

**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES  
PROPERTY TRUSTS AND PROBATE LIST (ChD)**

**(1) ARLA FOODS LIMITED**

**(2) ARLA FOODS HATFIELD LIMITED**

**Claimants**

**-and-**

**(1) PERSONS UNKNOWN WHO ARE, WITHOUT THE CONSENT OF THE CLAIMANTS, ENTERING OR REMAINING ON LAND AND IN BUILDINGS ON ANY OF THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM (“the Sites”), THOSE BEING:**

- a. “THE AYLESBURY SITE” MEANING ARLA FOODS LIMITED’S SITE AT AYLESBURY DAIRY, SAMIAN WAY, ASTON CLINTON, AYLESBURY HP22 5EZ, AS MARKED IN RED ON THE PLANS AT ANNEXE 1 TO THE CLAIM FORM;**
- b. “THE OAKTHORPE SITE” MEANING ARLA FOODS LIMITED’S SITE AT OAKTHORPE DAIRY, CHEQUERS WAY, PALMERS GREEN, LONDON N13 6BU, AS MARKED IN RED ON THE PLANS AT ANNEXE 2 TO THE CLAIM FORM;**
- c. “THE HATFIELD SITE” MEANING ARLA FOODS HATFIELD LIMITED’S SITE AT HATFIELD DISTRIBUTION WAREHOUSE, 4000 MOSQUITO WAY, HATFIELD BUSINESS PARK, HATFIELD, HERTFORDSHIRE AL10 9US, AS MARKED IN RED ON THE PLANS AT ANNEXE 3 TO THE CLAIM FORM; AND**
- d. “THE STOURTON SITE” MEANING ARLA FOODS LIMITED’S DAIRY AT PONTEFRACT ROAD, LEEDS LS10 1AX AND NATIONAL DISTRIBUTION CENTRE AT LEODIS WAY, LEEDS LS10 1NN AS MARKED IN RED ON THE PLANS AT ANNEXE 4 TO THE CLAIM FORM**

**(2) PERSONS UNKNOWN WHO FOR THE PURPOSE OF PROTESTING ARE OBSTRUCTING ANY VEHICLE ACCESSING FROM THE HIGHWAY THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM**

**(3) PERSONS UNKNOWN WHO FOR THE PURPOSE OF PROTESTING ARE OBSTRUCTING ANY VEHICLE ACCESSING THE HIGHWAY FROM ANY OF THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM**

**(4) PERSONS UNKNOWN WHO ARE FOR THE PURPOSE OF PROTESTING CAUSING THE BLOCKING, SLOWING DOWN, OBSTRUCTING, OR OTHERWISE INTERFERING WITH THE FREE FLOW OF TRAFFIC ON TO, OFF, OR ALONG THE ROADS LISTED AT ANNEXE 1A, 2A, 3A, AND 4A TO THE CLAIM FORM**

**(5) PERSONS UNKNOWN WHO ARE FOR THE PURPOSE OF PROTESTING, AND WITHOUT THE PERMISSION OF THE REGISTERED KEEPER OF THE VEHICLE, ENTERING, CLIMBING ON, CLIMBING INTO, CLIMBING UNDER, OR IN ANY WAY AFFIXING THEMSELVES ON TO ANY VEHICLE WHICH IS ACCESSING OR EXITING THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM**

**(6) PERSONS UNKNOWN WHO ARE FOR THE PURPOSE OF PROTESTING, AND WITHOUT THE PERMISSION OF THE REGISTERED KEEPER OF THE VEHICLE, ENTERING, CLIMBING ON, CLIMBING INTO, CLIMBING UNDER, OR IN ANY WAY AFFIXING THEMSELVES ON TO, ANY VEHICLE WHICH IS TRAVELLING TO OR FROM ANY OF THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM)**

**Defendants**

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**FIRST WITNESS STATEMENT OF JOANNE TAYLOR**

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I, **JOANNE TAYLOR**, of Arla Foods Limited, Aylesbury Dairy, Samian Way, Aston Clinton, Aylesbury HP22 5EZ, WILL SAY AS FOLLOWS –

1. I am employed by the Claimant, Arla Foods Limited ('Arla'), as the Senior Site Director at Aylesbury Dairy, Samian Way, Aston Clinton, Aylesbury (the 'Aylesbury Site'). Arla is a farmer-owned dairy co-operative, and operates a dairy at the Aylesbury Site. The dairies operated by Arla supply a combined total of around 40% of the milk supplied to UK supermarkets.

2. I make this witness statement in support of Arla's application for both final and interim injunctive relief against persons who Arla reasonably apprehends will trespass on the Aylesbury Site, interfere with Arla's right (and the right of its licensees) to access the highway from the Aylesbury Site and/or obstruct the highway surrounding the Aylesbury Site.
3. The facts and matters set out by me in this witness statement are either known by me directly and are true, or are known by me indirectly and are believed to the best of my knowledge to be true. In relation to matters falling into the latter category, I have set out the source of my knowledge and belief. This statement was prepared through email correspondence with Arla's legal representatives. I am duly authorised by Arla to make this witness statement on its behalf.
4. There is exhibited to this statement a bundle of documents marked 'JT1'. Where I refer to documents contained in that bundle I do so in the format **[JT1/exhibit number]**.
5. To assist in the navigation of this witness statement, I shall address:
  - i. Introduction;
  - ii. Arla and the Aylesbury Site;
  - iii. The threatened protest and relevant protest groups;
  - iv. Historic protests at the Aylesbury Site and the harm caused;
  - v. Apprehension of future protests and harm; and
  - vi. Arla's response to mitigate the apprehended harm.
6. By this Claim and Application, Arla is seeking to protect four of its dairy and distribution sites throughout the country. Those are:
  - i. The Aylesbury Site (known as the Aylesbury Dairy, Samian Way, Aston Clinton, Aylesbury);

- ii. The Hatfield Site (known as the Hatfield Distribution Warehouse, 4000 Mosquito Way, Hatfield Business Park, Hatfield);
  - iii. The Oakthorpe Site (known as the Oakthorpe Dairy, Chequers Way, Palmers Green, London); and
  - iv. The Stourton Site (known as the Stourton Dairy, Pontefract Road, Leeds and the National Distribution Centre, Leodis Way, Leeds).
7. I make this witness statement to cover the issues pertinent to the Aylesbury Site. I understand that other employees of Arla will make witness statements in relation to three other sites owned and operated by Arla in the course of its business. I shall therefore not address in detail the Claim and Application as it relates to those sites; I will, however, provide the detail of Arla's knowledge of the relevant protest groups and the threatened protest.
8. Arla owns and operates many other dairy-related sites across the UK. However, as shall become clear in this witness statement, the focus of the threatened protest, whilst styled as being anti-dairy, appears targeted at the milk industry (both production and distribution). Therefore, Arla is not, at this stage, seeking to protect its other dairy-related sites that handles products such as cheese and cream.
9. I should say at the outset that Arla is not trying to prohibit or restrain peaceful and lawful protest, and accepts that this is a fundamental and important human right. Arla seeks only to restrain protest activity that goes beyond that which is peaceful and lawful.

## Introduction

10. As set out above, I make this witness statement in support of both (i) Arla's Claim for final injunctive relief and (ii) Arla's Application for interim injunctive relief.

11. Arla brings its Claim on three bases:

- i. Trespass;
- ii. Interference with Arla's common law right to access the highway from its land;
- iii. Obstruction of the highway amounting to public nuisance.

12. By way of broad outline (and I shall provide further detail below), Arla understands that protest groups are planning large scale disruption to the dairy industry, commencing on 3 September 2022, and for a period of up to 2 weeks. Arla has, in the past, been subject to protest activities, and reasonably apprehends that it will be a target of the planned campaign that is due to commence imminently. That apprehension is in part caused by it being the same protest group that previously targeted Arla that is now threatening imminent action (that being the group known as 'Animal Rebellion').

13. The planned protest activity appears to be on a significant scale. As I shall further explain below, the threat is that:

*"The near term goal is fairly simple, this September we will be disrupting the dairy supply across the UK with 500 people over a 1-2 week period, cutting off the supply of milk to supermarkets and causing unignorable high-level disruption which will be felt by tens of million of people across the UK and be a sustained no.1 news story. This will result in more than one*

*thousand arrests and put the damage and exploitation of animal agriculture at centre stage. We will then build on that momentum with a large-scale occupation in the centre of London.”* (see the Animal Rebellion ‘This changes Everything – A Plant Based Future’ strategy document [JT1/1-6])

### ***The Defendants to the Claim and the Application***

14. Arla brings this Claim for final relief, and Application for interim relief, against the defined categories of Persons Unknown. It is necessary to bring a Persons Unknown claim as:

- i. In the interim, it has not yet been possible to identify those who will be named defendants to the Claim. At present, the identity of the protestors is shielded behind the banner of the protest group, Animal Rebellion. It is expected that Arla will not be able to identify or name individual defendants unless and until those people do in fact attend the Aylesbury Site (or indeed the other sites sought to be protected by the injunction) and engage in unlawful acts of protest. Without waiving privilege, I understand from Arla’s legal advisors that, in the vast majority of these cases, the names of defendants are often obtained in collaboration with the Police after those persons have been arrested. Arla accepts that the identification of defendants must remain an ongoing process, and that it should use reasonable endeavours to identify, name and serve individual defendants.
- ii. Even once the pool of named and identified defendants is settled, the nature of the protests (including the size and fluctuation in the membership of protest groups of this kind) mean that injunctive relief against the defined categories of Persons Unknown is also required on a final basis. It is inevitable that there will be persons who are both unknown and unidentified (ie. ‘newcomers’) at the time of final injunctive relief, if indeed that relief is granted, who will later commit

the wrongs complained of in these proceedings. Indeed, as I shall explain further below, the organised protest groups that Arla apprehends will target its sites are actively seeking and encouraging new members, as well as encouraging the undertaking of direct action and protest of the type complained of by Arla. To that end, I exhibit at [JT1/7-9] a copy of the ‘commitment to action form’ which Animal Rebellion uses to secure pledges of action from new and existing protestors (and is available at <https://actionnetwork.org/forms/plant-based-future/>). That form requires activists to pledge that they are ‘*prepared to engage in nonviolent civil resistance and take direct action in September 2022 and commit to at least 1 arrest*’.

15. If those new members that are sought by Animal Rebellion do not attend the Aylesbury Site (or any other of Arla’s sites) and undertake unlawful protest and engage in the conduct complained of until *after* the grant of final relief, then Arla will not be protected by way of injunctive relief from the same, unless relief is granted against the defined categories of Persons Unknown. Further, given the vast number of people who seem to be either involved or, or at least sympathising with, this and other related protest movements and their methods, it is unlikely that all those who may be inclined to engage in the unlawful acts (whether now or in the future) would have done so by the time that any final injunctive relief is granted.

### **Arla and the Aylesbury Site**

#### ***Arla Foods Limited***

16. Arla is the largest farmer-owned dairy co-operative in Europe; it is owned by approximately 9600 dairy farmers, with some 2400 of its farmers located in the UK.

17. Most of Arla's farm owners are family run farms, with an average of 220 cows per farm. Arla continues to work with its farmer owners to reduce its overall carbon footprint, and has further set a target of reaching carbon net zero status by 2050 with a 30% reduction in emissions by 2030.
18. Further, Arla continues to invest heavily in improving the sustainability of its product packaging, and also requires its member farmers to adhere to very high animal welfare standards through its Arlagarden programme.
19. Arla accepts that some people object to the dairy industry, as they consider that cattle contribute to global warming. Others object to the use of animal products for animal welfare reasons. Arla understands and accepts the importance of the right to protest peacefully and lawfully, and is not seeking to prohibit or restrict the same. Arla seeks only to prohibit and restrict protest that goes beyond that which is peaceful and lawful.

### *The Aylesbury Site*

20. Arla holds the freehold title to the Aylesbury Site. The Aylesbury Site is registered at HM Land Registry under Title Numbers BM368329 and BM368148. I exhibit at [JT1/10-19] the Office Copy Entries of the two land titles and accompanying plans; the Aylesbury site is edged in red.
21. It can be seen that a road runs through the middle of the Aylesbury Site from the south-west to the north-east. That road is known as 'Samian Way' and this south-west to north-east segment is a highway that is adopted and maintained by the local highway authority (Buckinghamshire Council) [JT1/20-23]. This segment of Samian Way incorporates a roundabout which, as can be seen from the title plan, is located almost exactly in the middle of the Aylesbury Site.
22. I also exhibit at [JT1/24] a satellite view of a portion of the Aylesbury Site (that being the portion to the south of Samian Way). On that map, the segment of



Samian Way that is adopted highway is shaded in blue. The southbound exit from the roundabout on Samian Way is also known as Samian Way, but it is only the blue shaded area that is adopted highway; the remainder of Samian way that is not shaded blue is privately maintained by Arla. The land edged in red is the dairy that is located on the Aylesbury Site. It can also be seen from this satellite image that the A41 road runs parallel to the southern boundary of the Aylesbury Site.

23. To be clear, it is the land edged in red on the satellite image at [JT1/24] that is the operational dairy, and the sensitive area of the Aylesbury Site. It is this area, and the access points to this area, that Arla is anxious to protect by way of injunctive relief.

#### *The dairy*

24. As mentioned above, Arla operates its Aylesbury dairy business from the Aylesbury Site. The dairy is the largest dairy in the UK, and processes over 1.75 billion pints (1 billion litres) of milk per year, which is around 10% of the milk in the UK. As such, the dairy at the Aylesbury Site is a significant contributor to the UK dairy industry. The dairy is also a significant exporter of liquid milk and bulk cream products to Europe (in 28 tonne loads).
25. Approximately 700 members of staff are employed at the dairy, with Arla employing 3500 people UK-wide.
26. The Aylesbury Site is incredibly busy, such that free access to the Site is required at all times to ensure that operations at the dairy can run, and that the surrounding road network remains free-flowing and is not adversely impacted by operations at the dairy. To that end, around 300 trucks enter and exit the Aylesbury Site on a daily basis, consisting of 160 raw milk deliveries and 140 outbound departures. The trucks that enter and exit the Aylesbury Site are a mixture of tankers and other HGV lorries, and as the A41 is only access road to

the Aylesbury Site (aside from Samian Way), all of the of the vehicles travelling to and from the Site use this road.

*Access points at the Aylesbury Site*

27. There are three access points to the dairy. To assist with their identification, I exhibit a second satellite view of the Aylesbury Site with the gatehouses to the Site marked [JT1/25]. That satellite view shows the three access points as follows, each of which are off Samian Way:

- i. Gatehouse 1. The Aylesbury Site can be accessed by taking the southbound exit from the roundabout off Samian Way. The location of Gatehouse 1 along this access road (which, as I have mentioned above, is not highway and is maintained by Arla) is marked on the satellite view. This privately maintained access road is within the title to the Aylesbury Site;
- ii. Gatehouse 2. The Aylesbury Site can also be directly accessed from the adopted highway at Gatehouse 2. Gatehouse 2 is accessed by taking the eastbound exit from the roundabout on Samian Way, then turning right into the Aylesbury Site shortly thereafter. The location of Gatehouse 2 is marked on the satellite view;
- iii. Gatehouse 3. The Aylesbury Site can again be accessed directly from the adopted highway at Gatehouse 3. Gatehouse 3 is located further along Samian Way beyond the turning for Gatehouse 2. The location of Gatehouse 3 is marked on the satellite view.
- iv. Emergency Gate. For completeness, there is also an emergency gate available for emergency use. The location of the Emergency Gate is also marked on the satellite view.

28. Each of the Gatehouses serves a different function:

- i. Gatehouse 1 is used for raw milk intake and outbound exits. This gatehouse is the access point used by tankers and HGV lorries. All vehicles that arrive at Gatehouse 1 will have a pre-booked time slot. The driver details will be checked at the gatehouse, and the vehicle then sent onwards to the intake area for unloading. Crucially, if this access point at Gatehouse 1 is closed, obstructed or out of operation for any reason, operations at the dairy are compromised and would be stopped, as Arla would be unable to bring raw product onto site or fulfil outbound deliveries;
- ii. Gatehouse 2 is used to access to the employee/visitor car park. The security hut at Gatehouse 2 is manned between 06:00 and 12:00 to support visitors arriving onto Aylesbury Site. All employees are issued with site access cards and all visitors must have an Arla host (ie. Arla is made aware that the visitor will attend the site). Security at the dairy only allow non-site employees onto site once the Arla host is made aware of that visitor's arrival. If this access point at Gatehouse 2 is closed, obstructed or out of operation for any reason, Arla's staff and visitors could not easily access the site (unless using the emergency gate), and Arla's operations would be stopped.
- iii. Gatehouse 3 is used as the outbound access. Gatehouse 3 is unmanned, and drivers either have a swipe access card to open the barrier or they ring the intercom to make themselves known to the Arla's security staff, who open the gate. If this access point is closed, obstructed or out of operation for any reason, outbound vehicles would not be able to access the highway, unless they used Gatehouse 1 as a back-up.
- iv. The Emergency Gate is available for emergency use. The emergency gate is padlocked with the key stored within the engineering department.

***Ordinary security arrangements at the Aylesbury Site***

29. I shall explain towards the end of this witness statement the exceptional security measures that have been put in place by Arla in anticipation of the forthcoming protests.
30. In 'normal' times, the security arrangements in place at the dairy are that 24 hour security is available (via Arla's outsourced provider, Securitas), and barriers are in operation at Gatehouses 1, 2 and 3, with swipe-card access at all barriers. Further, CCTV is in operation at all gatehouses with vehicle recognition cameras capturing vehicles arriving on site. There is also an intercom system in place at each of the gatehouses, allowing communication with Arla's security staff.
31. A single pedestrian turnstile operates at Gatehouse 2 for Arla employees, with contractors and agency staff needing to sign in with the security staff at Gatehouse 1, where they will be given an access card.
32. The dairy at the Aylesbury Site is surrounded by either large fences or boundary walls, and has CCTV coverage (however this aging technology is not detailed in its coverage).

### **The threatened protest and relevant protest groups**

33. The historic targeting of the Aylesbury Site, combined with the intelligence of which Arla is aware as to planned and imminent future protests, causes Arla the reasonable apprehension that unlawful and harmful protest activities are about to commence at its Aylesbury Site (amongst others).

#### ***Animal Rebellion***

34. Arla is aware of a protest group which styles itself as 'Animal Rebellion'. Animal Rebellion has its own website (<https://animalrebellion.org>) and is

highly active across various social media platforms including Facebook, Twitter, Instagram and YouTube.

35. On the FAQ page of its website, and in response to the question “who is Animal Rebellion?”, Animal Rebellion describes itself as [JT1/26-28]:

*Animal Rebellion is a mass movement of volunteers from all walks of life that calls for a transition to a just, sustainable plant-based food system, and an end to animal farming and fishing industries. We recognise that we cannot end the climate emergency without first ending the animal emergency: only by transitioning to a plant-based food system can we halt mass extinction, minimise the risk of climate breakdown and prevent social collapse and future crises, including pandemics. We advocate in solidarity with animals, insisting that a sustainable world should be one where individuals of all species can flourish, free from exploitation.*

36. Animal Rebellion advocates direct action of the sort also undertaken by protestors in other recent protest movements against which injunctive relief has been sought and granted by the Courts (including protests by the followers of Extinction Rebellion, Insulate Britain and Just Stop Oil movement – with the latter two being an offshoot of the first). To that end, on the same FAQ page, and in response to the question “Why do you block roads and cause disruption?”, Animal Rebellion states [JT1/29-31]:

*Non-violent civil disobedience is at the core of Animal Rebellion’s **Theory of Change** or, the way we believe change occurs in society. One of the key elements of this strategy is disruption as this makes clear that the current way things are operating is broken and needs to change. If we don’t disrupt we’re tacitly agreeing that everything is fine. Many people ask why we disrupt individuals (e.g. by blocking traffic) when we are trying to achieve systems change and there are many answers to that question. One reason is that we believe that power comes from the people, so in order to achieve*

*systems change we need to **mobilise** as many people as we can. If everything we're doing is happening behind closed doors no one will know where to go if they also want to see change happen. So we can take to the streets and encourage everyone to join us. Another reason is that when we disrupt we cause **polarisation** which means that people who are not sure if they agree with us or not are forced to pick a side. This encourages conversation around a topic that wouldn't otherwise happen and forces issues out into the open. We encourage people who are interested in learning more about disruption and our strategy to attend an Animal Rebellion DNA training. Upcoming events can be found on our events page.*

37. The same FAQ page also contains the question “What is your relationship to Extinction Rebellion”. The answer provided is comprehensive, and is exhibited in full at [JT1/32-26]. The pertinent points being:

- i. Animal Rebellion has signed up to be a sister organisation to Extinction Rebellion and other groups, through Extinction Rebellion’s Movement of Movements strategy (also known as the ‘Rebel Alliance’). Whilst the groups are separate and autonomous, they work together as ‘rebels’;
- ii. A memorandum of understanding exists between the various protest groups, which contains agreed principles as to how they work together;
- iii. The range of protest groups are unified by reason of the call for ‘*immediate action on the climate and ecological emergency*’.

38. It is clear from the above that Animal Rebellion is a protest group which adopts similar direct action tactics to those seen in the Extinction Rebellion protests. However, I am also aware from the national media, Animal Rebellion’s own website and, without waiving privilege, Arla’s legal advisors, that Animal Rebellion has also been linked to extremely serious, and potentially criminal conduct, in the course of protest.

39. On 20 June 2022, members of a group known as the ‘Animal Freedom Movement’ entered a the MBR Acres Limited facility in Huntingdon, which facility is used to breed dogs for supply to the medical research industry, and removed five dogs from that facility. In its own website coverage of that incident, Animal Rebellion describes Animal Freedom Movement as a ‘*project supported by Animal Rebellion*’ (<https://animalrebellion.org/animal-freedom-movement-supporters-liberate-5-beagle-puppies-in-a-second-day-of-action-against-mbr-acres-beagle-farm/>) [JT1/37-40]. I should add, I understand from Arla’s legal advisors that the Crown Prosecution Service has since dropped the charges brought against those individuals who were implicated in this incident. However, it is concerning that the protest group with which Arla is concerned is not only advocating so-called non-violent direct action, but also that it supports direct action of the type seen at the MBR Aces Limited facility.
40. Finally, I shall discuss in further detail the Animal Rebellion ‘This Changes Everything – A Plant Based Future’ strategy document [JT1/1-6] below (which I shall refer to as the ‘**Strategy Document**’ for ease). However, I would invite the Court to read this document in full, as it provides an excellent summary of the protest strategy, tactics and inspiration for the upcoming Animal Rebellion protest. This document is freely available on Animal Rebellion’s website also (<https://actionnetwork.org/forms/plant-based-future/> “Click here to read the campaign outline” [JT1/7-9]).
41. For the purposes of the present discussion, I note from the Strategy Document that Animal Rebellion draws heavily on the inspiration of Just Stop Oil, Insulate Britain and Extinction Rebellion, and the disruptive direct action engaged in by those protest groups. Those protests and protest groups, and the impact that they had, are referenced expressly on several occasions. I further note, on page 5 [JT1/5] under the heading ‘*Phase 3 – mobilise to the city*’, that Animal Rebellion intend to participate in a mass occupation event in London, which

*'may be part of a broader coalition with XR and JSO'*. I understand 'XR' to be a reference to Extinction Rebellion and 'JSO' to be a reference to Just Stop Oil.

42. Overall, it is clear that Animal Rebellion is a protest group that supports direct action and protest tactics and strategies in the same nature as those deployed by the recent high-profile protests by Extinction Rebellion, Insulate Britain and Just Stop Oil. I am sure that the Court will be aware from the national media coverage of those protests that the key disruptive protest methods deployed by those groups include obstructions of the highway, the prevention of access to selected sensitive sites (such as oil refineries) and trespass. Usually that disruption occurs by protestors standing or sitting in the highway and, often, by gluing themselves to the tarmac or road furniture and chaining themselves to gates and buildings at these sites, which is also known as 'locking-on'. Protestors have also frequently boarded vehicles, such as fuel tankers and HGVs, causing those vehicles to stop and obstruct the highway whilst they are removed by specialist Police teams.

#### *The threatened protest in September 2022*

43. Animal Rebellion have advertised on their website and across their various social media platforms that they will be engaging in action to disrupt the supply of dairy across the UK throughout the month of September. I shall set out below the key intelligence of which Arla is aware that suggests that a large-scale protest is imminent, and which may target Arla and its sites directly.

44. On the homepage of the Animal Rebellion website [JR/41-43], it states:

*Join Us this September to Stop the Supply of Dairy*

*This September we will be disrupting the dairy supply across the UK with 500 people day after day, cutting off the supply of milk to*



*supermarkets and causing unignorable high-level disruption which will be felt by tens of million of people across the UK.*

45. Further, I have seen a YouTube video, posted by Animal Rebellion on 21 July 2022 (<https://www.youtube.com/watch?v=FSgath2vhQM&t=1839s>). That video is a presentation by two female activists who are describing Animal Rebellion's aims and its upcoming anti-dairy protest in September 2022. I exhibit at [JT1/44-52] a transcript of that video. In particular, I invite the Court to consider the highlighted text on pages 7 and 8 [JT1/50-51]. In particular, the transcript shows at page 7 that the female activist states '*so this September 3<sup>rd</sup> we will be taking non-violent direct action against the dairy industry. This will cause mass widescale shortages. It will gain media attention unlike anything we've done before*'. In the highlighted text on page 8, the female activist again repeats the date of September 3<sup>rd</sup> and states '*we are taking action on the 3<sup>rd</sup> of September and it will be a combination of tactics. The first will be high level disruption at distribution sites, and the second will be a front word media facing supermarket style to get all the media focused on this issue*'.

46. I also note that in this video, the female activist states that '*we've done lots of this before, only a couple of weeks ago we managed to liberate five beagle puppies from an empire testing facility*' (see the highlighted text on page 8 of the transcript). I understand this to be a reference to the removal of the animals from the facility at MBR Acres Limited, which I have mentioned above.

47. Finally, I note that the female activist also describes how Animal Rebellion shut down all four of McDonalds' distribution centres across the UK last year as a result of direct action (see page 8 of the transcript).

48. The September protest has also been widely publicised across Animal Rebellion's social media. For example, I exhibit at [JT1/53-56] a screen shot of Animal Rebellion's Twitter page, which shows its biography as '*Join us to*

*#StopTheSupply of dairy this September!*'. The 'Pinned Tweet' (that being the Tweet that is set to permanently appear at the top of the page's content) reads:

*This September Animal Rebellion and over 500 people will be stopping the supply of dairy, day after day, across the UK*

*Come to our talks every Thursday @7pm to find out how YOU can get involved (link in bio)*

*This will Change everything*

49. The assertions that there will be over 500 people appears credible by reference to the information that appears on the webpage that hosts the Animal Rebellion 'commitment to action form' that I have mentioned above and exhibited at [JT1/7-9]. As of 30 August 2022, that information asserts that 449 people have pledged their commitment to direct action in the month of September 2022 (<https://actionnetwork.org/forms/plant-based-future/>).

***The Strategy Document: the three-phase 'action plan'***

50. By far the clearest and most comprehensive account of the imminent protest activity is that contained in the Strategy Document produced by Animal Rebellion, to which I have referred above and exhibit at [JT1/1-6].

51. The description of Animal Rebellion's strategy starts on page 3 of the Strategy Document. I respectfully ask that the Court considers pages 3 to 6 of the Strategy Document [JT1/3-6]. Particular points of note contained therein include:

- i. *'Two key mechanisms/tools to achieve [Animal Rebellion's] aims are large-scale material disruption and the drama of interactions with the public by more localised disruptions' (page 3);*

- ii. *‘[Animal Rebellion] want the high stakes civil resistance part (e.g. people getting arrested multiple times in a row), but also create simpler lower stakes participation options’ (page 3);*
- iii. *‘[Animal Rebellion] need to make sure we create a crisis at the start, so going in with maximum intensity to make sure our issue is a number one news story, and after that we can keep the debate going with relatively minimal effort’ (page 3);*

52. Pages 4 and 5 of the Strategy Document set out a three-phase ‘action plan’. These are as follows:

- i. *Phase 1 – warm up actions and mobilisation starting at the beginning of June: High-profile press grabbing actions to build excitement for the campaign. Targeting high profile events, like JSO did with football matches. A good opportunity to be creative and push the different angles. During this time we will be giving in person and outline mobilisation talks, getting people trained, and putting them into groups.*
- ii. *Phase 2 – two weeks high-intensity in September 2022 with 500+ people: the objective is simple – we are going to have supermarket shelves empty of milk for two weeks, and will stack all energy and mobilisation towards this goal. We will be asking for people to commit to taking one week off. This phase will have a clear end and a clear ask for people to join us at phase 3. We know that some people do not want to or can’t climb things to get at height, so a key part of the action will be providing two streams of more agile options and more “bums on the ground” options so that everyone has a place in contributing to the overall goal.*

iii. *Phase 3 – mobilise to the city: Phase 3 will be an openly-organised mass occupation in London with no barrier to entry. We will mobilise during Phase 2 and we can double down on this by taking out newspaper adverts and by our spokespeople press releases talking about the meeting date and location. This will happen a week or so after Phase 2 and may be part of a broader coalition with XR and JSO.*

53. It is the activity within Phase 2 with which Arla is concerned, and which Arla apprehends will include protest activities at its sites, including the Aylesbury Site.

54. I would especially highlight that the description Phase 2 makes express reference to climbing on things. As I shall explain below, Arla has experienced such activity in earlier incidents of protest, and I note that climbing on things (such as HGV vehicles and structures) is a common protest tactic deployed by Just Stop Oil, which causes enormous disruption. Further, climbing on vehicles and structures is incredibly dangerous, both to the protestors themselves, and also to those around them, including the emergency services who are engaged in the removal of those protestors and who, as a result of the protestors' conduct, often find themselves having to work at height.

55. Further, the content of the strategy document seems to be credible, as Phase 1 has in fact been carried out. Examples of those activities include 25 Animal Rebellion protestors disrupting Trooping of the Colour (<https://animalrebellion.org/animal-rebellion-disrupts-platinum-jubilee-to-demand-a-plant-based-future-and-rewilding-of-royal-land/>) [JT1/57-61], 6 Animal Rebellion protestors disrupting the Epsom Derby (<https://animalrebellion.org/protestors-disrupt-epsom-derby-in-a-call-for-an-end-to-animal-exploitation/>) [JT1/62-66] and 50 Animal Rebellion protestors occupying the headquarters of the RSPCA (<https://animalrebellion.org/animal-rebellion-occupies-rspca-hq-entrance/>) [JT1/67-70]. Therefore, it is reasonable to believe that Phase 2 will be carried out, as threatened.

### *Securitas Intelligence Unit SITREP*

56. The Intelligence Unit of Arla's security contractor, Securitas, has produced a document entitled 'SITREP: AR 'Stop the Supply of Dairy'' dated 26 August 2022, and which is exhibited at [JT1/71-74]. I shall explain further below the additional security measures that are being put in place by Arla and Securitas in anticipation of the commencement of protest activities on 3 September 2022.
57. The Securitas report echoes the content of the Animal Rebellion Strategy document, summarises the previous protest actions against the dairy industry and the intelligence that it has gathered and, crucially, at page 3, declares a 'high' threat level and reaches the conclusion that

*The Securitas Intelligence Unit (SIU) assesses with HIGH CONFIDENCE that the 'Stop the Supply of Dairy' campaign will see [Animal Rebellion] use non-violent direct action (NVDA) tactics targeting the dairy supply chain including farms and distribution centres. Further direct actions will likely occur against organisations AR consider to be viable targets, such as those involved in the production, distribution or sale of both meat and dairy, including supermarkets/logistics companies.*

### **Historic protest at the Aylesbury Site and the harm caused**

58. As mentioned above, the incidents of historic protest at the Aylesbury Site, perpetrated by Animal Rebellion, add to the reasonable apprehension that Arla will again be targeted in this imminent planned period of protest.

### *Historic incidents of protest*

59. On 31 August 2021, at approximately 05:30, around 50 protestors associated with Animal Rebellion attended the Aylesbury Site. Those protestors proceeded to prevent access to the dairy at the Aylesbury Site by blocking Samian Way

between the roundabout and Gatehouse 1. The protest lasted for approximately 24 hours.

60. The protestors erected two bamboo towers on Samian Way and attached themselves to those towers. The protestors also parked a Luton-style van lengthways across the road (thereby making the road impassable) and locked themselves to the van. Several other protestors sat in the road and erected and occupied tents on the grass verges (which are also within Arla's freehold title at the Aylesbury Site) [JR/75-77].
61. Thames Valley Police were required to attend the Aylesbury Site; they arrived on Site at around 06:00 and remained there for the majority of the 24 hour period in which the protestors were present. The Police were required to remove the protestors that had attached themselves to the bamboo structure, and then dismantle the bamboo structure itself. Around twelve of the protestors were arrested by Thames Valley Police. The protestors' blocking of the access to the dairy at the Aylesbury Site necessitated the closure of the A41 for most of the day; as I have set out above, Gatehouse 1 is a busy HGV access to the Site and, when vehicles cannot enter the Site, they form a stationary queue, which eventually tails back out onto the A41. Furthermore, Samian Way was closed for most of the 24 hour period in which the protestors were present, and there was also significant traffic disruption caused in the neighbouring village of Buckland as a result of the closure of the A41.
62. To illustrate the acts of protest engaged in, I exhibit at [JT1/78-86] an extract from the BBC News website that covered the protest, and at [JT1/87-96] an extract of a Buckinghamshire Live news article that also covered the protest. Further, I note that Animal Rebellion's website also details a campaign called 'Down with Dairy' and describes how they targeted Arla, and that the '*action is part of a sustained campaign, which saw a march and blockade of the Arla factory by Animal Rebellion in March the previous year*' (<https://animalrebellion.org/down-with-dairy/>) [JT1/97-101].

63. The references to March 2020 are references to an incident at the Oakthorpe Site that Arla operates. The details of that incident will be covered by the witness statement that deals with the Oakthorpe Site. I understand from that witness statement and Arla that, in this incident, two protestors gained access to the Oakthorpe Site and climbed on silos used to store dairy product.

64. I understand from news outlets that 16 people were arrested and charged in relation to the protests at the Aylesbury Site on 31 August 2021 [JT1/102-103]. I should add that at a hearing at the High Wycombe Magistrates starting on 31 March 2022, in respect of 8 of those individuals who were arrested, 2 individuals pleaded guilty to obstruction and disruption of persons engaged in a lawful activity, and 6 individuals were acquitted on 4 April 2022 [JT1/104-112]. I have seen an article from Animal Rebellion dated 21 July 2022 that indicates the other 8 individuals were also acquitted [JT1/113-116].

#### *Harm caused by the August 2021 protest*

65. The August 2021 protest prevented inbound deliveries of raw milk (and other raw materials) to the dairy at the Aylesbury Site, which were all diverted elsewhere, and which in turn meant that approximately 80 farms could not have their milk collected. Further, outbound deliveries were also disrupted, with finished product being halted and stacked, which caused disruption to 76 stores operated by Arla customers in the UK and impacted international cream exports. Finished product went to waste.

66. Other activities at the Aylesbury Site were also impacted; customer audits of Arla's facilities were cancelled, and tenants on other areas of Arla's land away from its dairies and distribution centres were impacted, and their operations stopped.

67. The financial harm suffered by Arla by reason of the August 2021 protest can be summarised as follows:

- i. As entry to and exit from the dairy at the Aylesbury Site was blocked, Arla was unable to collect milk from its members' farms. Approximately 519,951 litres of milk were uncollected. In turn, that meant that Arla could not supply its customers with 401,000 litres of milk, causing a loss of revenue in the sum of **£170,000**;
- ii. Additional cleaning costs in the sum of **£2000** were incurred for the cleaning of tankers and plant which timed out between use;
- iii. Additional security costs in the sum of **£2900** were incurred by reason of additional security staff being contracted for the three days after the protest; and
- iv. Costs in the sum of **£100** for extra canteen food were incurred, as canteen staff could not access the Site.

68. In addition to that financial harm, the following accommodations needed to be made as a result of the August 2021 protest, all of which caused a significant disruption to Arla's operations:

- i. Arla staff were required to park on Samian Way, walk to work, or use the emergency access. Some staff were stuck in traffic caused by the protest for some time, and any staff that could work from home did so;
- ii. Raw milk deliveries were diverted away from the Aylesbury Site;
- iii. Planned deliveries (such as fuel, bottle resin and packaging) were rescheduled for the following day;



- iv. Outbound deliveries were stuck at the dairy and unable to leave, and no empty vehicles could enter the Site to load outbound deliveries;
- v. The dairy had only 250 milk cages on-site due to the inability to replenish stocks from returning vehicles that had completed their deliveries, and could not therefore run. The focus at the dairy had to switch to damage limitation regarding raw milk and the need to process as much as possible and having clean filters to recommence operations as soon as possible; and
- vi. Additional security was requested to cover Gatehouse 3 and patrols.

69. It is alarming that such significant harm could be caused by a 24 hour protest, especially when it is considered that the imminent protests are threatened to last for up to two weeks.

70. Finally, it is clear that it is not just Arla who were impacted by the August 2021 protest. In particular:

- i. The closure of the A41 and disruption to the road network caused by the protest impacted the general public and their convenience and ability to go about their day-to-day business without interference including significant congestion through the village of Buckland as a result of the A41 diversion, and disruption to Arla's nearby tenants Apple Studios and Olleco;
- ii. The use of Police resources, and especially specialist Officers trained in working at height, were expended on the policing of the protest, and pursuing the subsequent criminal prosecutions;
- iii. Around 70 dairy farms were not able to have their fresh milk collected from farm; in some cases (if the milk is more than 48 hours old) this required the milk to be disposed of as waste.

## Apprehension

### *Future protest*

71. On the basis of the information that I have outlined above in relation to the intelligence on Animal Rebellion and the planned September 2022 anti-dairy protest, the similarities and relationship between Animal Rebellion and other protest groups (such as JSO, Extinction Rebellion and Insulate Britain) and the historic incidents of protest at the Aylesbury Site, Arla reasonably apprehends that it, and its Aylesbury Site, will be a target of unlawful protest activities between the period of at least 3 to 11 September 2022.
72. Further, and on the basis of that set out above, it is also reasonably apprehended that the tactics and strategies deployed by the protestors during this apprehended period of protest will mirror those deployed by groups such as Extinction Rebellion, Just Stop Oil and Insulate Britain, and also deployed by Animal Rebellion itself at the Aylesbury Site in August 2021. Those tactics include protestors obstructing access points to critical sites (such as the dairy), trespass, and obstructing the highway and access roads to critical sites by standing or sitting in the road, gluing themselves or locking on to the road, road furniture, vehicles or structures. Further, the recent tactics of Just Stop Oil in vandalising petrol station forecourts is concerning, and it is apprehended that such acts of vandalism might occur at the Aylesbury Site if Just Stop Oil is being used as the model on which Animal Rebellion is basing itself and its protest which, from the Strategy Document, it appears it is.
73. Finally, I would highlight that the stated aims of Animal Rebellion is to disrupt the 'supply' of dairy, and the repeated threat is that it is distribution centres that will be targeted. Therefore, Arla reasonably apprehends that it is a target of these protests above and beyond the farms or supermarkets and retailers of dairy products.

### *Harm*

74. As set out above, as a result of the August 2021 protest, which lasted just 24 hours, Arla incurred financial harm in the sum of approximately **£175,000**. If, as is apprehended, the September 2022 protest is to be on a much larger scale, with access to the Aylesbury Site obstructed for up to two weeks, it is to be expected that this figure of loss will be multiplied several times over. Quite simply, if access to the dairy is prevented, the dairy cannot function, operations will cease, raw milk product will spoil and be wasted, and revenue will be lost. There will also be a period after the protest before operations can resume as normal, as all equipment associated in the production and distribution of dairy products will have to be re-cleaned and checked to ensure that all regulatory and health and safety standards are complied with – strict standards apply to dairy, and equipment that has not been used for even just a short while cannot be brought back into service immediately.
75. Furthermore, it is apprehended that, in this threatened period of high-intensity protest, it will not just be the Aylesbury Site that is targeted. Arla has many sites throughout the UK, and is seeking to protect three others through this Claim and Application for injunctive relief. If, as is anticipated, each of the four milk production and distribution sites is targeted, then the financial losses to Arla will also be multiplied across sites.
76. In short, the financial loss could be enormous, and not easily compensated with an award of damages, especially where the identity of many of the defendants is unknown. Where Arla does not know the identity of the defendants, it cannot enforce an award of damages, nor can any undertaking in damages be taken from Persons Unknown. Further and relatedly, even as and when defendants' identities do become known, there is still no guarantee (and indeed it is very unlikely), that they would be able to meet such a large award of damages and/or provide an undertaking for the same.

77. Furthermore, it is apprehended that the threatened protests will cause Arla to suffer other significant non-financial harm, which cannot be compensated for by an award of damages. That harm will also extend to third-parties and the general public. Those harms include:

- i. Obstruction of the access points to Arla's sites not only disrupts access to the site itself, such that operations are compromised and must cease, but, as was seen at the Aylesbury Site in August 2021, obstructing access also causes significant disruption on the surrounding road network. If lorries and other vehicles associated with the dairy are unable to access the dairy at the Aylesbury Site, and they cannot be diverted to elsewhere before they arrive at the Site, they will inevitably have to queue to access the Site, and tailbacks similar to those experienced in August 2021 will be repeated. It can be reasonably apprehended that the A41 will again need to be closed, and that surrounding villages and roads will suffer significant disruption as a result of traffic diversion and increased flow of traffic;
- ii. If, as is anticipated, the threatened protest action lasts for 2 weeks and operations at the Aylesbury Site are halted (or severely restricted) for the duration of that period, it is inevitable that there will be milk shortages on supermarket shelves (which is the desired aim of the Animal Rebellion group). As I have mentioned above, the dairy at the Aylesbury Site is the largest in the UK, and produces around 10% of the UK's milk. Taking that supply out of the supply chain will have an adverse impact on the supply of milk to supermarkets and retailers, especially if coupled with similar effective protests at other Arla sites. I estimate that, if the supermarket shelves are empty, as is threatened and is entirely possible, it would take the supply chain between one and two months to recover to its usual functionality and stock levels;

- iii. Farmers will also suffer as a result of sites such as the Aylesbury Site being blockaded. If vehicles cannot enter or access the dairy, raw milk product will not be collected from the farmers and brought to the dairy for processing. Ordinarily, that milk is collected fresh from farms every 24 or 48 hours. Farms can only hold milk for 48 hours before it spoils and must be wasted. Therefore, if vehicles are prevented from entering and exiting the dairy at the Aylesbury Site, the two week period of protest could lead to farmers wasting extraordinary amounts of raw product which, for an industry that already runs on very fine margins, is simply unsustainable;
  
- iv. I anticipate that Arla will need to be assisted by a presence from Thames Valley Police throughout these protests – especially if protestors are gluing themselves or locking on to the road, road furniture, vehicles and/or structures. This will be a drain on Police resources and, depending on the scale of the protest and the severity of the activity, could be a significant drain. To that end, I understand from Arla’s legal advisors that other Police forces are dealing with similar protests at this time (such as Essex Police and the Metropolitan Police) and, from national news media, it appears that policing protests of this nature is a significant exercise, especially when hundreds of arrests are being made.

### **Mitigation of the apprehended harm**

78. Finally, Arla recognises that it cannot simply expect the Police and the Courts to deal with the protest, and that it too must be proactive in mitigating the apprehend harm.

79. With that in mind, and in preparation and anticipation of the protest, Arla has taken the following steps to try and mitigate the apprehended harm:

- i. Security. Arla has invested heavily in additional security and intelligence gathering. The engagement of the Securitas Intelligence Unit has cost Arla around £40,000, additional Securitas resources have been agreed for the four sites that are believed to be the target for the upcoming protest, weekly security planning sessions have been taking place and Securitas will be providing all security guards with body worn cameras;
- ii. Signage. In response to the August 2021 protest at the Aylesbury Site, Arla has installed signs across all of its sites (including the four sought to be protected by the injunctive relief) at the boundary, which read:

*ATTENTION: Private Land.*

*No public right of way or trespassing*

*This land is owned by Arla Foods*

I exhibit at [JT1/117-118] photographs of three signs that are in situ at the Aylesbury Site – one of which is located on the emergency gate at Gatehouse 3, and two of which are located on the access gates at Gatehouses 1 and 2.

- iii. Some outbound operations have been moved to alternative sites. Whilst I cannot give too much detail, as to do so would undermine this mitigation and simply move the protest elsewhere, some activities have been moved to alternative sites to ensure that there is some resilience in the supply chain;
- iv. Arla have been liaising closely with the local Police forces to ensure that everyone is in a state of readiness for the protest. In particular, I understand that dedicated contacts and lines of communication have been established, and specialist Police protestor teams are on standby to attend Arla's sites;

v. Finally, Arla has worked closely with its commercial partners (especially supermarkets) to increase their stockholding at stores, which should again ensure that there is some resilience in the supply chain. There is also a prioritisation plan in place to ensure that the supply is able to recover as quickly as possible after the cessation of protest activity, and contingencies have been put in place for the most vulnerable products. Further, product rationalisation has been agreed, in line with 'other crisis' situations. I can ensure the Court that Arla and its commercial partners are being proactive in planning for this protest and are seeking to introduce as much resilience to the supply chain as possible.

80. As well as these specific steps that have been taken, there have been many hours of meetings and planning for the protests taking place in recent weeks and days, both internally at Arla, and also with DEFRA and the National Farmers Union. Arla staff have been briefed as to what is expected to occur and, in so far as is possible, contingency plans for alternative working arrangements have been put in place. However, the nature of Arla's business, and especially that operated at its production and distribution centres, is that operations very much rely on the free movement of vehicles, product and people into and out of the sites. There is little that can be done to mitigate the harm caused when that free movement is restricted.

81. As to the Aylesbury Site specifically, Arla has taken a temporary licence (at its own expense) over a nearby site to which lorries may be diverted and parked should access to the dairy at the Aylesbury Site be obstructed. It is hoped that by diverting lorries to an alternative location before they reach the dairy, the queue of stationary vehicles along Samian Way and out onto the A41 can at least be reduced, and the impact on the surrounding road network to some extent mitigated. I exhibit a copy of that licence as [JT1/119-129].

## **Conclusion**

82. Arla reasonably apprehends that, from 3 September 2022, and for an initial period of around two weeks, it will be subject to incidents of high intensity unlawful protest. Arla seeks to protect four of its production and distribution sites across the country from the same, but does not seek to restrict or prohibit peaceful or lawful protest.

83. In light of the credible threat of this apprehended protest activity, the historic events of protest at the Aylesbury Site, and the harm that would be caused if unlawful protest came to pass, it is respectfully asked that the Court in the first instance grants the interim injunctive relief that is set out in the draft orders that accompanies Arla's Application for the same.

## **Statement of Truth**

I believe that the facts set out in this Witness Statement 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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Joanne Taylor

Dated this 30<sup>th</sup> day of August 2022