

Made on behalf of the Claimant  
Witness: Robert Hodgson  
Number of Statement: First  
Exhibit: RH1  
Dated: 2 December 2024

**IN THE HIGH COURT OF JUSTICE**

**Claim No: KB-2024-002210**

**KING'S BENCH DIVISION**

**BETWEEN:**

**HEATHROW AIRPORT LIMITED**

**Claimant**

**- and -**

**PERSONS UNKNOWN WHO (IN CONNECTION WITH JUST STOP OIL OR  
OTHER ENVIRONMENTAL CAMPAIGN) ENTER, OCCUPY OR REMAIN  
(WITHOUT THE CLAIMANT'S CONSENT) UPON 'LONDON HEATHROW  
AIRPORT' AS IS SHOWN EDGED PURPLE ON THE ATTACHED PLAN A  
TO THE PARTICULARS OF CLAIM**

**Defendants**

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**FIRST WITNESS STATEMENT OF ROBERT HODGSON**

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I, **ROBERT HODGSON**, of Governor's House, 5 Laurence Pountney Hill, London EC4R 0BR, **will say as follows:**

1. I am an associate in the firm of Bryan Cave Leighton Paisner ("**BCLP**"). BCLP act for the Claimant ("**Heathrow**") in this matter. I am duly authorised to make this witness statement on behalf of the Claimant. This is my first witness statement in these proceedings.

2. Except where I state to the contrary (in which case I give the source of information upon which I rely) I am able to state the matters in this witness statement from my own knowledge.
3. Where facts and matters referred to in this statement are not within my own knowledge they are based on instructions, documents and information supplied to me in my capacity as solicitor for Heathrow and are true to the best of my knowledge and belief.
4. I refer to a paginated bundle of documents, attached as Exhibit “RH1”. Where it is necessary to refer to a document, I shall refer to the document by its page number within Exhibit “RH1”.

### **Background**

5. On 7 July 2024, the Claimant commenced proceedings by way of Claim Form and Particulars of Claim against Persons Unknown who (in connection with Just Stop Oil or other Environmental Campaign) enter, occupy or remain (without the Claimant’s consent) upon ‘London Heathrow Airport’ as is shown edged purple on the attached Plan A to the Particulars of Claim.
6. On 9 July 2024, the High Court granted Heathrow an injunction to prohibit anyone from entering, occupying or remaining on London Heathrow Airport (as shown edged purple on Plan A attached to the Injunction Order) in connection with Just Stop Oil (or other environmental campaign) without the consent of Heathrow (the “**Injunction Order**”).
7. As detailed in the Second Witness Statement of Akhil Markanday dated 16 September 2024 (“**Markanday 2**”), there have been several actual or attempted incidents of ‘direct action’ by individuals at London Heathrow Airport since the Injunction Order was granted in breach of the Injunction Order.
8. Following these incidents, the Claimant has made an application dated 16 September 2024 seeking an order to join 26 defendants as named defendants (the “**Named Defendants**”) to these proceedings, as also set out in Markanday 2 (the “**Claimant’s Joinder Application**”). As a result of their actions at those incidents

and/or other direct action incidents unconnected with Heathrow, several of those Named Defendants were arrested by police and have been charged and held on remand, or are now in prison for unrelated offences. That has led to additional service challenges for the Claimants' Joinder Application, which I return to below.

9. A hearing has now been listed for 2 hours on 11 December 2024 before a High Court Judge, to determine the Claimant's Joinder Application.
10. I make this witness statement to update the Court on the matters that have occurred since the Claimant issued the Claimant's Joinder Application, in particular on the following:
  - 10.1. the steps taken by the Claimant to notify the Named Defendants of the hearing on 11 December 2024 and to serve the Named Defendants with the relevant documents;
  - 10.2. to update the Court on any responses that have been received;
  - 10.3. to update the Court on Heathrow's intention to bring committal proceedings against a number of the Named Defendants; and
  - 10.4. to inform the Court of the steps the Claimant intends to take from the filing and serving of this statement to the hearing on 11 December 2024.

### **Service**

11. Following the Notice of Listing, received on 1 November 2024, Heathrow has taken steps to:
  - 11.5. ascertain the location of the Named Defendants through contacting the Government's 'Find a Prisoner Service' in circumstances where, as set out above, the Claimant was aware that several were in prison;
  - 11.6. serve the Claimant's Joinder Application (with all supporting documents) and provide notice of the hearing to each of the Named Defendants, as set out below; and
  - 11.7. respond to any responses received by the Named Defendants.

*Find a Prisoner Service*

12. The issues facing Heathrow in regards to serving these proceedings are detailed at paragraph 37-40 of Markanday 2.
13. As explained there, addresses have been provided to Heathrow by the Police for each of the Named Defendants. Those are believed to be the usual or last known addresses of each of the Named Defendants for the purposes of service.
14. However, as per paragraph 38 of Markanday 2, the Claimant is aware that a number of the Named Defendants were arrested following the various incidents and held on remand. At least one (Phoebe Plummer) is now serving a term of imprisonment for a separate offence (for her role the well-publicised incident where soup was thrown at a Van Gough painting in the National Gallery).
15. The Claimant has therefore taken steps to ascertain the location of the Named Defendants so that any individual who is currently in prison can also be served in prison with the relevant documents and be notified of the hearing (as well as being served separately at their usual or last known address as provided by the Police).
16. I first wrote to government's Prisoner Location Service on 21 August 2024 setting out the names of the Named Defendants and requesting confirmation as to whether any of the Named Defendants were being held in prison and if so, the details of the prison **[RH1: pages 2 - 4]**. Copies of my correspondence with the Find a Prisoner service are set out in **[RH1: pages 2 - 13]**.
17. We received a response on 20 September 2024 stating that the exemption provided is not sufficient and that consent must be sought from the Named Defendants to release the requested information. I responded on 23 September 2024 explaining that the requested information can be disclosed pursuant to Schedule 2, Part 5, Paragraph 3a of The Data Protection Act 2018.
18. On 21 October 2024 we received a response from the Find a Prisoner Service confirming whether each of the Named Defendants were being held in prison or

whether they were not a match on their system (and so not in prison). The search confirmed that the following 4 individuals were in prison as at 21 October 2024:

- (i) Rory Wilson ;
- (ii) Adam Beard;
- (iii) Luke Elson;
- (iv) Luke Watson;

19. Following subsequent correspondence with the Find a Prisoner Service on 24 October 2024 in relation to a misspelling of Phoebe Plummer, the search for Phoebe Plummer was re-run and on 30 October 2024 an updated list was provided to us confirming that Phoebe Plummer was also in prison as at 30 October 2024.
20. The Find a Prisoner service therefore confirmed that as at 30 October 2024, that the following 5 individuals were being held in prison **[RH1: pages 6 - 8]**:

- (i) Rory Wilson ;
- (ii) Adam Beard;
- (iii) Luke Elson;
- (iv) Luke Watson;
- (v) Phoebe Plummer

### ***Service of Documents***

21. Following the receipt of the Notice of Listing, received on 1 November 2024, I prepared and issued letters to each of the Named Defendants on 5 November 2024. A copy of each of these letters is appended at **[RH1: pages 14-106]**. The various methods of service of these letters and enclosed documents is set out below.
22. Each letter enclosed the following documents:
- (i) Sealed Claim Form in relation to the Injunction Order
  - (ii) Particulars of Claim in relation to the Injunction Order

- (iii) Injunction Order
- (iv) Sealed Application Notice in relation to the Claimant's Joinder Application
- (v) Draft Joinder Order in relation to the Claimant's Joinder Application
- (vi) Second Witness Statement of Akhil Markanday
- (vii) Exhibit AM2
- (viii) Notice of Listing in relation to the hearing on 11 December 2024
- (ix) Draft Amended Particulars of Claim

23. Each letter also sought to explain the background of the proceedings, the nature of the upcoming hearing (including how to confirm the exact time of the hearing) and a recommendation that each of the Named Defendants seek independent legal advice and notifying them of the right against self-incrimination which may become material in any response to the Claimant's Joinder Application in light of the potential Contempt of Court proceedings.
24. Each letter also explained that that the Claimant will be seeking the Court's permission to amend the Particulars of Claim at the upcoming hearing to include each of the Named Defendants and offered to provide a copy of the hearing bundle on request.

### *Methods of Service*

25. In order to bring the documents set out at paragraph 22 above to the attention of the Named Defendants, the following has been undertaken:
- 25.1. A copy of each letter as appended at **[RH1: pages 14-91]** enclosing the documents listed at paragraph 22 above was sent to each of the Named Defendants by first class post to each of the Named Defendant's usual or last known address (as provided to Heathrow by the Police).
- 25.2. For the 5 individuals in prison (Rory Wilson, Adam Beard, Luke Elson, Luke Watson and Phoebe Plummer) a copy of the letter and the documents listed at paragraph 22 above was also sent to the relevant prison addressed to each individual in question as appended at **[RH1: pages 92-106]**.

25.3. Each of the documents listed at paragraph 22 above was uploaded to the Heathrow website (www.heathrow.com/injunction) on 7 November 2024 (to the extent the documents were not already on the website).

25.4. My colleague Phil Spencer of BCLP emailed the Just Stop Oil email addresses (info@juststopoil.org (the email address on the JSO website for general enquiries), and juststopoil@protonmail.com and juststopoilpress@protonmail.com) on 7 November 2024 (with me in copy) appending a copy of the Notice of Listing and providing a link to Heathrow's website and explaining that the documents could be accessed via the link contained in his email. A copy of this email is appended at **[RH1: page 107]**.

25.5. To note is that the documents provided pursuant to paragraphs 25.3 and 25.4 above were redacted to remove the addresses of the Named Defendants.

### **Responses to letter**

26. I am only aware of one response to the letters and documents that have been provided to the Named Defendants.

27. I received an email from Sally Davidson (one of the Named Defendants) on 10 November 2024 asking for a copy of the documents listed at paragraph 21 above in 'digital form'. Sally's email is appended at **[RH1: page 109]**.

28. As I was on holiday at the time, my colleague Phil Spencer responded to Sally on 11 November 2024 (again with me in copy). Phil referred Sally in his response email to the Heathrow website where all the documents could be accessed in digital form. Phil Spencer's email is appended at **[RH1: page 110]**.

### **Committal Applications**

29. To update the court in respect of the potential contempt applications as previously referred to at paragraph 11 of Markanday 2, upon review of all the circumstances, including the evidence and the disruption caused to Heathrow and the existence and likely outcome of parallel criminal proceedings (in respect of which review

and considerations no privilege whatsoever is waived) Heathrow is minded to bring committal proceedings against the following Named Defendants:

29.6. In respect of the incident on 30 July 2024 against:

- (i) Phoebe Plummer; and
- (ii) Jane Touil

29.7. In respect of the incident on 1 August 2024 against:

- (iii) Melanie Griffith
- (iv) Virginia Barrett
- (v) Pauline Hazel Smith
- (vi) Rosemary Robinson
- (vii) Irfan Mamun
- (viii) Callum Cronin

30. These committal applications are in the process of being drafted.

**Further steps to be taken prior to the 11 December 2024 hearing**

31. This witness statement, as well as the Second Witness Statement of Jonathan Coen dated 29 November 2024, will be filed, and then served by the same methods as set out at paragraph 25 above.

32. Both witness statements will then be added to the hearing bundle.

33. The hearing bundle, skeleton argument and authorities' bundle will all be uploaded to the Heathrow website.

34. I then intend to email the Just Stop Oil email addresses (info@juststopoil.org (the email address on the JSO website for general enquiries), and juststopoil@protonmail.com and juststopoilpress@protonmail.com) notifying them that we have uploaded the hearing bundle, skeleton argument and authorities' bundle.



35. I then intend to prepare a short further witness statement confirming that the steps above have been undertaken, to be filed shortly before the hearing.
36. To note again is that the hearing bundle uploaded to the Heathrow website and provided to the Just Stop Oil email addresses will contain redacted copies of the documents to remove the addressed of the Named Defendants. The hardcopy bundle provided to the Court will contain unredacted copies.

**Statement of Truth**

I believe that the facts stated in this Witness Statement and Exhibit are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.



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**Robert Hodgson**

**2 December 2024**