

UKOG INTERIM INJUNCTION PROCEEDINGS (updated 19 March 2020)

As reported in December 2019, the final hearing of interim injunction orders obtained by UK Oil and Gas PLC against “Persons Unknown” in November 2018 is scheduled to take place in London between 1 December 2020 and 31 January 2021. The interim injunction orders remain in place until trial, or further order.

There have been a number of recent developments in other, unrelated, legal cases that have affected the procedure that may now have to be followed in these type of injunction proceedings. In particular, the courts have recently ruled in a case involving individuals protesting outside the Canada Goose retail store in Regent Street, London against the alleged mistreatment of animals in the production of Canada Goose clothing. The ruling is that the claimants must identify, even if only by reference to appearances in and/or descriptions from photographs or videos or other documents, the specific persons against whom the final injunction is sought.

UKOG has tried, thus far, not to single out individual unlawful protestors, but rather to proceed against persons unknown. However, the law has developed in such a way that they now have no choice but to do so. Accordingly, UKOG’s lawyers have reviewed the evidence filed in the claim. They have identified, by reference to photographs and videos of previous unlawful incidents, at least 116 individuals who are not already named defendants and who have been directly involved in unlawful direct action protest in the past and who UKOG therefore reasonably fear might do so again if not restrained by injunction.

UKOG has now applied to the High Court to have these 116 individuals added as named defendants to the injunction proceedings. The additional defendants will shortly be served with court papers. UKOG will, in appropriate cases, offer terms that will provide protection against adverse costs orders in return for undertakings not to engage in certain unlawful activities going forward.

If you have taken part in direct action against UKOG’s activities at either its Horse Hill or Bradford Bridge sites then you may have been identified as an additional defendant and a court order may be made against you. You should consider the documentation, including a photographic schedule, carefully. The documentation can be accessed via the below link via sub-folder number 29 titled “application to join additional defendants”.

<https://www.dropbox.com/sh/gj9z03rvpxd9o83/AADkT5tWFzVBhxLJBvnhR6V4a?dl=0>