award reasonable costs in judicial proceedings."

50. The appellants in these cases were penalised, but they were not penalised for "exercising their rights in conformity with the provisions of" the Aarhus Convention. They were penalised for committing criminal offences. It is, rightly, not suggested that their prosecution or conviction was contrary to the Aarhus Convention. Neither was their sentencing.

51. We turn now to the particulars of the sentencing exercises in each of the four cases in the order in which the arguments were presented to us. For the avoidance of doubt, in each case, we have considered the question of proportionality independently and our conclusions produce a result in each case which we judge to be proportionate (in line with the approach outlined in *Trowland* at [88]).

(3) The M25 Conspiracy Case

(3)(a) The Judge's Ruling and Sentencing Remarks in the M25 Conspiracy Case

52. All the appellants in the M25 Conspiracy case were convicted on 11 July 2024 after a four-week trial before HHJ Hehir and a jury. They were sentenced on 18 July 2024 by the trial judge.

(3)(a)(i) Trial ruling

53. In the course of the trial, on 8 July 2024 HHJ Hehir gave a ruling on whether certain proposed defences were available to the defendants. On 11 July 2024 he gave his written reasons for deciding that they were not. One of the proposed defences was that conviction would be a disproportionate interference with the defendants' rights under Articles 10 and 11. We emphasise that the judge was ruling on this as a potential defence against conviction, rather than as a potential consideration at the sentencing stage. He held that Articles 10 and 11 were not engaged, because:

> "…those who climbed the gantries in furtherance of the conspiracy alleged did so as lawbreakers and trespassers. Article 10 of the ECHR confers no licence to trespass on somebody else's property in order to express one's views: see *Richardson v DPP* [2014] UKSC 8 per Lord Hughes at para 3. It must follow that neither can Article 11 confer such licence."

54. In the alternative, the judge ruled that conviction would not be a disproportionate interference with the defendants' Article 10 and 11 rights, even if those articles were engaged. He said:

> "…the conspiracy alleged against the defendants contemplated the most substantial disruption to traffic on London's orbital motorway. The Zoom call reveals the expression of the hope by Roger Hallam (and not dissented from by any other defendant) that the planned disruption would lead to total gridlock of the motorway system and other major roads. Such gridlock could have had catastrophic effects had it eventuated, by reference for example to food supplies and the maintenance of law and order. Although there was no total gridlock, very substantial disruption did occur.
> What occurred, and what was contemplated, was conduct of the sort identified by the European Court of Human Rights in *Kudrevicius v Lithuania* 62 EHRR

> 34 as falling outside the "core" of ECHR rights. In those circumstances, disproportionality is inherently unlikely."

55. The fact that this proportionality exercise had been conducted in relation to the prosecution of the offences did not, in itself, mean that proportionality did not also fall to be considered at the point where a sentence was to be passed. The proportionality of any interference with ECHR rights may be particularly relevant at the sentencing stage, even though the ECHR rights in question do not provide a defence to the charge: see *Roberts* at [34]; *Cuadrilla* at [87]; the consideration of *Taranenko* in *Colston* at [90]; and *Trowland* at [87-88].

(3)(a)(ii) Sentencing Remarks

56. In his sentencing remarks, the judge described the conspiracy as "a sophisticated plan to disrupt traffic on the M25 motorway by means of protestors climbing up the gantries over the motorway".

57. He noted the impact of the conspiracy as "disruption on the M25 for four successive days, from 7 November to 10 November 2022." Over 45 protestors climbed gantries at various points on the M25. "Every sector of this orbital motorway was affected". There was "massive disruption". Large sections of the M25 had to be closed each day, causing long tailbacks. Six police forces were involved and the estimated cost of the involvement of the Metropolitan Police alone was over £1 million. The total road impact time over the four days was 121 hours and 45 minutes. The total extent of the delay to road users was calculated at 50,856 hours. The number of affected vehicles was calculated at 708,523. The total economic cost of the four days of disruption was put at £769,966.

58. He referred to evidence from some of those affected, including (for example) people who had missed funerals.

59. The judge found that the appellants had intended, although they had failed to achieve, gridlock. He quoted the appellant Roger Hallam telling a meeting on Zoom on 2 November 2022, a few days before the protest (attended by all of his co-defendants):

> "A really, like, super-significant aspect of this project, which takes it away from anything that has happened before. And that's that it has the potential to create gridlock. In other words, if we take a section of motorway, a circular motorway, people block gantries at close equidistant spaces around that circle, at a certain time of the day, the whole motorway will fill up with cars, and then no one will be able to get on to that motorway, and it will back up on all the other motorways and all the other A-roads. In other words, it will cause a hundred times more disruption than simply two or three people doing it, right. And there's a whole mathematics around it."

60. The judge said:

> "The M25 intersects with no fewer than nine other motorways over its circular course, with the M40, the M1, the A1(M), the M11, the M20, the M26, the M23, the M3, and the M4. It also intersects with a number of major A-roads, into and out of London. In addition, four of London's airports, Heathrow, Gatwick,

> Luton, and Stanstead, lie close to the M25 with many of those travelling through or working at those airports using the M25 to get to and from them.
> Had the gridlock for which all five of you devoutly hoped come to pass, the consequences would have been catastrophic. Mass road disruption in London and southern England would have had major implications for food supplies and the maintenance of law and order, among other things.
> (…)
> Section 63 of the Sentencing Code requires me, in assessing the seriousness of your offending, to have regard not only to the harm you actually caused, but also the harm you intended to cause."

61. The judge recognised (see *Trowland* at [49]) that it was not his task to comment on the merits of the Just Stop Oil cause, but he said:

> "I think I can fairly observe that there is a general consensus, in both scientific and societal terms, that man-made climate change exists, and that action is required to mitigate its effects and risks. (…) I acknowledge that at least some of the concerns motivating you are, at least to some extent, shared by many."

62. The judge identified as aggravating factors for all appellants: (i) the very high level of disruption caused to the public; (ii) the even higher level of disruption intended; (iii) the harm risked from traffic accidents, to members of the emergency services bringing climbers down from gantries and to the climbers themselves; (iv) breach of an injunction granted by the High Court of which all the appellants were aware, since the injunction was referred to on the Zoom call; (v) previous convictions of one or more offences in relation to direct-action protest; and (vi) each of the appellants being on bail in respect of at least one other set of proceedings when committing this offence.

63. Turning to the appellants' conscientious motivation, the judge said:

> "I do not regard your status as non-violent, direct-action protestors as affording you any particular mitigation.
> (…)
> While there will be cases where the conscientious motives of protestors may permit a degree of leniency from this court, this is not one of them."

64. He cited *Trowland* at [50] ("the more disproportionate or extreme the action taken by the protestor, the less obvious is the justification for reduced culpability and more lenient sentencing") and said:

> "Yours is not an appropriate case for leniency. This was a conspiracy to cause extreme and disproportionate disruption."

65. He referred to all of the appellants (except Lucia Whittaker de Abreu) using the trial to conduct what he described as "a calculated campaign to disrupt the proceedings", although he said that he would not sentence them for their conduct during the trial. He said in relation to all of the appellants that:

> "…there is a real risk of each of you committing further serious offences in pursuit of your objectives, unless you are deterred from doing so by exemplary

> sentences in this case. Such sentences will hopefully also deter others who share your outlook from doing what you did."

66. He then turned to the sentencing of each appellant individually.

(3)(a)(iii) Roger Hallam

67. The judge described Mr Hallam (aged 58 at the date of offending) as "a highly influential figure within Just Stop Oil" and, in relation to the M25 Conspiracy case, "the theoretician, the ideas man", who used the Zoom call "to inspire the troops and would-be troops", but also as "intimately involved in the practice". He "sat at the very highest level" of the conspiracy. He obtained the mathematical model for motorway disruption and he supervised its implementation.

68. He had relevant previous convictions, including 11 between 2017 and 2024, most recently for conspiracy to cause a public nuisance by disrupting Heathrow Airport operations with drones, for which he had received a suspended prison sentence which was still in force.

69. The judge found that there was no real personal mitigation, positive character references notwithstanding. Mr Hallam's claim to have changed his attitude was rejected, in part because of his conduct at the trial, when he and three other appellants "set about turning the proceedings themselves into a direct action protest".

70. His sentence of five years' imprisonment after a trial reflected the judge's conclusion that he was "at the very top of the tree so far as the conspiracy is concerned."

(3)(a)(iv) Daniel Shaw

71. The judge described Daniel Shaw (aged 36 at the date of offending) as "up to your neck in the organisation of this conspiracy" and, in particular, the recruitment and training of protestors.

72. He had one previous conviction for causing a public nuisance, committed in 2021 and sentenced with a community order in 2023 which was still in force.

73. The judge particularly mentioned the personal mitigation afforded by Mr Shaw's caring responsibilities. However, the judge said "your conduct during the trial deprives you of any mitigation based on the potential for rehabilitation".

(3)(a)(v) Lucia Whittaker de Abreu, Louise Lancaster and Cressida Gethin

74. The judge described each of Lucia Whittaker de Abreu, Louise Lancaster and Cressida Gethin as "a key organiser", because of their roles as speakers at the Zoom meeting chaired by Mr Shaw and principally addressed by Mr Hallam. He described the role of each of these three as to inspire would-be climbers of the gantries by describing their own previous experience of similar direct-action protest. What each of them said showed that they were familiar with the detail of what was planned and their enthusiasm for it.

75. They also did individual acts in furtherance of the conspiracy. Ms Lancaster rented safe-house accommodation in London for gantry climbers. She also bought "a considerable

amount of specialist equipment" for them. Ms Whittaker de Abreu and Ms Gethin were arrested when dressed and equipped to climb gantries themselves.

76. Ms Whittaker de Abreu (who was 33 at the date of offending) had three previous convictions for obstruction offences during direct-action protest. These had resulted in fines. In mitigation, the judge noted her health and caring responsibilities, but decided "that provides little by way of mitigation, given your conscious choice to engage in offending of this seriousness".

77. Ms Lancaster (who was 57 at the date of offending) had six previous convictions for offences committed during direct-action protest. The two most recent were a conviction in June 2023 for which she received a five-week prison sentence and a conviction in November 2023 for which the sentence was a suspended sentence of imprisonment. Her offence in the M25 Conspiracy was committed in breach of a suspended committal order imposed by the High Court for breach of a High Court injunction by climbing an M25 gantry on a previous occasion (July 2022, shortly before the M25 Conspiracy acts in November 2022) which she herself referred to in the Zoom call. There was no personal mitigation.

78. Ms Gethin (who was 20 at the date of offending) had three previous convictions for offences committed during direct-action protest. The most recent (for a substantive offence of public nuisance in relation to protest disruption on the M25) had resulted in a suspended sentence in February 2024. Her conviction also placed her in breach of a conditional discharge imposed in September 2022. In mitigation, the judge considered character references and material in respect of her health. He was satisfied that the health issues could be managed in prison. He referred to her young age (saying that she was "by far, the youngest of the defendants"). However, he did not regard it as providing any mitigation or justifying any treatment different from her co-defendants. He explained:

> "As the character evidence indicates, and as I learned for myself during the trial, you are an intelligent and well-educated young woman. Neither immaturity nor personal disadvantage has driven you to crime; your own conscious choices have."

79. The judge passed a sentence of four years' imprisonment on all four of the M25 Conspiracy appellants except Mr Hallam, stating that there were no grounds for differentiating between the four, notwithstanding various differences in their personal circumstances and antecedents.

(3)(b) General Issues in the M25 Conspiracy Case

80. In the M25 Conspiracy case, as in *Trowland*, disruption was the central aim of the appellants' conduct, as opposed to a mere side-effect of it. Moreover, Mr Hallam said explicitly in the Zoom call that the aim of the conspiracy was not merely to persuade (for example, by obtaining publicity for Just Stop Oil's arguments) but to compel. The aim was to achieve: "such massive economic disruption that the Government cannot ignore the demand"; and "sufficient mass disruption to force this Country to face its responsibilities and force this Government to respond to the illegality and immorality of what it is engaging in". The emphasis was on the word "force", a word which Mr Hallam used twice in these quotations. The protest was peaceful only in the sense that

it was non-violent. It was intended, however, to be on such a scale as to be coercive. As was said in *Trowland* at [75], "Persuasion is very different from attempting (through physical obstruction or similar conduct) to compel others to act in a way a defendant desires".

81. However, we read the judge's sentencing remarks as meaning that he took no account at all of the appellants' conscientious motivation. Whilst he was right that conscientious motivation is not a matter of mitigation, it is a factor which may reduce culpability (see *Trowland* at [55]). As was said in *Trowland* at [50], "the more disproportionate or extreme the action taken by the protester, the less obvious is the justification for reduced culpability and more lenient sentencing". However, this is, save in a most exceptional and extreme case, a matter of degree, rather than excluding consideration of conscientious motivation altogether. Even in the very serious case of *Trowland*, culpability was reduced materially by the presence of conscientious motivation. The weight to be given to this factor is for the judge to assess on the facts of every case.

82. The judge did not consider, at the sentencing stage, the effect of Articles 10 and 11. As previously explained, we consider that these articles were engaged in the M25 Conspiracy case. When ECHR rights are engaged, the proportionality question must always be asked. However, as we have already said (at paragraph 7(iii) above), if the common law principles set out in *Trowland* are applied properly, the defendant's ECHR rights should be observed.

83. The appellants in the M25 Conspiracy and M25 Gantry Climbers cases argued that there was a disparity between their sentences and those imposed on others involved in the same protest. We were presented with a table of all of those sentenced in relation to offences of public nuisance arising from the M25 Conspiracy, including seven individuals who are not parties to this appeal. The table stated their names, dates of birth, offence dates, sentence dates, whether the offence was charged as a conspiracy or the substantive offence, credit for plea (when relevant), sentence and the approximate sentence before credit for plea. It included no other details. The sentences ranged from a community order imposed on one of those not appealing to this court to the five years' imprisonment imposed on Mr Hallam.

84. Arguments based on disparity are always difficult, as was acknowledged by counsel. In cases which are so highly fact sensitive as these, both as to the nature of the offending and as to the personal involvement and personal circumstances of the offenders (see *Trowland* at [51]), there is little to be gained from the limited information provided.

(3)(c) The M25 Conspiracy Case: Roger Hallam

85. The sentencing judge was entirely justified in taking the serious view of Mr Hallam's offending that he did. We recognise that the judge was particularly well-placed, after a trial, to assess the overall seriousness of the offending. However, we consider a sentence of five years' imprisonment in Mr Hallam's case to be manifestly excessive.

86. The sentences upheld, after a trial, in *Trowland* were three years' imprisonment (Mr Trowland) and two years and seven months' imprisonment (Mr Decker). These were said to be severe, but not manifestly excessive (see *Trowland* at [91]). Mr Hallam's case was worse. The intended effect was worse. The period of disruption was longer, spanning over four days, all in accordance with (although falling short of) the intentions

of this sophisticated conspiracy. However, in this case, as in all cases, it is necessary to pass the shortest possible sentence commensurate with the seriousness of the offence (s. 231(2) of the Sentencing Act 2020). Deterrence was a particularly important factor in Mr Hallam's case, because he had eleven relevant previous convictions at the date of the conspiracy in 2022. By the date of sentence he had also been convicted of a further offence for which he had received a suspended sentence in 2024. Nevertheless, this was his first sentence of immediate custody. It is also necessary to avoid sentence inflation.

87. We take account of all of the matters considered by the judge when passing sentence and we also recognise that some attention must be paid to conscientious motivation and Articles 10 and 11, although much less than would have been the case had the offending been less disproportionate. We consider that the shortest term commensurate with the seriousness of the offence in the case of Mr Hallam was one of four years' imprisonment, not five.

(3)(d) The M25 Conspiracy Case: Daniel Shaw

88. No particular argument was addressed to us in respect of Mr Shaw which did not apply equally to Mr Hallam. Mr Shaw, like Mr Hallam, was entitled to have his culpability considered in the light of his conscientious motivation and to have a final assessment made as to whether the sentence to be passed on him was proportionate to any interference with his ECHR rights. The sentence also had to be the shortest sentence commensurate with the seriousness of the offence.

89. The judge considered that Mr Shaw's sentence should be four years' imprisonment, which was one year shorter than the sentence originally passed on Mr Hallam. It follows, from our reduction of Mr Hallam's sentence from five years' to four years' imprisonment, that Mr Shaw's sentence should not have exceeded three years' imprisonment, which maintains the differential between him and Mr Hallam. We see no reason for any further reduction.

(3)(e) The M25 Conspiracy Case: Lucia Whittaker de Abreu

90. Ms Whittaker de Abreu is entitled to the benefit of the points already discussed above.

91. It was, in addition, submitted that the judge had failed properly to take into account her caring responsibilities. However, he expressly referred to them, saying "I bear in mind what I have seen and heard about your health and your caring responsibilities, but that provides little by way of mitigation, given you[r] conscious choice to engage in offending of this seriousness". We are not persuaded, either by the evidence of these matters put before the judge or by an additional statement from her mother (whose initial statement was before the sentencing judge), that a further reduction in her sentence was required on that account. The seriousness of the offence made an immediate custodial sentence inevitable and Ms Whittaker de Abreu's caring responsibilities were not such as materially to affect the appropriate length of the sentence.

92. It was submitted that the trial judge wrongly evaluated Ms Whittaker de Abreu's risk of reoffending. The judge was of course well-placed after trial to assess Ms Whittaker de Abreu's risk of reoffending. He referred to the fact that she had not disrupted the

trial, as had her co-defendants, but considered that this made no difference to the appropriate sentence. He made no mention of the fact that she had not reoffended or been convicted of any further matters since November 2022, again a point of distinction to be made between Ms Whittaker de Abreu and Ms Lancaster, Mr Hallam and Ms Gethin.

93. We consider that a sentence of four years' imprisonment for Ms Whittaker de Abreu was manifestly excessive and that the appropriate sentence in her case is is 30 months' imprisonment. This reflects the parity found by the judge between her sentence and that of Mr Shaw but makes additional adjustment downwards to reflect the additional mitigation in her favour as referred to above.

(3)(f) The M25 Conspiracy Case: Louise Lancaster

94. No specific personal mitigation was advanced before us in respect of Ms Lancaster. The arguments already considered in relation to other appellants apply also to her. For the same reasons, her sentence will be reduced from four years' imprisonment to three years' imprisonment.

(3)(g) The M25 Conspiracy Case: Cressida Gethin

95. The sentencing judge did not distinguish between Ms Gethin's sentence and the sentences passed on Mr Shaw, Ms Whittaker de Abreu, and Ms Lancaster.

96. A striking difference between her and her co-defendants was her age. She was only 20 years old at the date of the conspiracy offence in late 2022. At the time of the conspiracy offence in 2022, she had only been convicted of one previous matter, an aggravated trespass committed earlier in the same year.

97. The judge acknowledged her age, but said it did not provide any mitigation or entitle her to a shorter sentence than the sentences passed on Mr Shaw, Ms Whittaker de Abreu or Ms Lancaster. He assessed her as "highly intelligent and well-educated" and said that neither immaturity nor personal disadvantage had, as he put it, driven her to crime.

98. The question was whether Ms Gethin's age supported a submission that she lacked maturity, which in turn reduced her culpability. Intelligence and educational attainment are not the same as maturity. Consideration of the possible relevance of immaturity is necessary even in the case of a young adult who has passed the age at which the Guideline on Sentencing Children and Young People applies. As was stated in *Clarke* [2018] 1 Cr. App. R. (S.) 52; [2018] EWCA Crim 185 at [5]:

> "Reaching the age of 18 has many legal consequences, but it does not present a cliff edge for the purposes of sentencing. So much has long been clear. The discussion in *R. v Peters* [2005] EWCA Crim 605; [2005] 2 Cr. App. R. (S.) 101 (p.627) is an example of its application: see [10]–[12]. Full maturity and all the attributes of adulthood are not magically conferred on young people on their 18th birthdays. Experience of life reflected in scientific research (e.g. The Age of Adolescence: thelancet.com/child-adolescent; 17 January 2018) is that young people continue to mature, albeit at different rates, for some time beyond their 18th birthdays. The youth and maturity of an offender will be factors that inform

> any sentencing decision, even if an offender has passed his or her 18th birthday."

99. We accept the submission that Ms Gethin's immaturity lowered her culpability and that her sentence should be lower than that of her co-defendants accordingly. We reduce her sentence from four years to 30 months' imprisonment.

(4) The M25 Gantry Climbers Case

(4)(a) The Judge's Sentencing Remarks in the M25 Gantry Climbers Case

100. All the appellants in the M25 Gantry Climbers case pleaded guilty as their trial was about to begin. A jury had been empanelled. They were sentenced by HHJ Collery KC on 1 August 2024. Daniel Johnson was sentenced at the same time as the appellants but he has not applied for leave to appeal against his sentence. The judge said that Mr Johnson "led the defendants in their change of pleas and others followed his lead". He gave a 10% reduction in sentence to each defendant as credit for plea and there is no challenge to that.

101. In his sentencing remarks, the judge said that the M25 had been chosen specifically because it is one of the most important parts of the strategic road network and action upon it was likely to cause maximum disruption.

102. The M25 gantry climbers had travelled long distances to take part in the disruption. Between them, they climbed six gantries over the M25 in a broad swathe from St Albans to Sevenoaks. Each had been trained to climb the gantries. Each had been equipped with climbing equipment. Many of them (but not Gaie Delap and Paul Sousek) brought locks and glue to delay their removal. The purpose of climbing the gantries was to delay their removal from the road and thereby prolong the period of road closure and increase the disruption. The purpose of the disruption was so that Just Stop Oil might benefit from media coverage, but the nuisance caused was intended, and not merely a by-product of the disruption.

103. The climbers were acting together and were sentenced on that basis. However, unlike the M25 conspirators led by Mr Hallam, the M25 gantry climbers were "the willing volunteers" rather than "the organisers".

104. The judge noted that there was no guideline for sentencing offences of intentionally causing a public nuisance under s. 78(1). However, he referred to *Trowland,* to the guidelines on overarching principles and on imposition of community and custodial sentences and to the purposes of sentencing in s. 57 of the Sentencing Act 2020.

105. He found both individual and collective culpability to be high. There was sophisticated planning. The actions of the M25 gantry climbers were part of a wider action. The intention was to be part of a co-ordinated effort. Every defendant took steps to make it harder for them to be brought down and so to prolong the disruption.

106. The harm intended and achieved on 9 November 2022 was mass disruption for several hours. 117,000 vehicles were impacted. There were 8,936 hours of vehicle delays, ranging from minutes in some cases to hours in others. Police costs for the Metropolitan Police alone were in excess of £227,000 and involved 44 shifts.

107. The judge considered the appellants' conscientious motivation and said this:

> "The court accepts, of course, that a conscientious motive may be a relevant consideration, particularly where, otherwise, the offender is a law-abiding person. You committed offences simply by being on the motorway. You actions were, in the view of this court, disproportionate to your aims. I do not regard your status as non-violent protesters to afford you any particular mitigation. The very purpose of section 78 was to address the increase in non-violent protest offending. In *Trowland and Decker* [Lady] Justice Carr said, at paragraph 50:
>
> > "However, the more disproportionate or extreme the action taken by the protester, the less obvious is the justification for reduced culpability and the more lenient sentencing."
>
> In my view, because the actions of these protesters was disproportionate – and deliberately intended to be so – consequently the moral difference between your behaviours and that of ordinary law breakers is much reduced."

108. Considering the cases overall, the judge said:

> "I take the view that, in relation to each of you, the custody threshold has been passed, that in none of your cases is the objective of deterrence achieved by the imposition of a community sentence. Such anti-social mass disruption is deserving of punishment. The sentences I pass are the least possible in the circumstances.
> (…)
> I had in mind, when considering these offences, a period of 27 months imprisonment, marginally more for some given the various aggravating factors. That then has to be adjusted to reflect the various mitigating factors in each of your cases."

(4)(a)(i) Gaie Delap

109. Sentencing Ms Delap (aged 75 at the time of offending), the judge said that she had no previous convictions, but one conditional caution in 2020 for wilful obstruction of the highway. He treated as an aggravating factor her being on bail for another protest matter when committing the current offence. He noted that she was the oldest of the defendants, but said, "age, I regret, has not brought wisdom".

110. He accepted her conscientious motivation. He rejected her expressions of regret for the disruption caused as implausible. He accepted her life of service to others before and after retirement as a teacher and some personal health and family caring responsibilities, albeit at a relatively low level.

111. She had been made subject to a qualifying curfew from 10 November 2022 but the tag could not be fitted and that requirement was removed on 8 December. He certified that 14 days were to count towards her sentence, namely half of 28 days.

112. He reduced the sentence to reflect her personal mitigation and general health. With 10% credit for plea, her sentence was 20 months' imprisonment, reduced by 14 days in respect of the time which she had spent on qualifying curfew.

(4)(a)(ii) Paul Sousek

113. Sentencing Mr Sousek (aged 71 at the time of offending), the judge noted his history of protest and his desire to cause public nuisance and large-scale disruption to increase the chance of news coverage. There was no remorse and no intention of changing his behaviour, save to stop short of the point of arrest. He was closer to the centre of the actions than other defendants. The judge said, "you are old enough to know better but do not". He had been the most recalcitrant at court hearings. He also had health issues.

114. He had three previous convictions, two of great age and no obvious relevance. One, however, was in 2022 for protest-related public nuisance, punished by a fine.

115. The judge reduced the sentence for personal mitigation, namely, Mr Sousek's age and state of health. After 10% credit for plea, his sentence was 20 months' imprisonment, with 86 days from the tagged curfew to count towards that.

(4)(a)(iii) Theresa Higginson

116. Sentencing Theresa Higginson (aged 24 at the time of offending), the judge noted one previous conviction for aggravated trespass in 2023 for which she had received a 6 month conditional discharge. The judge understood her to have been on bail for that at the time of the current offence. He said she was, in fact, on bail for two protest-related offences at the time of the current offending, which was an aggravating feature.

117. She was unrepentant and assessed in the pre-sentence report as highly likely to reoffend. She was intellectually able and had choices and opportunities not available to others. There was no significant personal mitigation.

118. Her sentence, after 10% credit for plea, was 24 months' imprisonment. Half of the time spent on qualifying curfew counted towards that.

(4)(a)(iv) Paul Bell

119. Sentencing Paul Bell (aged 22 at the time of offending), the judge noted he had no previous convictions. This was treated as a mitigating feature, reducing the sentence. However, he was on court bail at the time of sentence for two protest-related matters for which he was still awaiting trial, which the judge treated as an aggravating feature.

120. He had an academic career, but had prioritised his Just Stop Oil activity, including the offending, over that.

121. After 10% credit for pleading guilty, he was sentenced to 22 months' imprisonment. The judge gave 78 days' credit for a qualifying curfew.

(4)(a)(v) George Simonson

122. Sentencing George Simonson (aged 22 at the time of offending), the judge noted his conscientious motivation. He rejected the submission that Mr Simonson's attitude to offending had changed and pointed to his two arrests and convictions after the offence in question. He noted a suggestion, although short of a diagnosis, of possible ADHD or autism. Mr Simonson was described as an intelligent, thoughtful and considerate young man.

123. He had three recent and relevant previous convictions for public order and highway obstruction offences, two dealt with by a fine and one resulting in a 12-month conditional discharge. He was on bail for that at the time of offending.

124. After 10% credit for pleading guilty, his sentence was 24 months' imprisonment.

(4)(b) General Issues in the M25 Gantry Climbers Case

125. We apply the principles identified above. It is clear that the judge both recognised and took into account in the case of each defendant their conscientious motivation. He was correct to do so. We are not persuaded that any of the sentences are manifestly excessive in that respect or that the engagement of Article 10 and 11 rights, although not specifically mentioned by the judge, called for more lenient sentencing than was already afforded by the judge's recognition of the appellants' conscientious motivation when passing sentence. The offending was serious and out of all proportion with what was necessary for the exercise of Article 10 or Article 11 rights. Both culpability and harm were, on the judge's findings, significant. The balance of factors in the Imposition Guideline made immediate custody appropriate. There was a history of poor compliance with court orders, a risk of reoffending, a limited impact on others, an absence of strong personal mitigation and, in particular, the necessity of appropriate punishment.

126. It was submitted that the suspended sentence of 21 months' imprisonment imposed on the appellants' co-defendant, Mr Johnson, created a disparity with the appellants' sentences which was not justified. In particular, it was submitted that the judge wrongly emphasised Mr Johnson's disavowal of Just Stop Oil and, thereby, wrongly penalised the appellants for continuing their commitment to the environmental cause of Just Stop Oil and those aspects of its work which are not illegal.

127. The judge's sentencing remarks about Mr Johnson, however, clearly demonstrated why it was legitimate to suspend Mr Johnson's sentence. He was 25 years old and had no previous convictions. He was under investigation, but not on bail for any matters, and the matters under investigation resulted in no action. His involvement with Just Stop Oil was very brief, covering only the period from October to November 2022. He had shown genuine remorse, which was noted in his pre-sentence report and accepted by the judge. He had also disassociated from Just Stop Oil and severed those ties. His engagement with the criminal justice system had already served to deter him from further offending and he intended to pursue post-graduate studies towards a profession (as a psychoanalyst), as to which he had an academic reference in support. In relation to the Imposition Guideline factors, therefore, there was no history of poor compliance with court orders, he presented no risk to the public, there were very strong prospects of rehabilitation and he had personal mitigation in the form of his career prospects, which would be blighted if he went to prison instead of continuing his studies. The offending remained serious, which meant that the custody threshold was crossed, but his position was very different in multiple respects from that of the appellants. This makes the disparity argument unsustainable.

128. We do not think that it is a fair reading of the sentencing remarks to say that the appellants were penalised for continuing their conscientious commitment to Just Stop Oil. Rather, the focus of the judge's remarks was on Mr Johnson's genuine remorse and his decision not to re-offend and, in the case of the appellants, on their lack of genuine

remorse and their risk of re-offending. That was a legitimate judgment to make in respect of the appellants and one which was open to the judge on the materials which he had before him and for the reasons which he gave. He said, in terms, that the continued commitment of the appellants to their cause "is, of course, in itself unobjectionable".

(4)(c) The M25 Gantry Climbers Case: Gaie Delap

129. In relation to Ms Delap, passages in the Pre-Sentence Report were highlighted in which she said that she understood that she must stay within the law in any future involvement with Just Stop Oil. However, the judge was not bound to accept that self-serving assurance and he pointed to reasons, based on the facts of her offending, which made her account of her offending and of her intentions implausible.

130. It was pointed out that the judge was told incorrectly that she was on bail when committing the current offence. In fact, she had been released under investigation for gluing herself to a road. Taking the matters referred to by the judge in reaching his sentence as a whole, and having regard to the final sentence, we do not regard that difference as material. Her sentence of 20 months' imprisonment was lower than the sentence on any of the other appellants, except Mr Sousek, whose sentence was the same. He too was not in breach of bail or of any orders when offending.

131. The judge took Ms Delap's age and other personal mitigation into account, as well as her conscientious motivation. We do not consider the sentence of 20 months' imprisonment to be manifestly excessive or wrong in principle.

132. However, it seems that the judge was not given full or correct information about Ms Delap's curfew. He certified that 14 days counted towards her sentence on account of a short period of time spent on qualifying curfew. However, her qualifying curfew ended because she suffered from a medical condition, which made it necessary to remove the tag for health reasons. Thereafter, although not tagged, she continued to be under a curfew from 7 pm to 7 am for a further 145 days.

133. Our attention was drawn to *R v Whitehouse* [2019] EWCA Crim 970; [2019] CRAppR (S) 48 at [16] to [19] and we drew the parties' attention to *R v Nwankwo* [2024] EWCA Crim 1375 at [19] to [20]. The fact that Ms Delap was subject to onerous bail conditions for so long was something which should have been taken into account when she was sentenced. This issue was not raised in the original grounds of appeal, but, when raised during the hearing, the Crown accepted that account should have been taken of this period of curfew. We accept that, on the facts of her case, it is appropriate to give her some credit for the onerous bail conditions to which she was subject. The position is different in relation to the shorter curfew (from midnight to 7 am) which applied thereafter.

134. We consider that the appropriate adjustment to the sentence is two months. Ms Delap's sentence will be reduced from 20 months' to 18 months' imprisonment accordingly.

(4)(d) The M25 Gantry Climbers Case: Paul Sousek

135. In addition to the points already considered, it was submitted on behalf of Mr Sousek that the judge failed to have sufficient regard to his age and state of health. However,

the judge specifically referred to these factors when reaching his decision on sentence. We are not persuaded that the sentence of 20 months' imprisonment after credit for plea was manifestly excessive or wrong in principle.

(4)(e) The M25 Gantry Climbers Case: Theresa Higginson

136. No grounds additional to those which we have already considered were advanced in respect of Ms Higginson. For the reasons already discussed, we dismiss her appeal against her sentence of 24 months' imprisonment.

(4)(f) The M25 Gantry Climbers Case: Paul Bell

137. In addition to the grounds already considered, it was argued on behalf of Mr Bell that his age (22 at the time of offending), good character and short period in prison on remand (39 days) required a shorter sentence and that the sentence ought in any event to have been suspended.

138. The judge recognised his good character as a mitigating feature which shortened his sentence. He was of full age and there was no suggestion of immaturity in his case. The sentence of 22 months was neither manifestly excessive nor wrong in principle. In addition to the seriousness of the offending, immediate custody was justified by the lack of positive material to suggest a realistic prospect of rehabilitation. Age could not demonstrate that by itself.

(4)(g) The M25 Gantry Climbers Case: George Simonson

139. On behalf of Mr Simonson, it was argued that the judge failed to have sufficient regard to his young age, offending background and personal mitigation. It was submitted that the judge was wrong not to find that he was remorseful, notwithstanding the commission of further offences. It was submitted that Mr Simonson's assessment of the offending in what was described as "granular detail" was a mitigating rather than an aggravating feature.

140. Mr Simonson was 22 at the time of offending. However, he was not only intelligent, but thoughtful. His actions were not impulsive or isolated. There was nothing to suggest reduced culpability by reason of immaturity. The reference to Mr Simonson thinking through "in granular detail", in advance, the organised plan to cause disruption and lengthy delays was a quotation of his own words and such deliberate, premeditated, planned action was clearly not a mitigating feature. The judge was entitled to reject the claim of remorse, not least because there was similar offending both before and after the current offence.

141. It was pointed out that Mr Simonson was not on bail at the time of the offence, contrary to the information given to the judge. He was arrested and bailed for just over three weeks and then released under investigation, which was the position when he committed the current offence. We do not regard that as materially affecting the reasoning of the judge, nor does it persuade us that his sentence was manifestly excessive or wrong in principle. We dismiss the appeal against his sentence of 24 months' imprisonment.

(5) The Thurrock Tunnels Case

(5)(a) The Judge's Sentencing Remarks in the Thurrock Tunnels Case

142. The Navigator oil terminal and the adjacent industrial estate are situated in an area of land which is bounded to the south and east by the river Thames, to the west by the M25 motorway and to the north by a railway line. Only two roads, St Clements Way and Stoneness Road, provide access to the industrial estate and the oil terminal. On 23 August 2022 Just Stop Oil protesters blocked St Clements Way. When they were removed, they disclosed the existence of two tunnels, one under St Clements Way (tunnel 1) and the other under Stoneness Road (tunnel 2).

143. Tunnel 1 was occupied until 4 September 2022 by Samuel Johnson, Joe Howlett and Xavier Gonzalez-Trimmer. (Mr Gonzalez-Trimmer did not stand trial, having, sadly, taken his own life in February 2024.) St Clements Way was fully closed for about 2 hours on 23 August 2022, after which one lane was reopened and a contraflow system operated.

144. Tunnel 2 was occupied by Dr Larch Maxey until 28 August 2022 and by Chris Bennett until 29 August 2022. (Autumn Sunshine Wharrie was also involved with, but did not occupy, tunnel 2. She was tried and convicted but has not sought leave to appeal against her sentence, which was suspended.) Stoneness Road was closed for 6 days, from about 12.30 pm on 23 August 2022 to about 2.10 pm on 29 August 2022, when Mr Bennett left the tunnel.

145. HHJ Graham presided over the five-week trial, at which there was extensive evidence as to the effect of the road closures on businesses at the industrial estate and the oil terminal. The judge said as follows:

> "The effect of this was considerable. It meant that access to the industrial estate was severely limited. It meant that businesses were not able to operate normally. It meant that personal matters also were caused inconvenience to members of the public who were using it there and as a result several hundred thousand pounds worth of loss was occasioned and a large amount of inconvenience to members of the public.
> This, in my judgment, was of a different and more serious level than those who sit in roads or even climb up on bridges because this actually involved damage underneath the road. It involved a considerable degree of planning and execution and the danger was that if these road[s] had actually collapsed, either of them, then there could have been severe damage caused or even injury and death. There was a particularly chilling piece of evidence from, I think, a fire officer who said that after he had visited the tunnel he was satisfied if the tunnel had collapsed he would be dealing with a recovery rather than saving people."

146. There was an issue at trial whether the appellants intended to cause serious harm just to those travelling to and from the oil terminal or to those travelling to and from both the oil terminal and the industrial estate. In his sentencing remarks, the judge said as follows:

i) "… this was a very serious attempt to completely disrupt the industrial area around an oil terminal.";

ii) "That road also gave access to a considerable industrial estate and the clear intention was to make that road unsafe so that it would have to be closed and that access to and from the oil terminal and the industrial estate would be impeded if not stopped.";

iii) "I accept that the main object of this operation was the oil terminal. If the oil terminal had not been there, this operation would not have taken place where it did and I accept therefore that the inconvenience and the nuisance caused to others apart from the oil terminal was by way of collateral damage but the actual damage that was caused, the actual nuisance that was caused, the actual inconvenience and costs that were caused, directly arose from these defendants' actions in digging these two tunnels."

147. After referring to the role played by the individual defendants and their personal mitigation, the judge referred to *Trowland* and said as follows (emphases added):

> "And the Court of Appeal, in my view, set out to say the approach that judges should take to these matters and start by pointing that the Sentencing Council guideline does not exist but that the custodial sentence available is up to 10 years and the Court of Appeal first of all dealt with matters of Article 10 and Article 11 of the European Convention on Human Rights, says that those should be taken into account but points out that the appropriate sentence would be very fact-sensitive according to place.
> I must say, I find Articles 10 and 11 have very little application to this case. There was no restriction on these defendants associating with each other. There is no restriction on these defendants putting their point of view forward. What this case is about is damage to the road structure and placing a - a risk such that roads had to be closed. It is, in that sense, more serious than the case the Court of Appeal considered because that just involved people climbing on bridges and disrupting traffic in that way and this case, the case I am dealing with, there was actual physical damage caused and physical damage which would, in unfortunate circumstances, have led to substantial damage or even injury and death.
> The Court of Appeal specifically rejected a submission that because this was a conscientious demonstration that non-custodial sentences were appropriate. That was rejected and the court said there are no bright lines in protest cases; rather whether or not a custodial sentence was justified turns on the individual facts.
> It talked about the matter of conscientious motive. That again is, the Court of Appeal said, a court could properly take into account but again in this case, in my judgment, that is of very limited influence given the nature of the activity which was undertaken and given that the actual offence here arose from the deliberate causation of damage to an area of the public road."

148. The judge also said as follows in relation to *Trowland*:

> "And the [court] came to the conclusion that the judge was entitled to find the protesters' culpability to be high and that the effect of the obstruction was significant and the court in fact described it as being of the utmost seriousness, affecting a strategic road network.

> Well, in this case, the culpability again must be seen as being high and the effect of the actions here again can only be described of being of the utmost seriousness and so the Court of Appeal concluded that the sentences passed by Collery HHJ KC of three years and just slightly less than three years were described as striking a fair balance and were not disproportionate."

(5)(b) General Issues in the Thurrock Tunnels Case

149. It was submitted that i) the judge's statement that conscientious motivation was of very limited influence meant that he had failed to take it into account at all; and ii) his statement that Articles 10 and 11 had very little application to the case meant that he had failed to take them into account either. However, we consider that these statements, which have to be read in the context of the judge's careful account of the decision in *Trowland*, are to be understood as indicating that the judge did, in accordance with that decision, have regard both to the appellants' conscientious motivation and to their ECHR rights, but decided, in the light of the facts of the case, to accord relatively little weight to these considerations. Notwithstanding their conscientious motivation, the judge concluded, as he was entitled to, that the appellants' culpability was high.

150. The judge also made it clear that he had considered the length of the sentences imposed in *Trowland*. In that respect, we note that the sentences imposed on Mr Bennett, Mr Johnson and Mr Howlett were significantly shorter than the sentences imposed in *Trowland* and that the sentence imposed on Dr Maxey was no longer than the sentence imposed on Mr Trowland.

151. Mr Chada submitted that the judge found that the appellants' intention was limited to causing disruption to the oil terminal and that the disruption caused to the occupants of the industrial estate was merely collateral damage. We do not accept that submission. The judge accepted that the oil terminal was the main object of the operation, but he also said that this was an attempt to disrupt the industrial area around the oil terminal and that the clear intention was to make the road unsafe so that it would have to be closed and that access to and from the oil terminal and the industrial estate would be impeded, if not stopped. One witness's unchallenged evidence was that only one in ten of the vehicles using the roads under which the tunnels were dug was connected with the oil terminal.

152. It was submitted on behalf of each appellant that the judge paid insufficient regard to his personal mitigation, which we will consider separately for each appellant. However, we note that each of the appellants relied on the effect which Mr Gonzalez-Trimmer's death had had on him as a mitigating factor.

(5)(c) The Thurrock Tunnels Case: Chris Bennett

153. Mr Bennett was 31 at the time of the offence. The judge said as follows about Mr Bennett's role in the offending, his previous convictions and his mitigation:

i) "As far as Mr Bennett is concerned, he had travelled from Bristol and was in tunnel 1 for a total of 12 days and spoke to Dr Maxey during the course of that time. He stayed there even after Ms Wharrie had been arrested and after Mr Maxey had been arrested."

ii) "The defendant Bennett has a conviction for aggravated trespass on land from 2022."

iii) "Mr Bennett says he now has remorse for the damage to the wider community, that he was not the architect of the plan, not an organiser. I have regard to the character evidence which has been uploaded onto the DCS. He is a carer now for those with dementia and has given up activism."

iv) "You played again a significant part in this very serious offending."

154. Mr Bennett's previous conviction involved him tying himself to a tanker at the Navigator oil terminal as part of a Just Stop Oil protest, which resulted in him being fined £400. He had not offended since August 2022. The character references mentioned by the judge included reference to Mr Bennett's intention not to engage with any further disruptive protests.

155. We do not consider that the sentence of 18 months' imprisonment imposed on Mr Bennett was manifestly excessive or wrong in principle. The judge was entitled to assess his culpability as high, notwithstanding his conscientious motivation, and the harm caused was clearly very high. The judge took account of all of the mitigating factors and we do not consider that they required him to impose a shorter sentence. The judge was also entitled to take the view that appropriate punishment could only be achieved by immediate custody. For these reasons, we dismiss Mr Bennett's appeal.

(5)(d) The Thurrock Tunnels Case: Dr Larch Maxey

156. Dr Maxey was 50 at the time of the offence. The judge said as follows in relation to Dr Maxey's role, his previous convictions and his mitigation:

i) "Larch Maxey is the oldest of the male defendants. He is described in the prosecution notes as highly intelligent. He has a background with Just Stop Oil and has a number of previous convictions. He broadcast saying that he was intending to stay in the tunnel and indeed chained himself to the tunnel to stop him being removed."

ii) "As I've already said, Dr Maxey has a number of previous convictions, all of a similar nature. In 2021, he was convicted of aggravated trespass on land and received a suspended sentence. In 2023, he was convicted of a conspiracy to cause a public nuisance under the old common law and received another suspended sentence."

iii) "As far as Larch Maxey is concerned, there are also character references. I am reminded that his involvement in this case through conscientious motivation and Mr [Chada] points me to the European Convention on Human Rights and he says he was not the organiser and as far as his present personal circumstances are concerned, he has caring responsibility for an elderly father, that he has changed his approach to climate change issues and in more personal matters he has been diagnosed as being bipolar and has been severely affected by the death of the co-accused, Mr Trimmer. He's now been out of trouble for two years."

iv) "You were clearly heavily and seriously involved in this very serious offending. You have a lot of convictions for similar offending."

157. As for Dr Maxey's previous offending:

i) In September 2019 Dr Maxey was one of those who used drones to disrupt Heathrow Airport.

ii) On 6 October 2020 Dr Maxey entered an HS2 construction site and climbed a tree. On 6 October 2021 he was given a conditional discharge for 15 months for the offence of aggravated trespass. It follows that he was subject to a conditional discharge when he committed this offence.

iii) For three weeks in January and February 2021 Dr Maxey occupied a tunnel under land related to the HS2 development, for which he was sentenced on 1 August 2023 to 3 months' imprisonment, suspended for 12 months.

iv) On 6 May 2021 Dr Maxey spray-painted a building and smashed its windows, for which he was sentenced on 30 January 2023 to 15 weeks' imprisonment for the offence of criminal damage. He was deemed to have served this sentence by reason of the time which he had spent on a qualifying curfew.

158. Interviewed in a YouTube video, the purpose of which was to recruit volunteers to his cause, Dr Maxey said, amongst other things:

> "… we need to cause an intolerable level of disruption, absolutely intolerable. If it's not intolerable, we'll fail...
> "… what's really needed is economic disruption, so if people take action in a range of ways which helps to contribute towards that pressure for change then we can, we can win, yeah.
> "… this is something I've chosen to give my life to and it's the most rewarding thing I've ever done."

159. Dr Maxey recorded messages which were broadcast on the internet during his occupation of tunnel 2. When St Clements Way was partially reopened, he demanded that it be closed.

160. Several positive character references mentioned that Dr Maxey had moved away from illegal and disruptive action. In a letter to the judge, Dr Maxey expressed his remorse and his intention not to take any disruptive action in future and gave details of his caring responsibilities for his parents and his son and his mental health, having been diagnosed with bipolar disorder in August 2023. A medical report stated that Dr Maxey's condition could have led to poor impulse control, disinhibition and reckless behaviour and also expressed the opinion that imprisonment would interrupt his therapy and give rise to a risk of self-harm.

161. In addition to the submission that the judge paid insufficient regard to the mitigating factors, it was also submitted that there was a disparity between the sentence of 3 years' imprisonment imposed on Dr Maxey and the sentences imposed on the other appellants in the Thurrock Tunnels case.

162. However, we do not consider that the sentence was manifestly excessive or wrong in principle. Dr Maxey's broadcasting activities indicate the leading role which he played, occupying tunnel 2 and thereby causing Stoneness Road to be closed for 5 days. There was no convincing evidence that his bipolar disorder affected his culpability, which was high, as was the harm caused. There were a number of mitigating factors, but these were considerably outweighed by Dr Maxey's history of similar offending in the three years preceding this offence, making it appropriate that his sentence should be significantly longer than those imposed on the other appellants in the Thurrock Tunnels case. We dismiss Dr Maxey's appeal.

(5)(e) The Thurrock Tunnels Case: Samuel Johnson

163. Mr Johnson was 39 at the time of his offence. The judge said as follows in relation to Mr Johnson's role and his mitigation:

i) "As far as Samuel Johnson is concerned, he was also a spokesman for the Just Stop Oil protesters. He had actually attended a tunnelling training session so he was well prepared for this operation. He had been there as early as late July and stayed there until the 4th of September and he complained that when the partial opening of the road over tunnel 1 had happened he demanded that it be closed again."

ii) "As far as Johnson is concerned, I am told that he has moved away from activism, he has cut ties with Just Stop Oil, he is undertaking more positive activities, has a new partner and a close relationship with his sister and his nephew."

iii) "I see no reason to distinguish between you and Chris Bennett."

164. Mr Johnson gave up a career in construction to become involved in climate activism. He used his construction skills in digging the tunnel. Like Dr Maxey, he demanded that St Clements Way be closed when it was partially reopened.

165. He had been convicted of an offence of obstructing the highway committed on 4 October 2021, for which he received a fine on 6 May 2022. He had committed no offences since August 2022. There were a number of character references. It was submitted on his behalf that he had moved away from Just Stop Oil and from direct action protesting, engaging instead with a political party, and he wrote a letter to the judge in which he apologised for the disruption he had caused. However, the pre-sentence report stated that Mr Johnson maintained that his actions were justified and proportionate. The author of the report stated that Mr Johnson's opinions were unlikely to change.

166. We consider that the judge was entitled to conclude that there was no reason to distinguish between Mr Johnson and Mr Bennett. We dismiss Mr Johnson's appeal against his sentence of 18 months' imprisonment for substantially the same reasons as in Mr Bennett's case.

(5)(f) The Thurrock Tunnels Case: Joe Howlett

167. Mr Howlett was 32 at the time of his offence. The judge said as follows in relation to Mr Howlett's role and his mitigation:

i) "Joe Howlett is 32 years of age now, I believe. He also had been on a tunnelling training camp. He arrived there on the [20th] of August, returned on the 22nd of August, and he occupied tunnel - tunnel 1 until the 4th of September.";

ii) "As far as Howlett is concerned, he has no previous convictions. He acted out of conscientious motivation. I have seen character references in … relation to him. He is a talented musician and is once again involved in music and is trying to obtain qualification as a teaching assistant with a possibility of going abroad to pursue that.";

iii) "… I can draw a small distinction in your case because you have no previous convictions."

168. There were several character references. The Pre-Sentence Report recorded that Mr Howlett denied that he had intended to cause any harm at all. It also said that he claimed that he had been lied to about the impact which there would be on local businesses, although it also said that this seemed rather naïve. The Pre-Sentence Report also stated that Mr Howlett had expressed genuine remorse for the public and businesses who had been impacted by his actions and that he had no intention of being involved in further action of this nature, although he still had an interest in the subject matter.

169. The sentence imposed on Mr Howlett was in line with the sentences imposed on Mr Bennett and Mr Johnson, but was 3 months shorter because, unlike them, Mr Howlett had no previous convictions. We consider that this was an appropriate course for the judge to take and we dismiss Mr Howlett's appeal against his sentence of 15 months' imprisonment for substantially the same reasons as in the cases of Mr Bennett and Mr Johnson.

(6) The Sunflowers Case

(6)(a) The Judge's Ruling and Sentencing Remarks in the Sunflowers Case

170. On 13 October 2022 Ms Plummer and Mx Holland entered the National Gallery in preparation for what they were planning to do on the following day. When they returned on 14 October 2022 they each had with them a tin of tomato soup and some glue. They were wearing Just Stop Oil T-shirts under their outer clothing. They entered the gallery where the painting Sunflowers was on display. They removed their outer clothing to reveal the Just Stop Oil logos on their t-shirts. They threw the soup at the painting. They glued themselves to the wall. They were filmed and the film was soon posted on social media. Ms Plummer said "What is worth more, art or life?" She also said that fuel is unaffordable to millions of hungry families who cannot afford to heat a tin of soup.

171. Staff inspected the painting and its antique frame. The painting was protected by glass and fortunately had not been damaged. The frame sustained damage which was estimated at £8,000 to £10,000. The painting was put back on display after about 6 hours.

172. HHJ Hehir presided over the trial, which lasted for 4 days. We have already dealt (in paragraphs 37 to 42 above) with the ruling which he made during the trial. In his sentencing remarks, he said as follows about the potential harm to the painting:

> "However, it is not the value of the damage caused to the frame that is the most serious aspect of your offending. If the protective screen over the canvas had not done its job, the painting itself, Sunflowers, could have been seriously damaged or even destroyed.
> The stance of each of you at trial was a blithe dismissal of the risks involved in what you did. You each asserted that, as far as you as you were concerned, there was never any risk to the canvas because it was covered by a glass screen. But neither of you could be sure that the screen would actually protect the painting from the soup. Tellingly, the gallery staff were not sure either. At trial, the jury heard most vivid evidence of how they immediately checked whether the picture itself had been damaged. For all they knew, soup might have seeped through the glass and got onto the canvas. And you were exactly the same position.
> As Larry Keith, the head of conservation at the National Gallery, said in his evidence, had any liquid got through and made the canvas wet, the consequences could have been very serious. If anything, that is an understatement.
> Each of you claimed in evidence to care about and value Sunflowers. I reject that evidence. My assessments, having heard all the evidence about what happened, including your role, is that you could not have cared less whether the painting itself was damaged or not. I have no doubt that the publicity you each craved would have been even greater if it had."

173. Having noted that Sunflowers was literally priceless and part of humanity's shared cultural treasure, the judge added:

> "You two simply had no right to do what you did to Sunflowers, and your arrogance in thinking otherwise deserves the strongest condemnation. The pair of you came within the thickness of a pane of glass of irreparably damaging or even destroying this priceless treasure. That must be reflected in the sentences I pass.
> Section 63 of the Sentencing Code requires me, in assessing the seriousness of your offending, to consider not only the harm your offence caused, but also the harm it might foreseeably have caused. For the reasons I have explained, that foreseeable harm is incalculable."

174. The judge placed the offence in category A1 in the offence-specific Guideline, saying:

> "My assessment is that your culpability is at level A, as your offending involved a very high degree of premeditation and planning. You did not act alone. Others within Just Stop Oil were involved in the conception and execution of what you two did. You paid a previous reconnaissance visit to the National Gallery, and you were carrying the soup and glue you needed to make your protest. You spoke to a journalist beforehand, as I have already mentioned, and the filming and the dissemination of what was filmed on social media had also clearly been planned in advance.
> So far as harm is concerned, your offending is in category 1 because of the substantial social impact involved. Any attack on priceless art which is on public

> display can have very harmful societal consequences. Stunts like yours lead to more onerous and intrusive security measures in art galleries and other locations where valuable art and artefacts are on display. That may deter some people from visiting art galleries, museums, and the like. There is even the risk that some treasures might have to be withdrawn from public view altogether."

175. The starting point for a category 1A case is 18 months' imprisonment. The judge said that one of the aggravating factors mentioned in the Guideline was present, in that this was a case of damage to a cultural asset. He said that an uplift to the starting point was required to reflect the harm which could foreseeably have been caused to the painting itself. He added that he did not consider that either the appellants' conscientious motivation or the allegedly non-violent nature of their protest provided any mitigation.

176. After considering the appellants' previous convictions and mitigation, the judge explained that he considered that appropriate punishment could only be achieved by immediate custody.

(6)(b) General Issues in the Sunflowers Case

177. We have already dealt with the questions whether i) account should have been taken in sentencing the appellants of their conscientious motivation (see paragraph 26(1) above) and ii) whether Articles 10 and 11 were engaged in this case (see paragraphs 37 to 42 above). The judge was in error in treating these matters as irrelevant to the sentencing of the appellants. As noted in *Trowland*, however, conscientious motivation is relevant to the assessment of culpability and it does not preclude a finding that that an offender's culpability was high, although each case has to be decided on its own facts.

178. It was said for the appellants that the judge should have placed their offending in category B1 in the Sentencing Council Guideline for Criminal Damage, on the basis that their culpability fell into the medium, rather than the high, culpability category. It was submitted that the planning for the offence was not particularly sophisticated and was more appropriately characterised as "Some planning", rather than "High degree of planning or premeditation".

179. The judge was fully entitled to place this offence in the high culpability category. The appellants devised a plan to carry out a particularly high profile stunt, they conducted reconnaissance, they equipped themselves with what was needed, they spoke to a journalist and they arranged for their activity to be filmed to maximise the attendant publicity. This was much more than just "Some planning".

180. Although it was accepted in the grounds of appeal that harm fell into category 1, it was also submitted that the judge was wrong to have regard to the risk of harm to the painting itself, rather than the actual harm caused to the frame. There were two limbs to this submission. First, it was submitted that there was no evidence that the painting was at risk of damage. This was a factual issue which the trial judge was well placed to assess and we see no reason to disagree with his assessment that the reaction of the gallery staff indicated that they considered that there was a risk of damage to the painting.

181. Secondly, it was submitted that the judge misapplied s. 63 of the Sentencing Act 2020, which provides as follows:

> "Where a court is considering the seriousness of any offence, it must consider—
> (a) the offender's culpability in committing the offence, and
> (b) any harm which the offence—
> (i) caused,
> (ii) was intended to cause, or
> (iii) might foreseeably have caused."

182. It was submitted that s. 63(b)(iii) imposes a wholly subjective test. We do not agree. The use of the word "might" indicates that the question is not whether the defendant did foresee damage, but whether the causing of damage might have been foreseen. That is an objective test. The appellants argue that, because they had seen (during their reconnaissance visit the day before) that the painting was held behind glass, there was no foreseeable harm to the painting. However, knowledge that there was glazing did not mean that potential serious harm to the painting was not foreseeable. There was, for example, no reason to believe, or have any confidence in a belief, that the glazing would provide complete protection for the painting. So much is demonstrated by the fact that, in the immediate aftermath of the attack, museum attendants had great concerns for the painting's safety.

(6)(c) The Sunflowers Case: Phoebe Plummer

183. At the same time as sentencing Ms Plummer for this offence, the judge had to sentence her for an offence of interfering with key national infrastructure, contrary to s. 7 of the Public Order Act 2023, committed on 15 November 2023. This is the offence referred to in *R v Sarti* [2025] EWCA Crim 61. The judge imposed a consecutive sentence of 3 months' imprisonment for that offence. Ms Plummer has not applied for leave to appeal against that sentence.

184. The judge said as follows in relation to Ms Plummer:

> "Phoebe Plummer, you turned 23 yesterday. You were 21 when you committed the offence of criminal damage, and 22 when you committed the offence of interfering with key national infrastructure.
> You are a committed Just Stop Oil activist and have previous convictions and many previous arrests to show for it.
> You committed the slow-walking offence, for which I also have to deal with you, while on bail for the criminal damage matter, and other matters too. Furthermore, you did so in breach of the conditional discharge imposed on you only the previous month for a summary-only public order offence of failing to comply with the conditions for a procession, also in the context of a slow-walking protest. I take no action in respect of that breach, but it is a seriously aggravating feature of your offending on the second matter.
> You clearly have deeply held convictions about climate change and other matters, and you are perfectly entitled to them of course. But you have evidently decided that your beliefs entitle you to commit crimes as and when you feel like it. They do not.
> I have read, with care, the pre-sentence report and other mitigation materials provided to me, all now uploaded to the sentencing section of the relevant digital case file.

> You have represented yourself at the sentencing hearing, as you did at both trials. You delivered your own mitigation. I was treated, if that is the word, to a lengthy exposition of your political and ideological views, not only about climate change but also about a variety of other matters. You are entitled to your views and are not being punished for them. You are being punished for committing criminal offences.
> But I do repeat what I said when I, at one point, interrupted your address to the court. The suggestion that you and others like you, convicted by juries of your peers following fair trials in a democratic state under the rule of law are political prisoners is ludicrous, self-indulgent, and offensive. It is offensive to the many people in other parts of the world who are suffering persecution, imprisonment, and sometimes death for their beliefs, in places where neither democracy nor just laws are to be found. Perhaps one day you will come to realise that, although I fear that day is some way off yet.
> You have no remorse for what you did. Instead, you are proud of it. You made no effort to offer me any actual mitigation. In truth, there is none of any substance in your case."

185. The Pre-Sentence Report stated on the one hand that Ms Plummer appeared to be a vulnerable young person who was easily influenced by others and who displayed deficits in understanding the impact her decisions and choices have on others, but on the other hand that she was a clever young person who was open and honest about the fact that she would continue to protest after her sentencing.

186. We do not consider that Ms Plummer's sentence of 24 months' imprisonment was manifestly excessive or wrong in principle. As we have said, the judge was entitled to place her offence in category A1 in the Guideline. "Damage caused to heritage and/or cultural assets" was an aggravating factor. The sentence imposed was well within the range for a category A1 offence, which carries a custodial range up to 4 years' imprisonment. Ms Plummer was 21 when she committed the offence, but the judge had presided over the trial and was able to assess her level of maturity. She had continued to commit protest offences. Overall, the judge was entitled to conclude that the shortest possible sentence that he could impose was 24 months' imprisonment. He was also entitled to conclude that appropriate punishment could only be achieved by immediate imprisonment.

(6)(d) The Sunflowers Case: Anna Holland

187. The judge said as follows in relation to Mx Holland:

> "Anna Holland, you are now 22 years of age and were 20 at the time of your offence. You have one previous conviction, in June 2023, for an offence of wilfully obstructing the highway. Sorry, in October 2022 for an offence of wilfully obstructing the highway. You were conditionally discharged for that matter in June 2023. Your conviction here does not put you in breach of that conditional discharge. I do note, however, that you committed that offence on 6 October 2022, only eight days before you committed the offence for which I must now sentence you. If not on police bail, you had at the very least, been released under investigation by the time of this offence.
> I have read and reflected on the pre-sentence report in your case, and on the many character references supplied on your behalf. You are an intelligent young

> woman who comes from a loving and supportive family. I was particularly struck by the frank and realistic comments in your mother's character reference. There is no doubt that what you did has had a substantial adverse effect on your family. I can see that you acknowledge that. You are currently studying part-time for a Master's degree at Newcastle University. The mitigation material shows how highly regarded you are by those who know you there as well as those who know you in other contexts. You have not reoffended since October 2022 and I am prepared to accept that you do not intend to offend again."

188. The character references before the judge included statements that:

> "She struck me as both confident and mature in relation to her studies.";
> "… I've been deeply impressed by her steadfast purpose, self-awareness and integrity. She does nothing without thinking it through, weighing both tactical considerations and deep moral convictions."

189. On the other hand, as the judge recognised, they also confirmed that Mx Holland had decided not to repeat her offending.

190. Mx Holland's sentence of 20 months' imprisonment was appreciably shorter than that imposed on Ms Plummer, to reflect the fact that, unlike Ms Plummer, she had given up offences of this nature. The judge took account of her youth. It was submitted that she was immature, but, in the respects we have indicated, the character references suggested that she was mature for her age. We dismiss her appeal for substantially the same reasons as we gave in Ms Plummer's case.

(7) Conclusion

191. For the reasons given in this judgment, having granted leave to appeal against sentence in each case:

i) We quash the sentences imposed in the M25 Conspiracy Case and substitute the following sentences:

a) Roger Hallam: 4 years' imprisonment.

b) Daniel Shaw: 3 years' imprisonment.

c) Lucia Whittaker de Abreu: 30 months' imprisonment.

d) Louise Lancaster: 3 years' imprisonment.

e) Cressida Gethin: 30 months' imprisonment.

ii) In the M25 Gantry Climbers Case:

a) We quash the sentence imposed on Gaie Delap and substitute a sentence of 18 months' imprisonment.

b) We dismiss the appeals by Paul Sousek, Theresa Higginson, Paul Bell and George Simonson.

iii) In the Thurrock Tunnels Case, we dismiss the appeals by Chris Bennett, Dr Larch Maxey, Samuel Johnson and Joe Howlett.

iv) In the Sunflowers Case, we dismiss the appeals by Phoebe Plummer and Anna Holland.

CLAIM NO: KB-2024-0002317

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

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Claimants

- v –

PERSONS UNKNOWN
AS MORE PARTICULARLY DESCRIBED
IN THE AMENDED CLAIM FORM

Defendants

SSW3

This is the exhibit marked "SSW3" referred to in the witness statement of Stuart Sherbrook Wortley dated 6 June 2025.

Just Stop Oil is hanging up the hi vis

Press / March 27, 2025

Three years after bursting on the scene in a blaze of orange, at the end of April we will be hanging up the hi vis.

Just Stop Oil's initial demand to end new oil and gas is now government policy, making us one of the most successful civil resistance campaigns in recent history. We've kept over 4.4 billion barrels of oil in the ground and the courts have ruled new oil and gas licences unlawful.

So it is the end of soup on Van Goghs, cornstarch on Stonehenge and slow marching in the streets. But it is not the end of trials, of tagging and surveillance, of fines, probation and years in prison. We have exposed the corruption at the heart of our legal system, which protects those causing death and destruction while prosecuting those seeking to minimize harm. Just Stop Oil will continue to tell the truth in the courts, speak out for our political prisoners and call out the UK's oppressive anti-protest laws. We continue to rely on

As corporations and billionaires corrupt political systems across the world, we need a different approach. We are creating a new strategy, to face this reality and to carry our responsibilities at this time. Nothing short of a revolution is going to protect us from the coming storms.

We are calling on everyone who wants to be a part of building the new resistance to join us for the final Just Stop Oil action in Parliament Square on April 26th. Sign up here. See you on the streets.

ENDS

Press contact: 07762 987334

Press email: juststopoilpress@protonmail.com

High quality images & video here: https://juststopoil.org/press-media

Website: https://juststopoil.org/

Facebook: https://www.facebook.com/JustStopOil/

Instagram: https://www.instagram.com/just.stopoil/

Twitter: https://twitter.com/JustStop_Oil

Youtube: https://juststopoil.org/youtube

TikTok: https://www.tiktok.com/@juststopoil

Notes to Editors

[1] Just Stop Oil is committed to nonviolent direct action to resist the destruction of our communities as a result of climate breakdown. We do not consent to plans that will result in 3C of warming and mass death.

We demand an emergency plan to Just Stop Oil by 2030. Our government must work with other governments to end the extraction and burning of all oil, gas and coal by 2030.

Just Stop Oil is a member of the A22 Network of civil resistance projects.

Just Stop Oil 'Blue Lights' policy: our policy is, and has always been, to move out of the way for emergency vehicles with siren sounding and 'blue lights' on.

Anger flares at Just Stop Oil 'last day of action'

The driver of the minivan appeared to edge forwards slowly until the bonnet was pressing against the protesters

26 April 2025

A van appears to have been driven slowly into Just Stop Oil (JSO) protesters as hundreds marched through London for their "last day of action".

A mass of people wearing JSO's orange vests rallied in Westminster on Saturday **after the group claimed a victory on new oil and gas licences and said "we're hanging up the hi vis".**

The group has drawn attention, criticism and jail terms for protests ranging from **throwing soup on Vincent van Gogh's Sunflowers** and **spray-painting Charles Darwin's grave**, to **climbing on M25 gantries**.

During the march, a man in a white minivan appeared to edge it forwards until it was pressed against protesters. Police appeared to successfully call for the crowd to move away.

The minivan was also carrying a child and at least one other passenger.

PA MEDIA

Hundreds of people rallied in Westminster on Saturday afternoon for Just Stop Oil's "last day of action"

People standing front of the vehicle, some holding a JSO banner, were seen holding their hands up, with one shouting to the police "officer, I'm being pushed back".

The driver exited the vehicle and could be heard remonstrating with the protesters about the road being blocked.

Police reminded the man the disruption was temporary and people had a right to protest.

Other similar incidents of drivers apparently becoming frustrated with people in the road were also caught on camera.

In its March statement announcing the end of direct action, the group said: "Just Stop Oil's initial demand to end new oil and gas is now government policy, making us one of the most successful civil resistance campaigns in recent history.

"We've kept over 4.4 billion barrels of oil in the ground and the courts have ruled new oil and gas licences unlawful."

EPA

The Labour government has said it will not issue licences for new oil and gas exploration

The Labour government has said it will not issue licences for new oil and gas exploration, while a series of recent court cases have halted fossil fuel projects including oil drilling in Surrey, a coal mine in Cumbria and the Rosebank and Jackdaw fields in the North Sea over climate pollution.

Labour has distanced itself from Just Stop Oil, with Prime Minister Sir Keir Starmer criticising its actions and saying protesters must face the full force of the law.

The Metropolitan Police have been approached for comment.

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Related topics

London **Climate** **Environment** **City of Westminster**

Just Stop Oil

CLAIM NO: KB-2024-0002317

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

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Claimants

- v –

PERSONS UNKNOWN
AS MORE PARTICULARLY DESCRIBED
IN THE AMENDED CLAIM FORM

Defendants

SSW4

This is the exhibit marked "SSW4" referred to in the witness statement of Stuart Sherbrook Wortley dated 6 June 2025.

'The police must crack down on Just Stop Oil's plans to make a comeback,' says Ben Leo

OPINION: Ben Leo revealed that Just Stop Oil are making a comeback

Now, I was getting pretty bored of the juvenile antics at the altar of climate change.

We've seen it all vandals throwing soup over priceless artworks in galleries, defacing Stonehenge, ambushing theatre productions in the West End, blocking traffic, scaling motorway gantries, dousing private jets in paint, and even disrupting sports events all just to spoil the fun for everyone else.

Remember them? They said they were disbanding after the government appeared to adopt their demand to end new oil and gas licences in Britain. Their actions, of course, cost the public tens of millions in police and court time.

But despite Ed Miliband bowing to their demands, I can exclusively reveal that Just Stop Oil is plotting a very big comeback.

Ben Leo said: "I can exclusively reveal that Just Stop Oil is plotting a very big comeback."

GB NEWS

On Ben Leo Tonight, we havegained access to secret Just Stop Oil meetings, where members are discussing a dramatic U-turn—planning to cause chaos across Britain by sabotaging Tesla vehicles, picketing petrol stations, and even carrying out “citizens’ arrests” on so-called climate criminals.

Speaking during an online meeting on Thursday night, one coordinator—known only as “Dave”—said protests should remain "action-based" and warned against becoming more peaceful, like Greenpeace.

LATEST DEVELOPMENTS

- **Just Stop Oil poster girl avoids prison despite causing 'large-scale disruption' on M25 which cost the Met Police more than £1m**
- **Net zero rubbishers are starting to sound a lot like Just Stop Oil without the superglue - Nigel Nelson**
- **Just Stop Oil activist declares ‘we WILL be back’ as tense row breaks out on GB News**

The meeting continued with Dave insisting that it was essential to keep doing what he called the “spicy and naughty stuff” to generate media attention.

The group also discussed how to feed new protest ideas back to what they referred to as a "core team". There was frustration over communication with this mysterious leadership group, with some suggesting using 50-word briefs to make it easier for them to process ideas.

It raises serious questions: Who exactly is this core team? Who are these professional protesters reporting to—and who’s funding them?

Chillingly, the group also spoke about carrying out citizen’s arrests on so-called climate deniers. There was some introspection as well, with members questioning whether their public image was doing more harm than good.

Just Stop Oil protesters targeting Stonehenge
JUST STOP OIL

But ultimately, the overwhelming feeling in the group was that direct action must continue. The meeting wrapped up with plans to proceed with Just Stop Oil's revival, including talk of keeping protesters in safe houses to maintain morale.

Let's be clear: what we're dealing with here is a group of climate zealots plotting to commit criminal acts, backed by who knows what kind of funding, and being housed like some kind of eco-mafia.

And speaking of coordination—let's not pretend the climate agenda is a spontaneous grassroots movement. It's organised. It's funded. It's political.

So, who's paying to bus these protesters from London to Stonehenge, to airports, to art galleries and sports stadiums? Who's funding the Just Stop Oil safe houses where these scruffy, self-righteous agitators meticulously plan how to make Britain colder and poorer?

Just Stop Oil protest in LondonJust Stop Oil

The police and the government must crack down on Just Stop Oil's plans for criminality before they gain traction again.

The last thing Britain needs is more disruption, more vandalism, and more self-indulgent eco-activism especially when a Labour government is already happily marching to the drumbeat of Net Zero extremism.

We'll be passing our findings to the police.

GB News has approached Just Stop Oil for a comment.

Payne, Emma

From: Payne, Emma
Sent: 02 June 2025 14:08
To: Payne, Emma
Subject: FW: Exposed by GB News

Importance: High

From: Just Stop Oil <info@juststopoil.org>
Sent: 21 May 2025 19:29
To: Wortley, Stuart <StuartWortley@eversheds-sutherland.com>
Subject: Exposed by GB News

JUST STOP OIL

Dear Stuart,

GB News was right for once. We are "plotting a very big comeback".

While we have stopped taking action as Just Stop Oil after winning our initial demand, we also know that revolutionary change is needed now more than ever. In the three years since Just Stop Oil began in 2022, the necessity to resist has become impossible to ignore.

We've seen the world's billionaires accumulate $3.7 trillion in wealth, making them now richer than almost every country in the world. Over 50,000 Palestinians have been killed in the ongoing genocide in Gaza, a genocide that is still bankrolled and armed by our own government. At least 166,000 people are being killed due to government inaction on the climate crisis every year with a recent report estimating 4 billion total deaths if we don't take urgent action. The UK is facing a cost of living crisis that doesn't seem to have an end in sight. We've passed the 1.5 C global heating threshold that was internationally agreed upon to limit heating to in the 2015 Paris Agreement. And as the cherry on top of this pile of shit, our rights to dissent to this, to protest in this country are being steadily infringed upon with new laws and powers being introduced to criminalise protest and unprecedented prison sentences being handed out to nonviolent protestors.

It's clear that our government could not care less about ordinary people. Corrupt politicians are serving the interests of billionaires while the media is shifting blame from their mates on mega yachts to the people in small boats all while the world gets hotter and hotter.

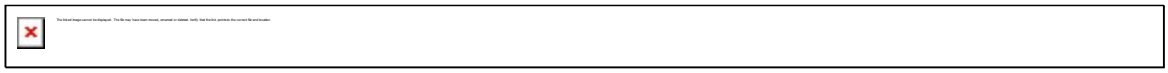
Nothing short of a political and economic revolution is going to get us out of this mess. Just Stop Oil was just the beginning. A new campaign is in the works--one that will build on our knowledge and success as Just Stop Oil and will face the grinding injustice of our political and economic system head on. **We're just getting started. You're here at ground zero of the revolution and we need your support to get it off the ground. Can you donate to make it happen?**

Donate to help build the revolution

We run entirely off of donations and while the street campaign is over, there's still a lot of work to be done. Donations go towards building the next campaign and ensuring it's up to the task of challenging the system AND to supporting the hundreds of brave people who are still being dragged through the courts with fines, prison time, electronic tags, and isolating curfews.

Do you also want to get involved in a more practical way in building the revolution? Interested in learning the skills needed to organize and build resilient communities and movements? Curious about theories of change and nonviolent resistance? Join us on Saturday 14th and Sunday 15th of June in London as we join forces with Youth Demand for the launch of the Seeds of Revolution training programme. Everyone is welcome, old and young, seasoned veterans and fresh faces. We want to meet you!

Sign up for the training programme



Moved town or region? You can update your details with us here!

With love & gratitude,

Just Stop Oil

Support our work with a monthly donation!

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CLAIM NO: KB-2024-0002317

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Claimants

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IN THE AMENDED CLAIM FORM

Defendants

SSW5

This is the exhibit marked "SSW5" referred to in the witness statement of Stuart Sherbrook Wortley dated 6 June 2025.

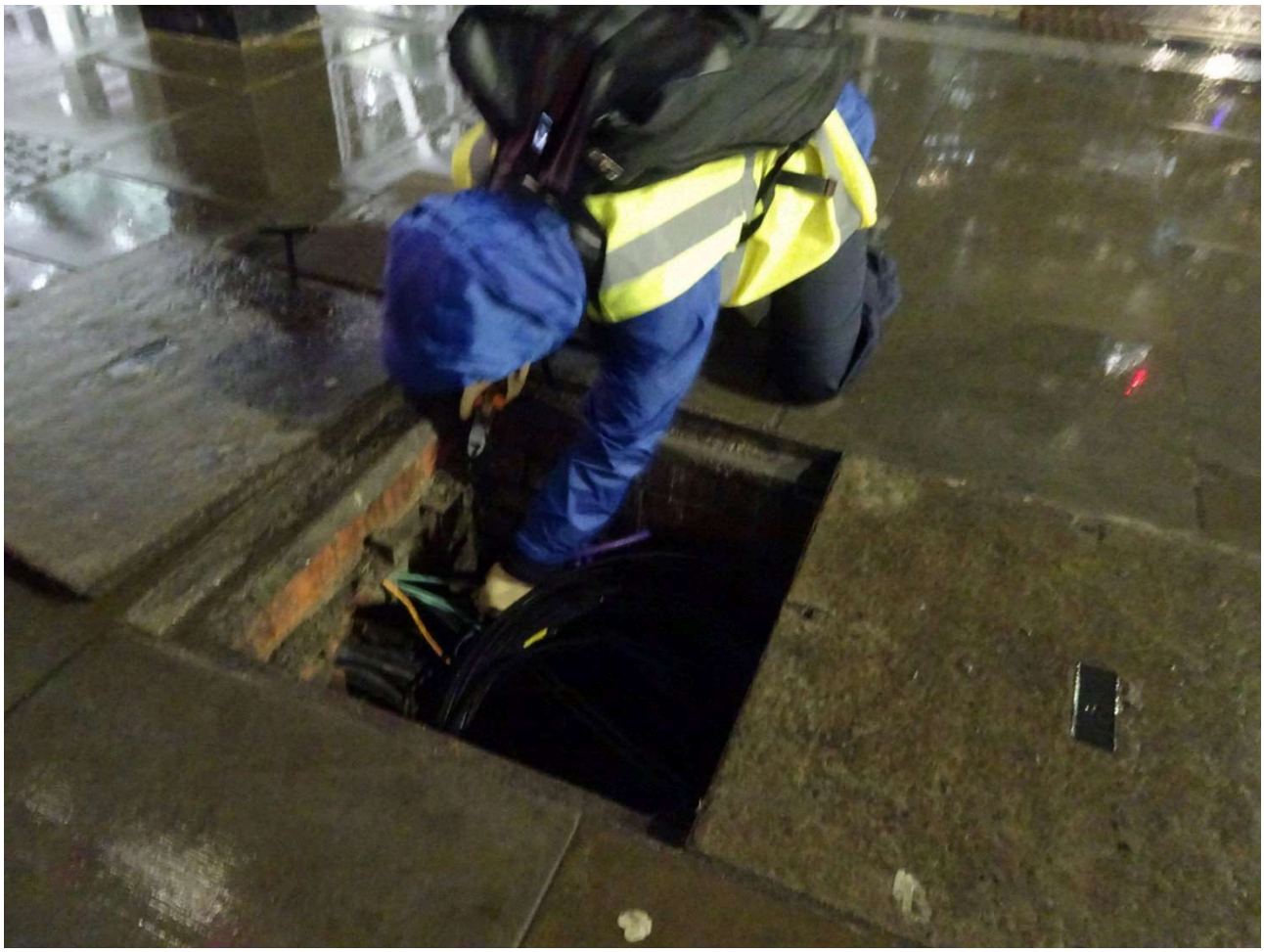
Nine climate-wrecking insurance giants just got their Wi-Fi CUT OFF by activists

This article was updated at 2pm on Tuesday 21 January to remove a reference to insurers Ariel Re, as they were not targeted by the group.

Activists from Shut The System have cut fiber optic cables to offices of hundreds of insurance companies, in a new form of non-violent direct action. They call on insurance companies to immediately end all underwriting for fossil fuel expansion and demand robust transition plans from fossil fuel clients.

Shut The System: shut the Wi-Fi down

The action has caused huge levels of disruption with hours of work lost for insurance providers. These include three of the world's largest fossil fuel insurers, AXA, W.R. Berkely, AIG and more than 400 agents at Lloyd's of London and London's iconic Walkie Talkie tower:



The group shut the following insurers down:
London:

- Lloyd's of London, comprising 402 brokers and 55 managing agents
- 20 Fenchurch Street (the Walkie Talkie building), the office of Ascot, Hardy, Kiln, Lancashire Syndicate, Tokio Marine, Markel

- Talbot AIG, one of the world's worst fossil fuel insurers, which shares an office with RWE, the German energy company targeted by protesters against one of Germany's largest coal mines – 60 Threadneedle Street
- 52 Lime Street – WR Berkley, Chaucer, two of the world's worst fossil fuel insurers
- Chubb – 100 Leadenhall street
- AIG – Fenchurch Street

Birmingham:

- AIG, one of the world's largest fossil fuel insurers – 60 Church street

Sheffield:

- Markel, insuring coal, oil and gas – Ecclesall Road South

Leeds:

- AXA, one of the world's largest fossil fuel insurers – 21 Queen street

Shut The System took action against these companies due to their critical role underpinning the fossil fuel economy through underwriting contracts and investments. The sector is simultaneously withdrawing coverage from climate-affected regions and raising premiums for households due to extreme-weather related events.

Insuring for the planet wreckers

A Shut The System activist said:

> *If these powerful companies don't make public statements that they will stop driving fossil fuel expansion and destroying life on Earth, then we have no choice but to stop them ourselves. We will not give up until insurance companies take responsible action.*

In recent years, the insurance sector has felt escalating pressure from environmental campaigners resulting in a string of breakthroughs. The insurer, Probitas, ruled out insuring West Cumbria Coal Mine and East African Crude Oil Pipeline after activists sprayed paint over their offices; and Zurich introduced new fossil fuel exclusion policies following negotiations with protesters.

The group took action on the day that climate science-denier Donald Trump is inaugurated into the White House for a second term, following his scathing remarks about the UK's energy policies, saying the UK should 'get rid of windmills'.

The growing urgency for the insurance industry to take the lead in addressing the climate crisis comes as we exceed the 1.5C critical threshold for global warming faster than many climate scientists predicted. This comes amidst of some of the worst wildfires ever seen in Los Angeles and severe flooding in the UK forcing thousands to evacuate their homes.

Featured image and additional images via Shut The System

Man arrested as environmental activists take credit for cutting UK insurance firms' fiber optic cables

Shut the System claim to have disrupted the Internet comms for hundreds of insurance firms across the UK

A man has been arrested after climate activists claimed responsibility for damaging fiber optic cables outside major insurance companies.

As reported by The Guardian, a 29-year-old man arrested by City of London police after Shut the System said they sabotaged cables across multiple cities in the UK.

– Getty Images

In a statement last week, the activist group said it had cut cables to insurance company offices in London, Leeds, Birmingham, and Sheffield.

The company noted that its reasons for the attacks against insurers are "due to their critical role underpinning the fossil fuel economy through underwriting contracts and investments."

Police say the man was arrested on January 20 on suspicion of criminal damage. He has been bailed pending further investigations.

The damage caused to the insurers was reportedly not as significant as hoped, but did cause a slowdown in Internet speed.

Shut the System claimed to have disrupted the WiFi systems of hundreds of insurance companies across the country.

According to the group, fiber optics were targeted at the insurance market at Lloyd's of London, the Walkie Talkie building at 20 Fenchurch Street, plus offices of Talbot AIG at 60 Threadneedle Street, Chubb at 100 Leadenhall Street, and AIG on Fenchurch Street.

The group said it also targeted the offices of AIG in Birmingham, Markel in Sheffield, and Axa in Leeds.

"There doesn't seem to have been as much impact as I suspect the protesters hoped," Matthew Geyman, the managing director of Intersys, a cybersecurity company with offices in the City, told

The Guardian. "This is likely because robust communication systems are designed to be resilient to these attacks."

"If these powerful companies don't make public statements that they will stop driving fossil fuel expansion and destroying life on Earth, then we have no choice but to stop them ourselves," the group's statement said. "We will not give up until insurance companies take responsible action."

The group has previously targeted insurance companies by smashing windows and throwing red paint on the buildings.

CLAIM NO: KB-2024-0002317

IN THE HIGH COURT OF JUSTICE

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AS MORE PARTICULARLY DESCRIBED
IN THE AMENDED CLAIM FORM

Defendants

SSW6

This is the exhibit marked "SSW6" referred to in the witness statement of Stuart Sherbrook Wortley dated 6 June 2025.

From [redacted]@met.police.uk[redacted]@met.police.uk>
Sent: Wednesday, May 21, 2025 10:23:06 AM
To: [redacted]@met.police.uk>[redacted]@londoncityairport.com>; [redacted]@londoncityairport.com>
Cc: [redacted]@met.police.uk[redacted]@met.police.uk>[redacted]@met.police.uk <[redacted]@met.police.uk>
Subject: RE: UKAIF: NPOCC SIB: Current Aviation Protest picture

[redacted]

Hope the below is useful. I know it is mentioned but the injunction at HAL had a real impact on the Shell protest yesterday and builds on your experiences. To remove an injunction now would open up to further protest and whilst JSO have stepped down there tends to be a cycle of new groups emerging and this can not be ruled out so maintaining it would be very much recommended.

Hope this helps.

Regards,
[redacted]

From: [redacted]@met.police.uk>
Sent: 21 May 2025 07:56
To: [redacted]@londoncityairport.com>;[redacted]@londoncityairport.com>
Cc:[redacted]@met.police.uk[redacted]@met.police.uk>[redacted]@met.police.uk>
Subject: FW: UKAIF: NPOCC SIB: Current Aviation Protest picture

Moring [redacted]

Please see the below update from our partners at NPOCC (National Police Coordination Centre) regarding the current aviation protest picture. This is shareable with yourselves and may be of assistance with further extension of injunctions.

Kind regards

[redacted]

From: [redacted]@sussex.police.uk>
Sent: 21 May 2025 07:36
To: [redacted]@scotland.police.uk; [redacted]@scotland.police.uk;

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Subject: UKAIF: NPOCC SIB: Current Aviation Protest picture

Good Morning colleagues,

I am grateful to John Foreman at NPOCC SIB for the below sitrep in relation to JSO and the wider protest piece in relation to UK Aviation. This may be useful if approached by your operator in consideration of their decision whether or not to apply for a further extension on High Court Injunctions obtained last year.
It is fair to say that we are not in the same place we were then, and whilst I have my own view on the necessity of a further injuncted period, it would be inappropriate for me to express this opinion and for that to be a local, operator led decision.

The following would be the current assessment of NPoCC SIB regarding the Anti-Aviation environmental sub-thematic:

[START TEXT]

The overall situation with environmental protest regarding anti-aviation / airport expansion is that within the UK the position has returned to dormant.

With the outcome of the main Operation ZIZEL prosecutions resulting in convictions and custodial sentences, this appears to be having a deterrent effect on the resolve of UK environmental protesters to engage in further targeting of aviation industry interests. Whilst European environmental protest groups – such as those associated with the *A22 Network* – remain active within the anti-aviation protest space abroad, they have openly noted the significant impact of the UK criminal justice system on UK environmentalism and will thus be similarly deterred from engaging in any direct action within the UK, for fear of attracting such penalties themselves.

Additionally, with the demise of *Just Stop Oil* (JSO), this also leaves the UK without a leading environmental direct action protest group at this time. Those UK environmental protest groups that remain active, are predominantly engaging only in lawful protest activity. By way of relevant example, those environmental protest groups who desired to oppose the Shell AGM on 20/05/2025, conscious of the Heathrow Airport Limited (HAL) High Court Injunction still in effect, were forced to hold their protest at the Shell head office in central London rather than the AGM location at a hotel within the Heathrow Airport injuncted area, in order to avoid the risk of associated penalties for breaching of the injunction.

Youth Demand (YD) are filling some of the void left by JSO, particularly in terms of recent targeting of cultural / sporting events, but are almost entirely focused on pro-Palestinian issues. Hence if YD were to target aviation interests, it would have to significantly serve their primary purpose of opposing Israel's conflict with the Palestinians.

Whilst YD protesters are experienced, capable and motivated to carry out high-profile direct action utilising very small numbers of protesters, there appears to only be a small cohort of YD willing to risk prosecutions arising from such activity. Overall, despite their online rhetoric, YD does not appear to be effective in growing their protest group numbers beyond a fluctuating core membership of circa 50 persons.

With UK Government approval for proposed expansion of Gatwick, Heathrow and Luton airports, there has been vocal opposition from environmentalist, but mainly those existing local / regional campaign groups, who will not engage in protest criminality. Believed interest in opposing airport expansion by the regenerated environmental direct action protest group *Reclaim The Power* (RTP), needs to be tempered against the fact that the group in its newest incarnation of primarily higher-education aged persons based in the North East area of England, have yet to engage in any protest of significance. 15 RTP protesters remain on bail pending trial in September 2025 for POA 2023 offences in connection with their attempt to stage a protest camp in opposition to Drax power station during 2024. Further to this, the RTP group continue to display general naivety around engaging in protest associated criminality, with circa 13 RTP protesters currently sought or identified and arrested in connection with the investigation into a recent burglary of an office building linked to the biofuel industry, further impacting the group's capability and credibility to function as an effective direct action protest group. Overall, significant physical protest opposition to any expansion of the three airports will be assuaged until such time that any legal challenges have been exhausted and there is on-going work available to be physically obstructed.

Sporadic protest in opposition to private jet hubs continues at a couple of sites in the South East region, but fails to reach a level of activity that requires any significant police intervention at this time.

[END TEXT]

I hope this assists, as all of the above is shareable with non-police stakeholders. But please do come back to me if you need anything further.

[redacted]

[redacted]

Book time with me