

Made on behalf of the Claimants  
Witness: Philip Keith Spencer  
Number of Statement: Third  
Exhibit: PS3  
Dated: 17 June 2026

**IN THE HIGH COURT OF JUSTICE**

**Claim No: KB-2024-002596**

**KING'S BENCH DIVISION**

**BETWEEN:**

- (1) LONDON SOUTHEND AIRPORT COMPANY LIMITED  
(2) LONDON SOUTHEND SOLAR LIMITED  
(3) THAMES GATEWAY AIRPORT LIMITED**

**Claimants**

**- and -**

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

**Defendants**

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**THIRD WITNESS STATEMENT OF PHILIP KEITH SPENCER**

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

1. I am a senior associate in the firm of Bryan Cave Leighton Paisner LLP ("BCLP"). BCLP act for the Claimants ("Southend") in this matter. I am duly authorised to make this witness statement on behalf of Southend. This is my third witness statement in these proceedings. I make it in support of Southend's position at the second annual review hearing of the Injunction (defined below), listed to be heard on 2 July 2026.

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 Southend and are true to the best of my knowledge and belief.
4. I refer to a paginated bundle of documents, attached as Exhibit “PS3”. Where it is necessary to refer to a document, I shall refer to the document by its page number within Exhibit “PS3”.
5. At various points in this statement I refer back to earlier witness statements that have been filed on behalf of Southend in these proceedings. To avoid unnecessary duplication, I do not exhibit those earlier statements (or their exhibits) or repeat the contents of such statements. The earlier statements (but not, in the interests of proportionality, their exhibits) will be included in the hearing bundle for the review hearing (which will also be made available electronically at: <https://londonsouthendairport.com/corporate/injunction/>). In the meantime, and pending production of that hearing bundle, those witness statements – as well as their exhibits – can also already be found at that same website. If any reader of this witness statement is struggling to access any relevant documents, they should contact BCLP for assistance. The relevant contact details are:
  - 5.1. Akhil Markanday, Bryan Cave Leighton Paisner, Governor’s House, 5 Laurence Pountney Hill, London EC4R 0BR ([akhil.markanday@bclplaw.com](mailto:akhil.markanday@bclplaw.com)) / +44 20 3400 4344; and
  - 5.2. Phil Spencer, Bryan Cave Leighton Paisner, Governor’s House, 5 Laurence Pountney Hill, London EC4R 0BR ([phil.spencer@bclplaw.com](mailto:phil.spencer@bclplaw.com)) / +44 20 3400 3119.

## I. INTRODUCTION

6. These proceedings concern the injunction order granted by Mrs Justice Farbey on 14 August 2024 (the “**Injunction**”). The background to the Injunction is as set out in my previous witness statement dated 6 October 2025 (“**Spencer 1**”) at paragraphs 7 to 10. Pursuant to paragraph 3 of the Injunction, the Injunction is to be reviewed annually and falls to be reviewed for the second time at a hearing listed for 2 July 2026.
7. The first annual review of the Injunction was conducted at a hearing on 22 October 2025. His Honour Judge Freedman (Sitting as a Judge of the High Court) ordered that the Injunction remain in full force and effect subject to (i) an amendment to paragraph 3 of the Injunction (with the effect that Southend may contact the Court to request a review hearing not less than 28 days before the date when the Injunction is due to lapse, rather than Southend being required to submit a court application to request a review hearing); and (ii) further annual review thereafter in accordance with paragraph 3 of the Injunction (the “**First Review Order**”).
8. Southend seeks continuation of the Injunction. I make this witness statement in support of that position.

## II. PROCEEDINGS AGAINST PERSONS UNKNOWN

9. At the time the Injunction was sought, Southend did not know the names of the individuals who threatened to commit acts of direct action at the Airport. That is why the claim was brought only against “Persons Unknown”, in a form now widely described as a ‘newcomer injunction’.
10. I can confirm that there has not been a change in the position outlined above. Southend remains unable to identify or join any named Defendant to the claim.

### III. CONTINUING RISK OF DIRECT ACTION

#### Effectiveness of the Injunction

11. Southend's position is that the risk of unlawful direct action activities being directed at Southend by JSO (including potentially under the guise of a new activist organisation) or other environmental campaigners has not abated since the Injunction was granted. I do not repeat in this statement the reasons for Southend originally seeking the Injunction, which are covered in the First Witness Statement of Akhil Markanday dated 9 August 2024 ("**Markanday 1**") and the reasons for the grant of the Injunction which are recorded in the *ex tempore* judgment of Mrs Justice Farbey (**PS3/3-20**).
12. Since the grant of the Injunction, there have been no breaches of it. Whilst primarily a matter for submissions, Southend believes that the lack of direct action against the Airport since the grant of the Injunction demonstrates the success of it in deterring such activities. Notwithstanding the apparent success of the Injunction, Southend believes (as set out in greater detail below) that the underlying risk of unlawful direct action against the Airport remains unchanged and would be heightened were the Injunction not renewed.

#### Current status of JSO

13. As outlined in greater detail in Spencer 1 (paragraphs 24 to 29), JSO announced on 27 March 2025 on its website that it would be "*hanging up the hi vis*" following the government meeting its initial demand to end new oil and gas by making this government policy. On 18 May 2025, however, GB News reported that JSO were planning on making a comeback. Those reports were seemingly confirmed by an email sent from JSO to London City Airport's solicitor last year on 24 June 2025 stating, in response to the article, that "*GB News was right for once*" and that JSO are "*plotting a very big comeback*".
14. I have no reason to believe JSO have resiled from this position. Whilst their website and social media presence has been relatively subdued since last year, I do not believe that can be taken to indicate they may not still "plot a comeback". This is particularly so in circumstances where attention to their activities might

have been diminished over the past year and organisations may have been tempted to “lower their guard” against JSO. I am instructed by Southend that they do not believe they can run such a risk.

15. I also note that the Injunction was originally granted in the context of JSO threatening to cause “*a summer of chaos*”. To the best of my knowledge, summer remains an attractive target to disrupt aviation every year, due to it being a busy period for air travel in the summer holiday period.
16. It might also be that JSO had in mind a “comeback” by way of a new civil resistance group called “Take Back Power” (“**TBP**”). The landing page for JSO’s website states “*!! NEW PROJECT ALERT !!*” and refers website visitors to TBP’s own website, “*Join us at: takebackpower.net*”. A screenshot of the landing page from JSO’s website is at **PS3/21**. It therefore appears that TBP is a project under the JSO ‘umbrella’, and in any case a movement which involves present or former members of JSO.
17. The landing page for Youth Demand’s website (who were previously described by the press as “JSO 2.0” – see further in Spencer 1 paragraphs 31 to 33) also directs visitors to TBP’s website, displaying the same message as JSO’s website: **PS3/22**.

### **Take Back Power**

18. According to TBP’s website, TBP’s demand of the UK government is to institute a ‘House of the People’ with powers to tax the super-rich, in order to fix Britain (**PS3/23**). Whilst this is TBP’s primary demand, their website indicates that environmental policy is also one of its concerns. The landing page of its website states “[the super rich] *profit from [...] heating the world to boiling point.*” (**PS3/23**).
19. On the ‘About us’ page of TBP’s website, TBP specifically refer to the success of JSO’s direct action activities. There is listed a series of questions and answers about TBP’s activities. One question asks “*Why does Take Back Power engage in disruptive direct action?*”; the response states “*history shows us that disruption is a necessary part of social change. Disruption action [...] saw the demand of*

*Just Stop Oil become government policy” (PS3/24).* This may suggest that TBP may be planning similar tactics to JSO in connection with a professed cause at least in part related to environmental issues, posing a continued threat to Southend.

20. TBP’s direct action activities, since seemingly forming in December 2025, have included:

20.1. **2 December 2025:** Depositing a pile of manure in the Ritz Hotel (a press article from TBP’s website is at **PS3/25-27**);

20.2. **30 April 2026:** Occupying and protesting at a Ferrari dealership in Berkeley Square and luxury department store, Harrod’s (**PS3/28-31**); and

20.3. **1 May 2026:** Orchestrating several activities across London which included (i) openly stealing produce from a supermarket; (ii) occupying and protesting at luxury department store, Liberty, on Regent Street in London and (iii) disrupting access to the luxury hotel Claridge’s (**PS3/32-35**).

21. In its latest press release, TBP state “*Until the government makes a meaningful statement in response to our demand, we will undertake nonviolent action to resist the super-rich*” (**PS3/35**).

22. Whilst the target of TBP’s direct action activities mentions the “super-rich”, and its direct action activities to date appear to have targeted the luxury retail sector, Southend considers that TBP’s existence poses a real risk of direct action against the Airport given: (i) TBP’s apparent connection to JSO; (ii) the fact that commercial airlines (and their ultimate owners) which operate from Southend are likely to be a potential target of demonstrations given their status as high-profile commercial entities (and therefore perceived affiliation with the “super-rich”) and their consumption of oil; (iii) the fact that private aviation – used by the wealthy – also operates at the Airport, in particular the Airport’s Jet Centre regularly handles high-profile people and flights; (iv) the fact that the Airport regularly hosts the RAF Red Arrows and RAF Typhoon jet fighter aircraft as well as high

profile aviation events including the Battle of Britain Memorial Flight and other airshows; and (v) the fact that the Airport is also a home base to the joint OSRL (Oil Spill Response Limited) marked Boeing 727 Aircraft, which is operated and paid for by the UK oil industry, making it a potential target for ‘fossil fuel’ activists. These factors are discussed in further detail in the third witness statement of Marc Taylor, which I have had sight of.

### **Other environmental / climate campaign groups**

23. Irrespective of JSO’s specific activities, as previously set out in Spencer 1 paragraphs 24 to 29, Southend believes that there remains a threat posed by other environmental campaign groups such as Fossil Free London (“**FFL**”), Extinction Rebellion and Shut the System. I set out below an update on the activities of those groups.

#### *FFL*

24. FFL have recently staged a number of protests directed at the oil and gas sector, including a demonstration outside Shell’s London Headquarters on 6 May 2026 (see article at **PS3/36-37**) and a demonstration at Equinor’s London offices on 5 May 2026 (see press release: “*PHOTOCALL: Body bags piled outside Equinor as Q1 profit spike expected from Iran war*” **PS3/38**).

#### *Extinction Rebellion*

25. Extinction Rebellion remains an active group. In a recent article published on its website on 14 May 2026 it wrote:

*“The path from spring to summer has a beautiful way of revealing what has been gaining strength invisibly.*

*Roots grow underground long before anything breaks the surface. Networks form quietly beneath hard ground. By the time the first shoots appear, the real work has already been happening for months.*

*Something similar can be felt across Britain’s protest movements now.”* (See article from Extinction Rebellion’s website at **PS3/39-45**).

26. Whilst Extinction Rebellion’s message in this article is not clear, the article arguably implies that protest action may be planned for this summer and that environmental activist groups have been “*gaining strength invisibly*”. The article also goes on to refer to a protestor demonstration held at RAF Lakenheath in April this year in which direct actions organised by Lakenheath Alliance for Peace involved a week-long camp at the RAF base, showing that aviation sites remain a target of protestor action (although this specific demonstration appears to have been due to use of the base in connection with the US/Israeli wars in West Asia and North Africa).

*Shut the System*

27. Shut the System also remains an active group. Its recent activities have included targeting a supplier of the energy company Drax with slingshot rocks (April 2026) and using tools to attempt to cut into the workshop of Elbit, a defence and aerospace company, in Leicester and Wolverhampton, targeting the machines used to make F35 fighter jets (April 2026). As explained in my previous statement Spencer 1 (paragraph 55), it remains a concern that Shut the System’s specific mission is to target property and machinery in its activities. In a post on its Instagram account in April 2025, it said “*Our strategy is to disable the physical infrastructure of significant carbon emitters [...]*” (PS3/46). This indicates Airport infrastructure could be a target.

**Objections to private aviation**

28. Private aviation has previously been, and remains, a prime target for environmental activist protests. For example, both Oxford Airport and Inverness Airport were previously targeted by Extinction Rebellion last year for protests against private jets (as explained further in paragraph 39 of my first witness statement) and, in 2024, a private jet at Stansted Airport was sprayed with orange paint.
29. A Greenpeace article published recently on 10 June 2026 has also called for the grounding of private jets (see PS3/47-55): “*Ground private jets and mega-yachts before grounding ordinary people*”, suggesting that environmental groups may have their sights set on private aviation in particular at the moment, especially

due to the ‘fuel crisis’ resulting from the conflict in the Middle East. Southend therefore believes it may be particularly vulnerable due to the profile of its Jet Centre which services private aviation and which continues to grow (as explained further in the third witness statement of Marc Taylor).

30. In conclusion, therefore, Southend believes that it is justified in considering that:

30.1. There remain active groups, the identity of persons within them unknown, who wish and intend to use unlawful ‘direct action’ (including of the nature currently restrained by the Injunction) to further their causes.

30.2. The environmental causes which underpinned JSO’s proposed “summer of action” leading to the original Injunction remain strongly felt by a considerable number of such persons. Prominent in such beliefs is an objection to the aviation sector.

30.3. Even to the extent that some such persons might now also be focussing on issues of social inequality / the concentration of wealth amongst the ‘super-rich’, it is plain that a perception of the adverse environmental impacts of such issues remain an important feature of such wider concerns.

30.4. In the circumstances, the Airport is likely to remain a high-profile and attractive target for unlawful direct-action activities.

30.5. The likely inference to be drawn is that the cessation of direct-action protests at the Airport is a reflection of the success of the Injunction (including wide-spread awareness of it by those who might otherwise be minded to engage in such activities), rather than any material reduction in the underlying risk of such activities occurring absent an injunction.

#### **IV. THE APPROACH OF OTHER AIRPORTS**

31. As at the time of this statement, I understand that Southend are the second airport Claimant entity to have a hearing listed for their second annual review hearing seeking to continue their injunction.

32. A group of airports being represented together (London City Airport, Manchester Airport, Stansted Airport, East Midlands Airport, Leeds Bradford Airport, Luton Airport, Newcastle Airport, Birmingham Airport, Bristol Airport and Liverpool Airport) have a hearing set for 30 June 2026 (see, for example, London City Airport’s notice (**PS3/56**)).
33. London Heathrow Airport also has an injunction in similar terms to Southend and a renewal hearing is set for 9 July 2026 (**PS3/57-58**).
34. It therefore appears that other major UK airports consider that their injunctions should be renewed to restrain the on-going threat posed by the Defendants.

## **V. PROCEDURAL AND OTHER MATTERS**

### **Service of the Previous Order**

35. I can confirm that the First Review Order was notified to the Defendants in accordance with paragraphs 9 and 10 of the Injunction by the taking of the following steps:
  - 35.1. A copy of the First Review Order was uploaded to <https://londonsouthendairport.com/corporate/injunction/> on 30 October 2025; and
  - 35.2. A copy of the First Review Order was emailed to JSO to the email addresses listed at Schedule 3 to the Injunction at 10:40 on 30 October 2025.

### **Notice of the Review Hearing**

36. On 18 May 2026 the KB Judges Listing Office emailed BCLP informing BCLP that the second review hearing had been listed for 2 July 2026 for 1.5 hours, before a High Court Judge, in person (the “**Notice of Review Hearing**”) – a copy of the Court’s email is at **PS3/59**.
37. On 9 June 2026, Southend added details of the review hearing on <https://londonsouthendairport.com/corporate/injunction/>. On or prior to Wednesday 17 June 2026, Southend will take further steps to bring the hearing to

the attention of all Defendants and notify them of this evidence in support in the manner provided for in the Injunction. Confirmation that, and how that, has been done will be provided in a further witness statement to be filed prior to the hearing.

### **Cross-Undertaking in Damages**

38. I am authorised to confirm on behalf of Southend that it continues to offer the cross-undertaking in damages recorded in paragraph 2 of Schedule 1 to the Injunction.

### **Full and Frank Disclosure**

39. I confirm that Southend is aware of its ongoing duty of full and frank disclosure, and I consider that I have complied with that duty in setting out above all relevant factual matters – including those which might be relied upon as tending against the continuation of the Injunction.

## **VI. CONCLUSION**

40. Southend obtained the Injunction following a high-profile campaign of threatened action against airports by JSO.
41. Although JSO do not appear to have taken any further action since the announcement made on their website on 27 March 2025, it appears that the new campaign group TBP has links to JSO, as well as Youth Demand (which has been described as “JSO 2.0”).
42. Direct action with an environmental angle, from TBP or others, remains an active threat.
43. Of particular concern is that Shut the System’s activities continue to involve targeting property and machinery and therefore continue to suggest a potential shift from mere activist disruption to the physical sabotaging of operations. If so, the consequences of potential action at UK airports are likely to be more severe.

44. It is for these reasons that Southend's position is that the Court should continue the Injunction in its current form, subject to further review in 12 months' time.

**Statement of Truth**

I believe that the facts stated 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.

DocuSigned by:  
*Philip Spencer*  
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**Philip Keith Spencer**

**17 June 2026**