OPUS₂

MBR Acres Limited & Others v Free the MBR Beagles & Others

Day 12

May 15, 2023

Opus 2 - Official Court Reporters

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1	Monday, 15 May 2023	1		all these people in this site . I had a little plan $$
2	(10.00 am)	2		you can call it a plan $$ with myself and these two
3	MR JOHN CURTIN (continued)	3		other women. Between the three of us, there was this
4	Cross—examination by MS BOLTON (continued)	4		simple idea of let's slow the vehicle down, you give
5	MR JUSTICE NICKLIN: Yes, Ms Bolton.	5		them a leaflet and on your way. After all, it's
6	MS BOLTON: Mr Curtin, good morning.	6		Anglia Water, nothing to do with MBR, and if there is
7	A. Good morning.	7		one customer you wouldn't want to interrupt, surely it's
8	Q. I would like to take you to an incident on	8		the water company.
9	22 September 2021. If we could go to video 339, please.	9	Q.	Indeed, Mr Curtin.
10	If we can just pause the video for a second. Mr Curtin,	10		We can see that you've stopped that vehicle as he is
11	we are going to look at this camera angle first of all,	11		trying to access the highway from the Wyton site; yes?
12	which shows more of the incident, and then the second	12	Α.	Yes, it's because of me, yes, that van is slowed down.
13	one, which also shows the incident from a different	13	Q.	And if we can play on, please, (Video played).
14	angle with the audio, just so you know where we are	14		Pausing there, you've just beckoned somebody else to
15	going.	15		stand in front of the vehicle whilst you go to the
16	A. Yes.	16		driver's side, haven't you?
17	Q. Right. If we can play on, please. (Video played)	17	Α.	That's correct. It is, and the reason is just to give
18	Pause there. That's you taking the banner down,	18		this guy a leaflet .
19	isn't it?	19	Q.	Play on, please. Pausing there, we have just seen him
20	A. Correct.	20	•	point his hand towards the road. He doesn't want to
21	Q. Yes, okay. Play on, please. (Video played).	21		wind his window down, does he?
22	A. My Lord, sorry, I apologise for making an interruption.	22	Α.	He certainly doesn't. Prior to this incident, when he
23	I suspected that this might come up, this incident and	23		went in —— I remember this man, he sticks in my mind ——
24	I've studied it in detail. Do I just answer the	24		he had a pair of sunglasses on, nothing wrong with that
25	questions and then —— what about the representation?	25		but he was —— I say on the video later —— there is
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	1			3
1	Hopefully I can answer and, by giving my answers, I can	1		another video of this incident, where you can hear the
2	say things I need to say.	2		audio $$ "We get someone like you every two weeks,"
3	MR JUSTICE NICKLIN: Is this the contempt application?	3		fairly obnoxious, didn't care $$ he went like that to
4	MS BOLTON: No.	4		pretend crying, he was not interested. I can't remember
5	MR JUSTICE NICKLIN: Just listen to Ms Bolton's questions	5		the actual incident, but I was aware that he was going
6	and answer them as best you can.	6		to be maybe reluctant to take a leaflet . So me and two
7	MS BOLTON: That's you standing in the middle of the	7		other women had $$ let's slow him down, if there was any
8	driveway there, isn't it?	8		ambush, it was by the two women, and my case will be
9	A. It is.	9		that at the moment, when he first came out, there were
10	Q. And there is a vehicle about to come out, isn't there?	10		three people involved, myself and the two other women.
11	A. It is.	11		Everyone else is looking the other way.
12	Q. Play on, please.	12		Now, to some degree, it begins to get out of hand,
13	A. Can I invite you to look at something or $$	13		this incident, and it's a typical example where I had
14	Q. No. (Video played).	14		a simple plan with two people. They would stop the car,
15	Pausing there. That's you stopping the Anglia Water	15		give him a leaflet, on his way, and it kind of got out
16	vehicle, isn't it?	16		of hand, which is fairly commonplace and, as you will
17	A. Yes. That's me standing in the road.	17		see from here, it's extremely frustrating for me that
18	Q. And that's $$ sorry, go on.	18		a simple act like giving a leaflet could get so out of
19	A. I would invite you to go to the seconds before this.	19		hand.
20	You might not notice this, but I've watched this video.	20	Q.	And of course, none of what you've just said in the
21	I thought this video was going to come up, and I would	21		witness box is in your defence or in your very late
22	invite you to $$ a few seconds before, I sort of	22		witness statement or further evidence that you've
23	gestured to one of the women down in the $$ there is one	23		submitted throughout the hearing?
24	with the blond hair and the smaller one in front of her.	24	A.	Correct, but Susan Pressick would have been the person
				•
25	They've got leaflets . This was pre—arranged, we can see	25		that I would have had to ask about this video. She

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wasn't even there. She has got just as much view on this video as anyone else, witnesses the video, I was there, I'm a witness and this is a golden opportunity for me to expand on this incident.

I remember this incident because one of the women there that I had the little plan with, she often used to joke about this incident. She used to say about Anglia Water because it was the time she remembers me in a bad mood because I do get into a bad mood increasingly ——

- 11 Q. And again, none of this was addressed in your late 12 witness statement, was it?
- 13 A. No, but I'm giving evidence now. If you want to refute 14 everything I say —— I'm under oath and everything I tell 15 you is the truth.
- 16 Q. Right. Let's play on, please. (Video played).
- 17 A. And I would invite the court to watch the movement of 18 the van, not just me, watch the movement of the van with 19 people in front of it.
- Q. Pausing there, we can see that somebody else is trying
 to give the van driver a leaflet and he is still not
 winding down his window to take it, is he?
- 23 A. Correct.
- Q. Keep playing on, please. You are leaning back in,trying to tell him to take the leaflet, aren't you?

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- A. Yes, and as we speak, more and more people, you can
 see there were people at the start more and more
 people are getting involved.
- Q. Pausing there, someone has put it on his windscreen, haven't they?
- A. They've put it underneath his windscreen wiper and
 because of the sort of people we are, I think they've
 put it so it couldn't block the window.
- 9 Q. Yes. Play on, please, (Video played).

 10 He is trying to move out the way, isn't he?
- 11 A. Yes, with people in front, which -- the man was acting 12 like a --
- Q. Let's rewind that just 10 seconds, please.
- 14 A. Okay.

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- Q. And let's play that again. (Video played). Pausing
 there, we can see that van is moving very slowly but
 no one is moving, are they?
- 18 A. You say very slowly, I would say the engine is revved
 19 and you can see one of the people actually it takes
 20 me surprise, and like I was giving evidence, I actually
 21 had a friend years ago that was killed while protesting
 22 by a vehicle. You should not move forward. It's not
- good behaviour to move forward while there are
- $24 \hspace{1cm} \text{protestors in front of you}.$
 - Q. But you accept, don't you, Mr Curtin, that it's not part

of your protest right to force somebody to take leaflet?

- A. Absolutely not. There was no I had no idea there
 was I didn't intend to force it on him. I can't
 remember whose idea it was between me and these three
 women. No. If anything, there was going to be an
 ambush of two sweet—looking ladies, who were smiling, if
- you go back to the video, holding the leaflets up, just
 take a leaflet and give it to your boss. This incident,
- 10 like it could and a simple incident like this, you 11 can see it begins if we listen to the audio video
- that goes with it, it gets out of hand, slightly.
- 13 Q. It's right, isn't it, that you can't force people to 14 listen to your protest message?
- 15 A. I would never want to force anyone to listen. That
 16 would be fake, it wouldn't last two seconds. That's not
 17 the authentic sort of education I'm after.
- 18 Q. It's right, isn't it, that if you hold somebody up on 19 the highway, because they won't take your leaflet, then 20 that's exactly what you are doing, you are forcing them 21 to listen to your protest message?
- A. No. My part in this incident was to was to, yes, if we had to, of course you had to, we want the guy to take a leaflet to give to his boss. I've already had some signal I can't remember quite what this guy

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doesn't want a leaflet . So we will try him again on the way out, and the idea between three people, here you are, mate, take a leaflet , don't be so unreasonable,

give it to your boss. This is one company that can't

boycott the company anyway and it's — I gestured — you
 are right, I gestured to the other three — when it

stopped, I did say, stand here a minute, I was expecting
 this to take a few seconds and it didn't take a few

9 seconds, and it's a -- not a typical example because 10 this is one that gets reminded to me by my friend as

the -- they saw me. It was the first time they saw me in a bad mood. They remember it because I went into

13 a bad mood. They remember it because I went into

I was not trying to force him. It got out of hand, as you will see.

16 Q. And it's right, isn't it, by now, the driver has

- gestured that he wants to access the highway. That's correct, isn't it?
- 19 A. That's correct.
- Q. He has indicated to you that he doesn't wants to takethe leaflet?
- 22 A. Yes.
- Q. And he has tried to edge forwards, hasn't he, indicating he wants to leave?
- 25 A. Which is like, if there is anything going to inflame the

1 situation, it was that forward movement. 1 recording him, aren't you? 2 Q. And it's right, isn't it, that despite all of those 2 A. Yes, because I want to report him to Anglia Water. 3 indications, you are still holding him up, trying to get 3 Q. In fact, what you tell him you are doing is that you are 4 him to take the leaflet? 4 live streaming him? 5 A. I'm not holding him up. 5 A. Yes. Q. Let's play on --Q. Yes. Okay. Play on, please. (video played). 6 6 7 A. There is other people now getting involved. Because of 7 Pausing there --8 8 that -- it never became a road traffic incident but it A. Do you see that, I had a word with the person in the 9 could have. 9 chair and she moves. 10 10 Q. Let's play on a little bit, please. Stop there, you've Q. And you are back in front of the car, either recording gone straight back in front of that vehicle, haven't 11 11 or taking further photographs of the car? 12 12 vou? A. Yes. 13 A. That's right because I want to take a picture of him 13 Q. Play on, please. (Video played). 14 14 because of his, by now, obnoxious behaviour. He is Again and you are continuing to do so there. Pause, 15 a public representative on behalf of Anglia. 15 16 16 You are plainly very key, aren't you, in this Q. And that obnoxious behaviour is wanting to leave the 17 17 site . isn't it? incident, to preventing this contractor from accessing 18 A. Yes, with his sunglasses on, making gestures to people. 18 the highway? 19 doing nothing whatsoever to decrease the situation. If 19 A. I was key in slowing it down but, if you go back to the 20 2.0 anything, inflaming the crowd. start of the video, I would ask you to look at all the 2.1 Q. Which he is perfectly entitled to do, leave the site? 21 other people and they are not involved. 22 A. He is entitled to be obnoxious and rude, of course he 22 People become involved as it goes on. I was 2.3 23 definitely responsible for slowing this vehicle down and 2.4 Q. No, he is entitled to leave the site. 2.4 I would disagree with you in your -- MBR has the right A. Of course, and he does leave the site. 2.5 to ultimate free passage as if we weren't there. We are 1 Q. Let's have a look at what happens next. Pausing there, 1 there. And this is the sort of incident that kind of --2 you have gone back and you've angrily pointed at him, 2 not typical but typical of how something simple could 3 haven't you? 3 get -- and it only ever did get slightly out of hand 4 A. Yes, and if we listen to the -but, yes, I take responsibility for my role in this. 5 Q. We will do. 5 Q. And it's right, isn't it, that your actions in A. Then I think I called him -- because I looked at this 6 preventing this driver from accessing the highway from 6 7 7 because it's something that I knew was going to come $\ensuremath{\text{up}}$ the Wyton site and in obstructing him were deliberate? 8 8 because this is me in a bad mood. I think I'm calling A. No, no, absolutely not. My intention was to give the 9 9 $\operatorname{\mathsf{him}}\, --$ call $\operatorname{\mathsf{him}}\, \operatorname{\mathsf{a}}$ name, something like a knobhead or -man a leaflet. 10 "Just take a leaflet, you buffoon." 10 Q. Standing in front of --11 That's it, you buffoon, "Come on, just take a 11 (inaudible) myself to a man -- and I use the term 12 leaflet and we can end this in seconds." And, of 12 obnoxious, you will hear on the video, but other people have seen his behaviour. He's winding people up, which 13 course, I'm not -- there was no plan to force him. 13 14 14 he is allowed to wind people up. I never intended to I hoped he would slow down, with the two women waving 15 15 the leaflets, and this should have taken 30 seconds, but stop him for any longer than was necessary to slow down 16 you are right, it doesn't take 30 seconds and this is --16 and take the leaflet . It did -- as far as -- it got out 17 17 Q. It doesn't take 30 seconds, does it, Mr Curtin? of hand but even then it was handled. The man was 18 18 delayed and I didn't intend to delay him. A. It doesn't. 19 Q. Because he refuses to take your leaflet? 19 Q. But you deliberately stopped him, didn't you, Mr Curtin?

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A. Someone has come now and they've taken a chair, they are

sitting in front of him. I haven't beckoned that

Q. Abusing there, you are now either photographing or

servant and he is acting as if -- it's like he is

Q. And you are deliberately standing in front of him there.

I'm taking a picture of someone who is winding everyone

up, who's acting obnoxiously. He's meant to be a public

A. Initially , yes.

aren't you?

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A. He does.

Q. Play on, please. (Video played).

person, "Oi, get a chair."

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- totally in favour of MBR and he is treating us with no respect or courtesy at all . On the audio you can see —— you can hear me say, "Treat us with courtesy," and this man is not. I'm more of a —— this is me as a human being, who is angry. I'm protesting but, as you will see, this incident ——
- Q. You are angry because he won't take your leaflet, aren't you?
- 9 A. No, I was angry at the way he didn't take the leaflet .
 10 I can't remember what he did but there were fingers
 11 involved, there was this involved, he had this pair of
 12 sunglasses and then he went to —— once he went to drive
 13 forward, it was like, okay, hang on, whoa, whoa, whoa.
 - Q. You live streamed him, Mr Curtin. You haven't put any of that in evidence, have you?
 - A. I did not live stream him. If you see me, there is a bit where I think, in bright sunlight, I didn't press the right button, which happens a lot. I live streamed I did a live stream when the van actually came out, because, as you will see, it doesn't come out on this occasion, and everyone is clapping the man as a buffoon when he did get out. I'm taking some responsibility that I was involved in an initial plan with three people just to give the man a leaflet and it didn't go according to plan.

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- Q. Having told the van driver that you had live streamed him and having explained that you were taking photographs to send to his boss, you've not provided any of that, have you, in your defence, to show that this driver was provoking you?
- A. I'm telling you now on oath —— I can't think of a better
 occasion.
- 8 Q. It's not here, though, is it, Mr Curtin, that evidence?
- 9 A. Pardon?
 - Q. That evidence isn't here, is it?
- 11 A. I didn't prepare it in writing, no.
- Q. And there is it's right, isn't it, that you are
 deliberately standing in front of him, taking that
 photograph?
- 15 A. Yes. I'm wound up by his behaviour. So I'm allowed to 16 be a human being too. I can get wound up with someone's 17 obnoxious behaviour, what I consider obnoxious.
- 18 Q. The fact that you were angry and unhappy in the way that
 19 he refused to take your leaflet isn't a reasonable
 20 excuse for obstructing this vehicle when trying to
 21 access the highway, is it?
 - A. I would say it is reasonable considering that I never intended to do it. I had a simple little idea with two other people, couldn't have been simpler, slow him down and give him a leaflet, bye bye. I didn't want to lose

any sleep in my life about an Anglia Water driver. He was not in the plan of campaigning. So my intention was to do something very simple and, as you can see, it slightly got out of hand.

- Q. And it's right, isn't it, that the fact that you were
 angry and that this driver had indicated that he
 wouldn't take the leaflet the way that annoyed you is
 not a reason to cause any obstruction on the highway, is
 it?
- 10 A. He shouldn't -- his little revving while there were people in front of the vehicle kind of made it -- it 11 12 made it into the incident. I had no intention of 13 whatsoever holding an Anglia Water man up for any longer 14 than a second to take the leaflet. Common courtesy at 15 a picket line, and it's not your case, is it, that we 16 used to stop vehicles getting out. No. This is the 17 only vehicle I know of that was ever prevented —— ves. 18 ever prevented because, as you will see in a moment, he 19 reverses back. Why he reverses back is another one, but 2.0 it was not any of my ever -- my aim -- it was never in 21 my aim to stop this Anglia Water bloke using the road as 22 quick as he could.
- Q. And it's right, isn't it, that you weren't prepared to let him pass unless he took your leaflet?
- 25 A. Right. I've tried to take the leaflet . He has revved

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1 the engine and done something inflammatory, which went 2 with the guy's behaviour. Now I want to take a picture, 3 send it to his boss. As you will see on the next video if you've watched it, the gate is already open. As soon 5 as he did the revving, $\, I \,$ suggest to you the gate opened 6 and a security guy actually tells him to come back. So 7 I don't know if he -- I had no interest at all and you 8 will see from my behaviour in a minute -- I'll run you 9 through it —— this incident, it didn't leave me pleased 10 afterwards because I just didn't want to stop the man 11 getting out.

- $\begin{array}{lll} 12 & \text{Q.} & \text{It's right, isn't it, that the reason you obstructed him} \\ 13 & \text{is you wanted him to take the leaflet because you wanted} \\ 14 & \text{to persuade him and give to him a leaflet so that he} \\ 15 & \text{could persuade his boss not to do business with } -- \end{array}$
- A. No, in this case no. Like I don't think it would be reasonable to cut off the water to MBR's supply site.
 So in this case, no, it would be preposterous to ask a company to cut the water off.
- Q. And it's right, isn't it, that, because he wouldn't
 listen to you, you were prepared to hold him up, as you
 already said and we will see it in a minute to
 such an extent that he had to reverse back into the MBR
 premises because you wouldn't let him past?
 - A. That is what has happened. It wasn't my intention. It

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- 1 was the opposite of my intention and, after the 2 incident, you can see my hands on my hips and I'm like, 3 "Great, fantastic, that didn't go too well, did it? My 4 little plan to give the guy a leaflet ended up as a bit 5 of a ten-minute debacle."
 - Q. Let's have a look at the next part of this video, if we can play on, please. (Video played). You are still holding your phone up at the window.
- 9 A. Yes, I think on the video, you will hear me saying, 10 "Come on, you buffoon, just take a leaflet." That woman 11 that's come back there, she has just said, "He tried to run us over." Things like this can really quickly 12 13 escalate. "He tried to run us over," can spread round 14 and become -- I wouldn't say that was an attempt to 15 drive people over but it certainly wound people up, by 16 revving his engine in front of people and going forward, 17 you can see that woman now, she is trying to give him 18 a leaflet, and you could say there is a level of --19 I don't know. It just got out of hand.
- 20 Q. Now we are seeing him reversing back in.
- 2.1 A. Yes, and there is other people telling him to get back 22 in . When you hear the audio, other people are going --2.3 they are swearing at him. I'm not.
- 2.4 Q. Pausing there, we don't see you, though, going back and saying, "Come on, everybody, let's let him go. We don't

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- want to hold this driver up indefinitely ." $\,$ 1
- 2 A. It's too late now, if you keep your eyes on me now --
- 3 Q. You don't do it, though, do you?
- A. He's gone -- I wasn't expecting him to go back.
- 5 Q. But you don't --

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- A. Well, I make a little gesture. I don't know what happens then, there's a $\mbox{ little } --\mbox{ you can see me say}$ something here, like, "Come on, since when do we stop vehicles?"
- 10 Q. And we won't hear you on the audio, will we, saying any 11
- 12 A. Are you suggesting that I wanted to keep the Anglia --13 what interest have I got from blocking that Anglia Water 14 van? None.
 - Q. Mr Curtin, it has been your evidence that you have tried to facilitate and marshal, there is no evidence of that in this video, is there?
 - A. Yes, there is, they are marshalling, and I don't know if you see it in the next video, me having a little idea, as the protester, with in fact two women, who, they look so harmless and they are smiling, they are excited, you can even hear on the audio, "Leaflet, take a leaflet." Here is a simple little plan. I thought it was going to be smooth, smooth and it wasn't going to be a -it was just -- hopefully I couldn't imagine it becoming

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the debacle that it became.

That went wrong, the guy revved up, then he begins to attract people. What was a matter of me and two other people becomes the whole crowd and, "He's trying to run us over," there is other people now swearing at him. It's not my proudest moment. I said angry --I wasn't taking my anger out on him. I was just frustrated. But it's hard.

So I was trying to marshal the situation, and if you carry on watching me now, other people may be talking about the incident, "Ha, ha," maybe they got some power from telling him. The other people were going, "Get back, get back," but I was never saying anything like that, and I've got my hands on my hips and I'm just like, "Well done, John, that didn't go too well, did it?" Because a simple little incident like that had descended into this.

- Q. And it's right, isn't it, that, if the driver got to a stage where he felt that he needed to reverse back into the site, you would accept that's probably an incident that's caused him alarm and distress?
- MR JUSTICE NICKLIN: No, you don't have any evidence from 22 2.3 the driver.
- 2.4 A. In fact, there is no -- there was certainly no police 2.5 evidence in this case.

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- MS BOLTON: There is no police present, is there, Mr Curtin? 1
- A. No, exactly, there is no police present. So what this mob could do, look around them, there is no police here, let's take advantage of it. No. There is cameras and there is the Anglia Water van coming out. How can that 6 be part of a campaign? How would we celebrate that as a victory? Today we stopped an Anglia Water van coming
- 9 Q. Just like there wasn't any police present on the 10 incident we looked at on Friday of 13 September, when 11 you were standing in front of the employees' cars?

out. It doesn't make any sense.

- 12 A. There is a 3 o'clock and a 4 o'clock. Are you referring 13 to the 3 o'clock incident?
- 14 Q. The 4 o'clock incident.
- 15 A. The 4 o'clock incident, I do believe there was a single 16 police officer and it didn't matter to me --
- 17 Q. The 3 o'clock incident, Mr Curtin, you are right
- 18 A. Yes. So no police but cameras, all the time cameras. 19 It made no difference to me in terms of sustaining the 2.0 camp, keeping it legal, keeping it peaceful, whether 21 there were police there or not. Other people may have 2.2 acted differently if the police weren't there.
- 23
- 24 Q. But there were no police and there was no exclusion 2.5 zone, was there?

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- 2 Q. Right. Let's just play to the end.
- 3 A. Yes.
- 4 Q Please
- A. Watch me. Head down. (Video played). I'm worried 5 there, now, if anything. "Ah, great, a vehicle has gone 6
- 7 back in." And I just want to be on my own.
- 8 Q. You are certainly not trying to marshal the incident or 9 arrange for the driver to come back out?
- 10 A. No, I'm not. Remember there is no one from MBR to speak
 - to anyway ever. There is never any line of
- 12 communication and that for me is a big failure, what's 13 just happened there.
- 14 Q. There is security on the gate, isn't there?
- 15 A. Pardon?

- 16 Q. There is security on the gate, isn't there?
- 17 A. A security man had come out, yes,
- 18 Q. Let's look at the other video now, the audio, video 334, 19 please. (Video played).
- 2.0 A. Stop there. Could I pull your attention there to this 21
- microphone and I just wanted to say how sensitive it is 22 sometimes, you can hear the banner going along the
- 2.3 floor. In the past when I have been on the megaphone,
- 2.4 which I'm going to talk about in a minute, this is
- a quite sensitive camera. Anyway.

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- 1 Q. Play on, please.
- A. Ah, she just said, "Take a leaflet." That woman just 2
- 3 said to me, "Take a leaflet." So there is me and two
- people, the blonde-haired woman. I would say no one
- 5 else is involved
- Q. Pausing there, please. 7 A. I haven't prepared anything with any of the other
- 8 people, "Listen, we are going to stop this Anglia Water 9 van coming out, we need everyone's help." No, there is
- 10 me and two other women involved in this little
- 11 enterprise

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- 12 Q. But it's right it's you, isn't it, Mr Curtin that stood
- 13 in the way?
- A. Yes, with my hands at my side. 14
- 15 Q. Did you hear, even as that vehicle was moving very 16 slowly, its engine is quite noisy, isn't it?
- 17 A. What's quite noisy?
- 18 Q. It's engine is quite noisy.
- 19 A. Yes.
- 2.0 Q. Play on, please
- 21 A. Well ... (Video played). The "Whoa whoa" there, is the
- 2.2 man certainly has come right up to me. This is not the 2.3
- kind of driver who is like, "Oh, there is someone 24 standing there." No, he came right up to me, leading me
- 25
 - to go, "Whoa whoa whoa."

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- 1 Q. Can we rewind about ten seconds, please.
- 2 A. Hands by the side. For sure, I'm sure offering some
- 3 sort of obstruction to the absolute passage of this
- 4 driver, yes.
- Q. My Lord, I think because Mr Curtin has got a number of 5 comments he is going to make, if your Lordship is all 6
- 7 right with me taking this approach, I'm going to play
- 8 the video through and then take Mr Curtin back to the
- 9 pieces I want him to look at in particular . I think
- 1.0 that might be the best way for Mr Curtin to give the
- 11 evidence he wants to give on it because otherwise
- 12 I think we are going to have to keep rewinding bits of 13
- 14 MR JUSTICE NICKLIN: Okay, let me watch it through and then 15 I can hear what's being said and then we can come back,
- 16 and you will be free to point out things to me as well.
- 17 Let's watch it through.
- MS BOLTON: Play the video through, please. From here. 18 19
 - (Video played).
- 2.0 Right, if we can go back to 22 seconds, please.
- (Video played). 21
- 22 Pausing there, we can see the vehicle's brake lights
- 23 are already on, can't we?
- 2.4 A. Yes, and did you see the woman lift the leaflets like,
- 2.5 "Hello."

23

- 1 $\mathsf{Q}.\;\;\mathsf{So}\;\mathsf{the}\;\mathsf{vehicle}\;\;\mathsf{is}\;\;\mathsf{slowing}\;\mathsf{down},\;\mathsf{isn't}\;\;\mathsf{it}?\;\;\;\mathsf{It}\;\;\mathsf{has}\;\mathsf{come}$
- over the ramp, which he has had to rev to get over, and 2 3 he is slowing down.
- 4 A. I don't accept that. The guy had attitude and the way
- 5 he drove out, considering I was standing in the road,
- 6 there was an attitude that was just like his behaviour.
- 7 Q. His brake lights are on, aren't they?
- 8 A. Thank God, otherwise he would have run me over.
- 9 Q. He was slowing down, wasn't he?
- 10 A. Because I'm clearly standing there. It's a bit late in
- 11 the day and he is slowing down, but this happens in the
- 12 world when you stand in front of vehicles, which I was.
- 13 Q. But he is slowing down, isn't he?
- A. He had to. 14
- 15 Q. Yes, because you were stood in the way?
- 16 A. Thank God he slowed down.
- 17 Q. Because you were --
- 18 A. I have stood in front of cars all my life as a protester
- 19 and there is different reasons to do it and on this
- 2.0 occasion it wasn't to stop the man getting out.
- 2.1 Q. Let's play on, please. (Video played).
- 2.2 A. Can we stop there. Can you hear -- there is like a roar
- 23 now and any other voices? There is people shouting 2.4
 - things, using the F word.
- 25 Q. Puppy killer. We are hearing all of those words, the

1 usual words we hear when people leave the site? 1 too, and revving his engine when you've got in front of 2 A. Not normally. There is an element of anger that has 2 people, it's an aggressive act, I would say, with 3 gone in here. 3 a vehicle. 4 Q. Let's play on. (Video played). 4 Q. So it's your evidence that he should have just remained 5 A. Watch your attitude. 5 there and tolerated you shouting at him and blocking him Q. So pause there (Overspeaking). That is Mr Maher, isn't 6 6 because he wouldn't accept your protest message? 7 7 it, saying "Not letting you go. Watch your attitude." A. My intention was to give the man a leaflet. If he had 8 8 refused to take a leaflet, there is nothing we could A. It's another protester. 9 Q. Yes. Play on, please. (Video played). 9 have done about it. I did not want to -- I stopped him. 10 10 Pause, please: I mean, I stood there like this and you can see me on "Take a leaflet, you buffoon," that is you, isn't 11 11 the video. Once I wanted to come round to him. I did. 12 it? 12 hold him there a minute. I just wanted to have a word. A. Yes, I think I said, "Take a leaflet", and I did call 13 13 because the plan hasn't gone well. He didn't wind his 14 14 him a buffoon, which is not a nice thing to call someone window with these charming two young ladies to take 15 and that's why this person reminds me of it, because 15 a leaflet . That's why I went like that. I did not want 16 16 this incident to go like it was. It was an annoyance, they can tell $\,$ I'm getting irritated by this situation . 17 17 Q. Play on, please. it wound me up and a typical example of the hard job I 18 A. "Be courteous". That's me saying "Be courteous." 18 had to try and do of marshalling and of trying to keep a Q. Pause there. Did you hear that, Mr Curtin: 19 19 lid on things. Here the lid is kind of lifting on this 2.0 "Be courteous. You have just been inside with the 20 should be a neutral incident. puppy killers ." 2.1 21 Q. So just to be clear on that, Mr Curtin, you've suggested 22 That's you, isn't it? 22 that the driver shouldn't have tried to edge forwards to 2.3 A. Yes. 23 indicate he wanted to leave? 2.4 2.4 Q. You are angry that the gentleman driving this vehicle A No has been inside, in your view, with the puppy killers 25 Q. You are suggesting he should stay there until he accepts 27 1 and he won't take a leaflet and hear your protest 1 your leaflet . 2 2 A. No. 3 A. No, it was me that brought the word "anger" and I know 3 Q. Is that what you are saying? you are going to put that in big block capitals. The A. I'm saying, if he wants to move forward, he can wind his 5 man is irritating me beyond belief. He's from 5 window down. If he had have done, we would have had 6 Anglia Water, and I think -- yes, you have just been in 6 to -- this much. I daresay if he had have done that, 7 7 with the puppy killers, and I think the next thing, someone would have probably sneaked a leaflet and that 8 8 I say, "Has your Anglia Water boss told you to act like would have been job done. For me it was job done once 9 9 an arsehole? the leaflet got put underneath the windscreen but I 10 Q. Yes, you did. 10 think after that he revved. He should not have done 11 A. To be honest, this is like some -- it ended up some 11 this. This was an insensitive, intolerant -- not 12 little macho squabble between me and this man, to be 12 dangerous but it inflamed the situation . It was not -13 honest. That's why, you know, it's not one of my 13 I don't think it was reasonable behaviour. But the proudest moments. But I'm acting like a human being. 14 14 man -- yes, he wants to get out, but by doing that, he 15 I do not want to stop this vehicle. I obviously stood 15 played some part. He was acting —— he had attracted 16 in front of it to slow it down. My intention, slow it 16 attention to himself already and now he is attracting 17 17 down. Two delightful young ladies, "Here, mate, there's further attention but nothing to do with me, all the 18 a leaflet , bye." Job done. But it didn't transpire 18 protesters that were in the area are now involved in 19 that way. 19 this incident and I didn't intend that. 2.0 Q. Play on, please. (Video played). 2.0 Q. It is to do with you, isn't it, Mr Curtin, because you 21 21 Pausing there, the driver is clearly indicating that are one of the people that stood in front of the 2.2 he wants to move on to the highway, and you are still 2.2 vehicle?

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I told you I had a simple little plan, slow it down.

Two charming ladies with smiling, "Here is a leaflet ."

It should have been over -- I was hoping it would be

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refusing to let him past, aren't you?

A. He is clearly indicating that -- this man, along with

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his obnoxious behaviour, is possibly a dangerous driver

- 1 over in ten seconds, and the longer it took, the more 2 frustrated I became
- 3 Q. Two things I want to explore with what you've just said 4 there, Mr Curtin. First of all, you didn't answer the 5 question, so I'll put it to you formally. You were 6 involved in this incident because you stood in front of 7 the vehicle?
- 8 A. I stood in front of the vehicle initially .
- 9 Q. And repeatedly?
- 10 A. And then I went to take a picture of him, of this man 11 who, as I said, acting like a buffoon. He was meant to 12 be part of a public service and I thought his behaviour 13
- 14 Q. Well, I've put it to you. You are clearly not going to 15 answer the question. It's also right, isn't it, you've 16 just suggested, well, if he just wound his window down 17 a little bit. That's the problem here, isn't it.
- 18 Mr Curtin? You are not accepting — that's right, isn't 19 it $\,--\,$ he is not obliged to do that?
- 2.0 A. Yes, and I would never want to force a vehicle on 21 someone but you would think to yourself, come on mate, 22 Anglia Water, give it to your boss. If he hadn't revved 2.3 his vehicle, it would have just been — and he had 2.4 a leaflet under his windscreen. I would have never given this man another thought, or Anglia Water in fact.

- 1 Q. But because he wanted to move forwards and he didn't 2 want to take the leaflet, you shouted at him, you 3 blocked him and you refused to let him pass?
- 4 A. If I see someone acting -- it's not my case here that he 5 tried to run people over but by doing that, he has got his bad mood, he is making gestures to people and then 6 7 he propels his vehicle in front when there is 8 protesters. That is threatening me. That's threatening 9 other people. So it's gone now to his behaviour is 10 becoming really unreasonable. I understand why he would 11 maybe want to do it. Get lost you hippies, get lost, 12 whatever he is thinking. You know, I've got no interest 13 in it, but what he did then added to the situation.
 - Q. And if he decides to think, as you've just given an example, get lost you hippies. I'm not interested. That's his right, isn't it?
- 17 A. Absolutely his right and that will always be his right.
- 18 Q. And you don't have the right to force him to sit there 19 and hear your protest message?
- 2.0 A. I didn't want him to sit there. I stopped it for 21 a brief moment. He then did that inflammatory, what 2.2 appeared dangerous driving. He gave me the feeling 23 that, yes, this guy --
- 2.4 Q. Well, he tried to edge forwards, Mr Curtin, to get away 25 from you, didn't he?

- 1 A. Yes, and then I went forward because I want to take 2 a picture of him and I don't think any other point after 3 that did I obstruct him. Other people -- someone gets 4 a chair, people are swearing at him, people are telling
- 5 him to go back in. I'm not, I'm just like, I'm getting 6 bitterly frustrated as each second goes by. I'm not 7 blocking him in.
- 8 Q. You don't try and assist him on getting out on to the 9 highway, do you?
- 10 A. No, I'm not expecting him to go back in. I still want 11 him to leave.
- 12 Q. Let's play on a little bit, please. (Video played). 13 Pause there, please:
- 14 "You absolute buffoon, we get people like you, 15 probably every two weeks."
- 16 A. Yes, meaning most people, courteous, beeping $--\ {\rm most}$ 17 people are supportive, you know. After all, these 18
- 19 Q. What you mean by that is people who won't take your 20 leaflets, who want to leave the site?

people are seen as puppy killers.

- 2.1 A. What I meant was, yes, belligerent drivers, awkward 22 drivers who wouldn't do the simple picket line of take
- 2.3 a - - yes, and the same people also drive too close to 2.4 vou.
- 25 Q. People who don't want to hear your protest message?

- 1 A. Yes, and I can't force upon them but I can get a little bit frustrated and wound up when I meet them, but 2 3 I don't want to force them.
- 4 Q. But you would accept, wouldn't you, that what's going on 5 in that video is trying to force somebody?
- 6 A. No. My original little plan was slow him down a bit, 7 take a leaflet and that's what I was expecting.
- 8 Q. It's right, isn't it, Mr Curtin, when a driver shakes 9 their head or indicates they don't want that, they 10 shouldn't be held up any further, should they?
- 11 A. Yes, but what sort of sealed this incident was his 12 revving in front of the people and then the people that 13 hadn't gathered in front of the vehicle are like, uh-oh, 14 okay, we have got a --
- 15 Q. He is hardly revving like some racing driver there, 16 Mr Curtin.
- 17 A. No.
- 18 Q. We have already established that his vehicle is quite
- 19 noisy. He was gently trying to move forwards and you 20 and the other protesters didn't want to let him go, did 2.1 vou?
- 2.2 A. He is playing his own part in this. I don't know --
- 23 I remember him doing this, pretend things. I can 2.4 remember other hand gestures. Ah, on the -- one of the
- 25 women that has got a leaflet, on, I think, the video we

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- 1 have just watched, she is talking to other people and 2 she keeps doing this. He was doing that. He was 3 pretending to take a leaflet whilst not having his 4 window down. He was enjoying himself, winding what he 5 probably thought is the unwashed hippies. 6
 - Q. Again, Mr Curtin, you indicated last week that you knew we were going to go to this incident, you've indicated today that you knew we were going to go to this incident. You've drip fed evidence all the way through these proceedings --
- MR JUSTICE NICKLIN: Don't comment on his answers while you 11 12 are proposing a question to him. Just ask him 13
 - MS BOLTON: You have not produced any evidence from your camera phone, have you, to substantiate that the driver was doing anything to provoke you?
 - A. I haven't, no, I've looked and I've got nothing on my camera. I did a live stream as the van was going out and it's everybody clapping him.

I can't believe you are bringing —— if this was your -- you talk to me about there is something coming up which is serious. This was exactly the sort of incident and I've lived there for 22 months and I can tell you it's a hard existence and we do a lot of hard work and it has been hard at times to marshal people,

- 1 and this was an incident -- you can take your reading of
- 2 it, I've planned a blockade of the Anglia Water van.
- 3 The opposite is that all we wanted him to do was -- if
- there was an ambush, it was these two smiling women,
- 5 "Here you are, mate, take a leaflet ." And it didn't go 6 to plan.
- 7 Q. Let's play on, please. (Video played).
 - A. Can you see the gate opening? And all --
- 9 Q. Pausing there.
- 10 A. -- the security cameras have seen, they don't know 11 what's going on. They did see the vehicle drive towards 12 the protesters, though.
- 13 Q. You just said, "We are going to make a live video."
- 14 A. Yes.
- 15 Q. That's directed at the driver, isn't it?
- 16 A. Yes, to embarrass him, "Well done, Anglia Water, is this 17 the sort of public presentation we want for 18 Anglia Water?"
- 19 Q. Play on, please, (Video played).
- 2.0 A. That's the woman there. She had got the chair and sat 21 in front of the van. It's her impression from afar that 2.2 he tried to run people over. You've asked me to 2.3
- 2.4 Q. Pause there, please. Mr Curtin, if you could wait until 25 we pause.

- 1 A. Okav.
- 2 Q. If you could just go back ten seconds, please, and play 3 on, please, (Video played).
- Pause there. "Do you want to change your mind and 4 take a leaflet and we will let you on your way." 5
- 6 A. Yes, and before then, before then, I had said, "Your 7 boss is going to have a word with you."
- 8 Q. All sorts of things being directed at the driver but the 9 bottom line is that, "If you take a leaflet , we will get 10 you go.'
- 11 A. That's exactly my words and it was exactly how I was 12 feeling. "Come on mate, open your window." I just 13 wanted rid. I just wanted to see the back of him.
- 14 You are angry with this driver because he won't take 15 your leaflet and listen to your protest message?
- 16 A. He was frustrating me and other people are extremely 17 angry with him because they weren't even involved in the 18 incident. People are gathering now and probably the 19 rumour is some guy has just tried to knock everyone 2.0 over, which is not my evidence but he did drive unsafely 2.1 and provocatively in my case.
- 22 Q. Let's play on. (Video played).
 - Pausing there:
- 2.4 "Take the leaflet, you idiot, take the leaflet."
- 25 A. Yes.

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- 1 Q. Again, it's not because you think he has run somebody 2 over, you are not saying, "Keep him here and call the 3 police." You are saying, "Take the leaflet."
- 4 A. I have not said that he tried to run people over, and I 5 am saying, "Take a leaflet." If the evidence was 6 different and this was some organised thing, right, 7 Anglia Water are not leaving until they take a leaflet,
- 8 then you would have more of a case. What you are
- 9 hearing there is, "Come on, just take a leaflet." There 10 is no plan in my head to hold this van there. I never
- 11 wanted to think about him for the rest of my life again. 12
- He wound me up. 13
- $Q.\$ It's right, isn't it, Mr Curtin, this is a third party 14 contractor, who you wouldn't let off of the site because 15 he wouldn't take a leaflet?
- 16 A. (inaudible) Anglia Water. I did not intend to impair, 17 to hold this guy up for longer than a few seconds 18 initially . Then he managed to -- with his behaviour and 19 his gesturing and his driving, it became an
- 20 unintentional incident. 21 Q. This is a third party contractor that you wouldn't let 2.2 off the site because he wouldn't take your leaflet?
- 23 It was never in my head to stop any vehicle ever leaving 2.4 this site or entering this site, so I had no intention 25

whatsoever to stop this vehicle from using the highway,

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1	as you say, none at all . I'm involved now in an	1	MS BOLTON: This is 26 April 2022.
2	incident where I am $$ what began as a simple idea is	2	MR JUSTICE NICKLIN: Right. (Video played).
3	getting a bit messy.	3	MS BOLTON: And then video 806. (Video played).
4	Q. But you would accept that that's what happened? You	4	MR JUSTICE NICKLIN: Right. This is part of your case tha
5	didn't let him access the highway because he wouldn't	5	Mr Curtin has obstructed a vehicle exiting the site or
6	take your leaflet?	6	exiting the exclusion zone, I presume.
7	A. This man, this particularly obnoxious man, needs to take	7	MS BOLTON: Well, it's not the exclusion zone, my Lord, for
8	his own responsibility for some of the responsibility	8	the purpose of the claim, it's obstructing a vehicle.
9	that he had in creating this incident. He was acting in	9	MR JUSTICE NICKLIN: Obstructing the vehicle.
10	a way that was very, very unusual, because most people	10	MS BOLTON: Yes.
11	might say, "I disagree with you." "Take a leaflet and	11	MR JUSTICE NICKLIN: Right. So it's another example of
12	give it to your boss." "Okay then," he would	12	obstructing the vehicle?
13	probably $$ he played his own $$ the man $$ if he would	13	MS BOLTON: Yes, its relevance, my Lord, is obviously it's
14	have acted $$ but I wasn't $$ hang on.	14	continued from the point of view of after the
15	Q. I've tried to ask you the question three times,	15	injunction. I'm not pursuing it as a breach of the
16	Mr Curtin.	16	injunction, that would be inappropriate, in the sense of
17	MR JUSTICE NICKLIN: The reason he is not answering your	17	we have a committal. I wasn't planning on putting that
18	question is because he doesn't agree with it. He	18	to Mr Curtin but, obviously, it has happened since the
19	doesn't agree with the premise. This is a complicated	19	injunction was granted.
20	incident that escalates. You've put the questions to	20	MR JUSTICE NICKLIN: Mr Curtin, the issue that arises here
21	him. We've spent nearly an hour dealing with a	21	is this forms, as you probably know, a separate
22	two—minute incident. If you've got any material further	22	allegation that your behaviour, as shown in that video,
23	questions to ask him, you can do so. I consider you've	23	has —— don't say anything, just listen to everything
24	put your case to him fully. Ultimately it's going to be	24	I say, please. What's shown in that video, shows you to
25	for me to decide what happens in this incident, how it	25	breach the injunction .
			-
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1	escalates and what the result of it is.	1	That is going to be the subject of separate
2	A. The man —	2	proceedings at the end of this trial . I think the date
3	MR JUSTICE NICKLIN: No, Mr Curtin, I don't want to have any	3	has been fixed in late June. It has a potential
4	more.	4	relevance because it is relied upon by the claimants as
5	MS BOLTON: My Lord, if you are content with that, I'll move	5	an incident where you have obstructed a vehicle leaving
6	on.	6	the Wyton site; in other words, it's another example of
7	My Lord, the next incident is the committal breach	7	you, albeit for a short duration, standing in front of
8	incident. It's 26 April.	8	the vehicle and then preventing it from making a free
9	MR JUSTICE NICKLIN: What we will do, because there can be	9	passage along the highway.
10	no objection to us watching the relevant video of it $$	10	What I am minded to do, given the contempt
11	let's watch the video in silence, please, and then I'll	11	application is on foot, is that I would not require you
12	decide what's going to happen.	12	to answer any questions relating to this incident
13	MS BOLTON: My Lord, there is two videos. One is video 656.	13	because it seems to me that it's likely that your
14	We need to watch from 3 minutes and ten seconds.	14	answers might well incriminate you, potentially,
15	MR JUSTICE NICKLIN: Mr Curtin, I need to emphasise that	15	depending on what you said, in relation to that contempt
16	however tempted you are to comment on what we are about	16	application, and you have fundamental rights, which is
17	to see, it's in your interest to say nothing. It's for	17	the right to remain silent in relation to that incident
18	your own interest not to say anything in relation to	18	and to give evidence, if you choose, at your own free
19	this incident until I've watched it and I will then look	19	will in relation to that contempt application.
20	at what needs to happen and how we are going to deal	20	The reason that I don't think that it is necessary
21	with this. All right?	21	for you to be asked questions about this incident is
22	Where are we playing from?	22	that, to an extent, it is what it is. I can see what's
23	MS BOLTON: From three minutes and ten seconds, my Lord, to	23	happening. It doesn't seem to me to be necessary for
24	four minutes.	24	Ms Bolton to extract any particular admissions from you

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MR JUSTICE NICKLIN: Right. When is this?

in relation to it . She can make her submissions as to

1 what I can see in it ultimately at the end of the case. suggestion. We are going to park this and we will deal 2 The disadvantage to you is that, if there were 2 with it in the contempt application and that means you 3 something that you thought was particularly material to 3 will have all the safeguards necessary at the contempt this incident that you want to tell me about it, that 4 4 stage. I can then make my own decision about what this would cause me to take a radically different view as to 5 5 incident shows and then I can factor it into these whether or not you can be seen in that video, albeit proceedings. So you will get an opportunity to tell me 6 6 7 temporarily, standing in front of the van on that 7 about it but later in the contempt proceedings. 8 incident, you could decide to tell me about it in these 8 A. Excellent. 9 proceedings but you don't have to, and I don't think you 9 MR JUSTICE NICKLIN: All right. Let's do that thank you, 10 10 need to, and my strong suggestion to you would be that Ms Bolton 11 you don't need to answer questions about this but, if 11 MS BOLTON: Is that a good point for a break? 12 12 MR JUSTICE NICKLIN: It is. We will come back at five to vou want to, vou can. It's vour choice, 13 But I have to warn you that, if you do answer 13 12. Thank you very much. 14 14 (11.38 am) questions that Ms Bolton asks you about this incident, 15 then she would potentially be able to rely upon them as 15 (A short break) 16 16 (11.55 am) evidence against you in the contempt application. MR JUSTICE NICKLIN: Right. Okay, Ms Bolton. 17 17 That's why I'm giving you the warning that I am. 18 A. Yes. Thank you for the warning. I'm not complacent 18 MS BOLTON: Mr Curtin, I now want to take you to an incident 19 19 about the fact that it's a contempt hearing and that that you took Employee V to, when you were 2.0 20 could, if it went wrong, lead me out to prison. I'm cross-examining him. 21 comfortable to answer questions, I'm comfortable to give 2.1 A. Yes. 22 22 you some -- a couple of sentences, as my version as to Q. And that's at page 842 in your trial bundle, witness statement of Employee V, and the particular incident, 2.3 2.3 what goes on there and I would be comfortable to take 2.4 questions as well about this incident. I'm not --2.4 which was on 8 July 2022. I know there is a contempt hearing by and by but I will 25 A. Yes. 43 1 be vehemently pleading not guilty and it doesn't concern 1 Q. I would like to invite you, so your memory is properly 2 me to answer questions about this in totality, next to 2 refreshed, just to read page 842 and 843, please. Just 3 the rest of my evidence. If anything, I feel it may 3 take your time -- it's quite okay -- and just let me help me because it's my case that I did not stand in 4 know when you've finished reading it. (Pause) 5 5 front of the vehicle, as in the middle of the vehicle. A. Yes 6 I am very much at the side of the vehicle. 6 Q. Okay? It's right, isn't it, on this particular incident 7 7 But whilst —— if that's the vehicle, I'm talking — on 8 July, you don't dispute that you followed MR JUSTICE NICKLIN: Right. 8 8 Employee V and recorded a live stream of everything he 9 MS BOLTON: My Lord, I can think of an alternative 9 did whilst he was fixing the fence outside the Wyton 10 approach -- I'm appreciating that Mr Curtin is 10 11 a litigant in person. I'm assuming -- the committal $\,$ 11 Yes, I wanted to record the unusual fact that there was 12 application is fairly soon. 12 a worker outside, yes. 13 MR JUSTICE NICKLIN: Yes 13 Q. And your evidence to the court last week was that this MS BOLTON: I'm assuming because of the Supreme Court 14 was purely journalistic , you said, albeit biased 14 15 15 judgment, there is no prospect that we have judgment in iournalism? 16 these proceedings before the committal application. 16 A. I didn't say it was purely journalistic . One of my 17 MR JUSTICE NICKLIN: Correct. 17 roles is to be a kind of journalist, to say it how it 18 MS BOLTON: And we would be content for your Lordship to 18 19 take on board what Mr Curtin says in the committal 19 Q. As I understood your evidence, that's your reason why you followed him? 2.0 proceedings on this incident and to deal with it that 2.0 21 21 way. We don't have any objection to that. That seems A. The journalist bit is to report to other people fair and he is represented in those proceedings so that 2.2 (inaudible) I also want to know what he is doing. We 2.3 23 seems the fairest way to deal with it. monitor the site, the activities of the site because

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they are to do with cruelty. We take an active interest

in what goes on at the site. At the camp it's like they

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MR JUSTICE NICKLIN: Okay. That's a pragmatic suggestion,

thank you. Mr Curtin, that's quite a sensible

- 1 are the neighbours $--\ \mathsf{MBR}$ are the neighbours from hell, 2 they are neighbours.
- 3 Q. Let's look at the video, please, of this incident, which 4 is video 175, and if we could start at five minutes and 30 seconds, please. (Video played). Sorry, apologies, 5 can we go a little bit further back. If we can go back 6 7 to -- keep going, keep going, just -- no, sorry, 8 a little bit further. Sorry, back, please. Right there

we go. Thank you. Play from there. (Video played).

10 Pausing there, it's right, isn't it, you are 11 following the security guard and Employee V there?

12 A Yes

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- 13 Q. And you are recording them?
- 14
- 15 Q. And the security guard is asking you not to get so 16 close?
- 17 A. He is, yes.
- 18 Q. Yes.
- A. That particular man, he doesn't feature in this case. 19 2.0 Smiling, dancing. He is a man that there is bad energy 21 between this guy because of his smiles and his dancing, 22
- the day the puppy van's going. So there is no love lost between me and that guy. It's somebody that I already 2.3
- 2.4 know. I'm walking down the path and he is telling me
- I'm getting too close and I'm saying to him, "I'm

- walking in a straight line." 1
- $Q.\;$ But it's right, isn't it, that you don't need to be 2 3 particularly close to video what they are doing, do you?
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- 5 Q. They are walking down the side. You can (Overspeaking) several steps behind them. 6
 - A. I don't think I am. It's him that's saying I'm too close . $\ \ I$ 'm walking down -- I take issue with the fact that I'm getting too close.
- 10 Q. But it's right, isn't it, you could simply take a step 11 back? Would you accept that?
- 12 A. I could do, if I wanted to do what that security guard 13 wants me to do, but I'm walking down the path.
- 14 Q. Play on, please. (Video played). Right, pausing there, 15 please, we can see that Employee V is stepping over 16 a ditch, isn't he?
- 17
- 18 Q. And he is entering quite a narrow bit. We can see there 19 are some trees on his right, here?
- 2.0 A. Yes.
- 21 Q. Where he is going to fix the fence?
- 2.2
- $\ensuremath{\mathsf{Q}}.$ Okay. And you can see the fence and Employee V from the 23 2.4 other side of the ditch, can't you?
- 25 A. Yes.

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- 1 Q. Right. Play on, please, (Video played). Right, pausing there, so it's right, isn't it, 2 3 Mr Curtin, that for neither monitoring reasons for 4 welfare or for journalistic reasons, there is no need 5
 - for you to step over the ditch into that confined space and be that close to Employee V, is there?
- 7 A. I disagree. I want to see what type of wire he was 8 using and it actually turns out to be barbed wire.
- 9 There is razor wire trailed on the ground, which would
- 10 be removed anywhere else in Britain. Why it's allowed 11 to stay there, I don't know. Illegal razor wire on the
- 12 ground. As a result of getting that close. I was able
- 13 to look in the bucket and see that it's barbed wire.
- 14 I don't feel my presence should — especially the way 15 that Employee V talked about it, utterly terrifying ,
- 16 frightening. Remember all the things he has read about
- 17 me on these chat sites, yes, as far as he is dealing,
- 18 this really violent man is standing next to him. It's
- 19 broad daylight, the sun is shining. I'm just recording 20 what a worker is doing.
- 2.1 Q. It's right, isn't it, you could have checked what wire
- 22 had been used after he had finished fixing the fence?
- A. I could have, yes, but I chose to be a bit more nosy 2.3 2.4 than that and see what was happening up front.
- 25 Q. And much closer to Employee V?

- 1 A. That took me closer to him, yes.
- 2 Q. Okay, let's play on, please (Video played).
- 3 Right, pausing there. So at that point, you know 4 what the wire is?
- 5 A. Yes.
- 6 Q. So you could have stepped back, couldn't you?
- 7 A. Why should I have stepped back? Little do I know --8 having read the statement of how absolutely terrified he 9 is of my mere existence, I did not know this man was
- 10 going through what he says he went through on that day.
- 11 Q. You've already been asked by the security guard not to 12 get too close. Did that not signal to you that perhaps 13 people didn't want you to stand too close to them?
- 14 A. The particular man you are talking to, I've lost any 15 respect I had for that particular security guard. It 16 does not exist because of his behaviour in the past.
- 17 I am conducting myself perfectly fine here. I want to 18 see what they are doing. There is no intimidation, as 19 far as I'm concerned, coming from me.
- 2.0 Q. It's right, isn't it, it has already been indicated to 2.1 you at that point that they don't want you too close.
- 2.2 The security guard has asked you not to get too close 23 and instead you've stepped over a ditch into a confined 2.4 space, right next to Employee V?
- 25 A. We haven't just met each other. I'm a protester.

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- 1 I have been doing it for 40 years. Imagine every time 2 somebody asked me as a protester, "Excuse me, could you 3 go over there, "I would be the most useless protester in 4 the world. Sometimes people can ask you to do things as a protester and you're like, "No, I'm going to do this. 5 6 I'm holding my ground, thank you very much."
 - Q. You were doing it as part of your protest activities?
- 8 A. Of course.
- 9 Q. It's also right, isn't it, you said that you wanted to 10 see what wire he was using? At that point, you had 11 identified what wire he was using?
- 12 A. Yes.

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- 13 Q. So again, understanding that they didn't want you to be too close to them, you could have at that point stepped 14 15 back and watched them repair the fence and still have 16 recorded it. couldn't vou?
- 17 A. It didn't dawn on me for one second. If this man had 18 actually explained what he said he was going through in 19 the witness statement, whether he was going through it 2.0 or not, "Excuse me, I'm about to pass out I find you so 21 frightening," I might have been, "I tell you what, mate, 22 if you are having so much trouble with my mere existence 2.3 ... " None of that. There was one comment earlier on 2.4 the path. I was getting too close. It didn't occur to me for one second that I was causing anyone any problem

- 1 at this point.
- 2 Q. You can see Employee V is kneeling on the floor, isn't 3 he?
- A. He may be, yes.

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- Q. Yes. And it's right, isn't it, that if you weren't comfortable with someone being that close to you, who had been outside the site, shouting things at you for several months, it might be quite frightening having them standing over you with a camera?
- A. I have got no -- I can't answer that. You are asking me to put myself in this man's mind, which -- when I read his statement, I was amazed at the terror. He found this one of the most terrifying experiences of his life . It only made sense once I found out they have been all been reading all these things about me and gossipping about me. I stand by my behaviour that day. It was a good example of legal protesting and surveillance and vigilance and I'm recording what we see and saying what we see
- Q. Let's play on. (Video played).
 - Pausing there, all you are doing there, isn't it, is trying to heckle the security guard?
- A. I've got the dogs in the background. I'm pointing to them. They are acting on neutral. Can you hear the cries of the dogs. The smell is up my nose. This

- 1 security guard, yes, he -- he is a man that -- this 2 security guard enjoys, I can tell you now, he enjoys 3 a bit of a ding dong, and I'm telling him about the 4 security camera, "You are not meant to be filming me 5 with your phone."
- Q. Again Mr Curtin, you are giving evidence over something where you and the other protesters have all had camera 8 phones on everything. You have not provided any evidence to justify you heckling this security officer 10 in this situation?
- MR JUSTICE NICKLIN: You asked him a question. He has given 11 12 you his answer. If you want to make complaints about 13 what evidence you say he ought to have provided in the 14 proceedings, address that to me later in the case.
- 15 MS BOLTON: I will do.
- 16 Play on, please. (Video played).
- 17 A. You can see the security guard seems relaxed enough not 18 to be protecting him with his body.
- 19 Q. Pausing there, again, that's not journalism, is it?
- 20 A. It's me as a human being --
- 2.1 MR JUSTICE NICKLIN: That's a comment.
- 22 MS BOLTON: That was Mr Curtin's evidence to you, my Lord, 2.3 that that is what he was doing.
- 2.4 A. I'm a biased journalist. I don't pretend to be 25
- independent. And the security guard has got a big smile

- 1 on his face, which I'm not sharing because of the smell, 2 because of the puppy noise. I'm not understanding 3 what's so funny about this situation.
- 4 MS BOLTON: It's not monitoring of anything unlawful, is it, 5 it's simply heckling and goading the security guard.
- 6 A. It's monitoring, with some interaction with the security guard. 7
- 8 Q. Let's play on, please, (Video played).
- 9 Pausing there, you've just said to him -- directed 10 at Employee V that you are going to make them 11 accountable.
- 12 A. Yes

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- 13 Q. It's right, isn't it, that you are targeting Employee V there because he works for MBR? 14
- 15 A. My answer to that is I think that's the first time --16 I think it's perhaps the only time I actually address 17 him because I actually say, "And you, you don't realise 18 what you are doing, do you?" Because what I'm drawing 19 attention to, and I don't know if I carry on saying it, 2.0 as we all know, the prosecutions of this company that 21 took place in Italy. In the public gallery today there 2.2 is a vet who took part in that Italy case, and I would 23 have been able to call her as a witness if I had been

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allowed to bring that case into it. 2.5 Q. It's not a prosecution of this company, is it,

1 Mr Curtin? Pausing there. "And we are going to make our 2 A. It was a prosecution of MBR. Their European manager 2 damnedest to make sure some workers go to prison from 3 went to prison, as this woman will be able to testify to 3 here." You then go on to say, "You deserve it." You 4 4 are directing that at Employee V? A. That's a threat of using the legal system to go through 5 Q. It was a prosecution of Green Hill in Italy, not 5 MBR Acres, was it? 6 6 the proper means to make sure we get justice. Once we 7 A. Remember Susan Pressick's evidence, that she works for 7 are able to get some investigation (inaudible), yes, Bantin & Kingman and they've got the big boss, and 8 8 indeed, but I wasn't expecting it to a man who's about 9 that's who she works for. All roads lead back to 9 as low down the chain as you get, the maintenance man. 10 Scott Marshall in America. So it was this company. MBR 10 $\ensuremath{\mathsf{Q}}.$ But you did, didn't, you threatened the maintenance man Acres is a holding company, MBR Acres doesn't exist. 11 11 that you were going to do your damnedest to send workers 12 You are not acting on behalf of MBR Acres because 12 from MBR to prison? 13 13 MBR Acres isn't paying your wages today. It's being You use the term "threatened". I'm putting him to 14 14 paid from God knows where, probably America. a reality check, "You are working for a company with 15 Q. It's right, isn't it, that MBR Acres, the claimant in 15 a criminal record. By working for this company, do you 16 16 these proceedings, has not been prosecuted? realise you may be liable for their crimes," because 17 17 A. This little front company that was set up as a direct they were in Italy. 18 result of what happened in Italy —— they left Italy 18 Q. There is no basis for accusing him of committing crimes. because it was too restrictive . We haven't been allowed 19 19 Mr Curtin. You are threatening this worker that you are going to try to get him sent to prison. 2.0 to go into this. MBR Acres is here as a result of what 20 21 happened in Italy, a direct result. This place would 2.1 A. If I had used the sentence "You are going to go to 22 not be here, if Italy had not been shut down. Then they 22 prison for fixing this fence here with barbed wire," 2.3 23 tried to build it in Yorkshire. That was turned down, then I could see what you are saying. I said some 2.4 2.4 they came here. people are going to go to prison, meaning some form of 25 Q. I've put it to you, Mr Curtin. My Lord, I'll make 2.5 management. 55 1 submissions on it and move on 1 Q. This is consistent with your intention to target the MR JUSTICE NICKLIN: You are at cross—purposes. You are 2 2 staff to persuade them to leave their jobs at MBR Acres? 3 perfectly right that, in corporate terms, they are 3 A. Reminding this company that they have got a criminal separate distinct companies. Mr Curtin's point is that record is a very good thing to do. It is true 5 they are all part of the same corporate organisation. 5 information. The workers should be aware. The 6 6 management hardly tell them on their briefing on their That's his point. 7 MS BOLTON: My Lord, indeed, and I'll make submissions on 7 first day, "By the way, do you know we got closed down 8 8 that. I think it's appropriate to deal with it that in Italy for running somewhere exactly like this?" No. 9 9 It's my job, as a protestor, to tell the workers, "Ask 10 MR JUSTICE NICKLIN: All right. 10 your bosses about the criminal records.' MS BOLTON: Let's play on, please, Mr Curtin. (Video 11 11 Q. It's right, isn't it, Mr Curtin, that you are 12 12 threatening this worker that you are going to do your Pausing there, please, "I'm going to make our 13 13 darnedest to get workers sent to prison? damnedest that some workers go to prison from here. You A. Why should that be -- I thought you were going to say 14 14 deserve it." You are deliberately targeting Employee V 15 15 for him to get sent to prison. Why is it a threat to 16 there because he works for MBR Acres. 16 tell someone that we were going to do our damnedest to 17 17 A. I'm addressing him as a worker to take on board -- that prosecute you lot in a court if we can. Since when is 18 excuse, "I'm only doing my job" might not work once we 18 that a threat?

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take you to court. I don't remember in Italy the

the vet, and I said to him. "Some people went to

Q. Let's rewind that by five seconds, please. Play on,

please. (Video played).

maintenance man going to prison. It was the manager and

prison," some people -- "We hope that some people will

go to prison." I'm not expecting the maintenance man.

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 $Q.\ \ I$ would suggest that's a threat and it's a threat that's

leave his place of employment?

Q. Let's play on, please, (Video played).

Pausing there:

A. It's education.

designed to try and intimidate Employee $\ensuremath{\mathsf{V}}$ and make him

"You really do deserve it, you deserve it for what

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- $1\,$ you are doing to these dogs here, it's despicable."
- A. Yes.
 - Q. It's not a chant outside MBR, is it? You are targeting it at this staff member?
- A. Yes, there, I did say, "You do deserve it." I've
 already said some people are going to go you deserve
 it, you workers, you deserve it if some of you go to
 prison. That's my case.
- 9 Q. It's right, isn't it, that a person standing that close
 10 to you, saying that, who has been standing outside of
 11 the gates of their place of work for months, shouting at
 12 them through loud hailers as they leave and enter,
 13 that's going to be incredibly intimidating for some of
 14 them?
- A. I've read his statement, where he talks about this as being one of the most terrifying experiences of his life, that altered his mental health. We also know of all the nonsense that he had been gossipping about at work about me and basically he thinks I'm some sort of psychopath.
 - Q. Mr Curtin, I think he also addressed you on what he had experienced from you, and the point I'm making is that would be, wouldn't it, very intimidating for an employee who is used to you shouting at them through a loudhailer, when they enter and exit the Wyton site,

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- and you are angrily standing there telling them that you green going to try and send them to prison.
- 3 A. I've got to conduct myself in a sort of reasonable -- when I can.
- 5 Q. Yes.
 - A. It's not my job to enquire into the mental instability of that particular worker. When we look at his statement, I find it bizarre, the things he was saying.
- 9 Q. So you consider it to be incomprehensible why somebody 10 would be intimidated by that?
- A. Now, frustrated, annoyed, obviously I'm a protester. He doesn't yes, maybe he is thinking in his head what might happen but not based on my actions. I've talked about him going to prison. I'm not raising my voice, I'm acting responsibly and reasonably and I'm doing my job as a protester.
- Q. I suggest you weren't acting responsibly and reasonably,
 you were acting in a manner that was likely to
 intimidate and distress Employee V.
- 20 A. No, it was never my intention to cause him any 21 harassment, alarm or distress .
- 22 Q. Let's play on, please. (Video played).
- A. "Don't let them get to you." That's what people are saying to me.
 - Q. Pausing there, please, it's right, isn't it, again your

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- reference to there is a disagreement with you there, you and the security officer there, as to whether he touched your foot, but it's right, isn't it, you would have to be incredibly close for that to happen?
- 5 A. You didn't stop the past few minutes. I was doing my journalist stuff. I was talking about the cruelty. We 6 7 are in an enclosed space. I don't think there is 8 anywhere for me to back away, there is some hedges 9 behind me. It's a confined area. It's not my job to 10 understand the incredible amount of fear that these 11 witnesses that I've read about -- I was astounded when 12 I read them and I think, to be honest, it seems to be 13 a collective effort to demonise me and, if this guard 14 had said to me -- if he had actually said, "Do you 15 realise this man is absolutely terrified of you, could you move away." I would have probably gone, "Do you 16 17 know what, I don't want to terrify this man, I'll move 18 away." This is a -- yes, so he did step on my toe and we have got no -- I've got nowhere to actually back up. 19 20 I'm in a small area and I make no apologies for doing 2.1
- Q. First of all, Mr Curtin, the security officer had
 already earlier into this video asked you to give them
 some space and you had refused.
- 25 A. If you had watched the worker, he actually leaned

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- 1 towards me when he was doing the wire. He was leaning 2 towards me.
- 3 Q. Secondly, I put it to you, Mr Curtin, that, as you keep 4 saying, it's a confined space and it's right, isn't it, 5 that most people, I would suggest to you, wouldn't feel 6 comfortable with somebody who was opposed to them, quite 7 vehemently opposed to them and their place of work, 8 standing that close to them in a confined space with 9 a camera, telling them that they were going to send them 10 to prison and a running commentary on a live stream. 11 That would be intimidating for most people?
- 12 A. Again, I never told him that he was going to prison. 13 This isn't a potato factory. I've got this smell up my 14 nose, we can hear the dogs barking, crying. I'm doing 15 a live stream. I'm not there to cause anyone alarm. 16 harassment or distress or any threat of violence 17 whatsoever. I'm there as a protester and, yes, there is 18 a $\,--\,$ there is some level of confrontation going on here. 19 These people are the ones that work there. But I'm 2.0 showing no violence or aggression towards them.
- Q. The reasonable thing to do would have been to have stepped back over the other side of the ditch if you wanted to make this recording, wouldn't it?
- A. That's the world you live in. I'm proud of what I wasdoing here. I'm doing my daily job. I'm working here.

1 Q. Let's play on. (Video played). 1 some persuasion, as a human being, one person to 2 2 another. Forget about the guard. He is in the buffoon Pausing there: 3 "How low do you go working here? How low do you 3 category. The other guy, if I can persuade him to leave 4 stoop?" 4 the job by educating him, by saying things, I think I'd 5 A. Yes 5 be doing him a favour and it would be good for the dogs Q. Again you are targeting Employee V for the fact that he but it's not the purpose of why I went to Camp Beagle is 6 6 7 works at MBR Acres? 7 to make workers leave. If it was, you would see a whole different pattern of behaviour. My idea of going to 8 A. I'm bringing out the fact I've got the daily 8 9 (inaudible). The horrors of the puppy factory. This is 9 Camp Beagle is to protest about it and educate the 10 10 one of the most controversial places in Britain. Are world 11 you trying to take away all the controversy and we 11 Q. Play on, please. (Video played). 12 12 should be like outside the golf club or something? No. A. Did vou hear that? 13 we are outside this puppy farm, and I'm saying, "How low 13 Q. Yes. Mr Curtin? can you go?" Most people wouldn't be able to do this 14 14 That's like a clear indication there is going to be no 15 job. Most people, they'd walk inside this shed, no. 15 touching going on. 16 16 Q. Pausing there, please. Again, Employee V has had to Even if they agreed with the reason, they probably 17 wouldn't be able to do it. I'm challenging the man, 17 crouch down, cross a ditch, and you followed him, 18 yes, how low can you go. I'm saying, "This is a bad 18 haven't vou? 19 19 iob." 20 Q. And that's the point, isn't it, Mr Curtin? You are 20 Q. And you are right up close to him again, aren't you? 2.1 standing in close proximity to him, threatening to get 2.1 A. I'm close to him, yes. 22 him sent to prison, asking him how low he can go, in an 22 Q. So close that you were worried about being touched by 2.3 attempt to persuade him not to work for MBR Acres? 2.3 the security officer? 2.4 A. If I would have wanted to get in the face of him, 2.4 A. Yes, it's a confined space and I just want to establish I could have got in between him and the security -- at 25 the rules, no touchy, touchy. That means both sides no 1 no point do I actually get in his physical space or 1 touchy, touchy. 2 prevent any of his movements. I kind of do want to 2. Q. You don't want the security officer too close to you, do 3 persuade workers to leave, yes. Persuade, if I can, 3 you? through information, through education. It's not a good 4 A. No. 5 5 place to work. Q. No. In the same way it's understandable that Employee V 6 Q. Calling somebody a criminal, threatening to get them 6 wouldn't want you too close to him? 7 7 locked up, isn't education, is it, it's threats? A. He wouldn't want me within 100 miles of him. 8 8 A. It is. It's "Get real, mate". I believe if there was Q. And again, Mr Curtin, it's not really about education, 9 9 an investigation carried on at this place, there would is it? Because as you've just said on the live stream. 10 be prosecutions. 10 you can't say it's a pleasure to be this close to the 11 Q. Play on, please. (Video played). 11 12 Pause. You are doing an impression of them saying, 12 A. Most people would understand -- most people would --13 13 I wish you would shut up. No, I won't shut up. It's would understand -- wouldn't have a pleasant idea, idea the truth. How low can you go? 14 14 about someone who works in that place. I would say it's 15 15 Again, those words in themselves recognise that you a general idea, that people who are working there, ves. 16 know they are not wanting to hear your protest message? 16 Q. This is not education, this is intimidation and heckling 17 17 A. Oh, yes, I acknowledge that. of employees of MBR. 18 Q. You know that they are not comfortable with you that 18 A. My job -- do you understand what my job is. I'm on the 19 close to them? 19 phone doing a live stream. My job isn't to put tinsel 2.0 2.0 A. I'm not comfortable with them that close to me but round my words in order to accommodate the ears of these 21 21 I have followed them. It's not my job to make these two two MBR workers. 2.2 people totally comfortable. In fact, the opposite. 2.2 Q. Let's play on, please. (Video played).

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get inside their heads. Of course it is . I want to use 62

lived outside for 22 months. Here is a chance, yes, to

They are the people who work in the place that I've

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just called Employee V a freak.

Pausing there, so you've asked people to put on

their comments so you can read them out to them. You've

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- 1 A. That's -- yes, so let's have a look at the phone, 2 freaks. That's exactly what I had read out, and that's 3 giving these two -- and they read our page anyway. They 4 know what the public thinks about them, and the word "freaks" is someone else's word. I understand it. 5 6 People hearing that will understand it. These two are 7 going to think, no, we are not. That's not my job, to 8 interpret for these two what freaks mean. That's what 9 people are saying. 10 Q. That's simply insulting and heckling Employee V, isn't
- 11
 - A. Well, it's an insult -- or is it a home truth, that someone is putting on the live stream that I'm relaying to them. It's not my choice of my words. I'm telling what the people randomly are saying. The first words I come to, "freaks". I'm telling them, "This is what people think of you," and it is.
- 18 Q. Play on, please (Video played). 19

Pausing there, so the bit that wasn't on the messages that you've ad-libbed there is you are suggesting they are freaks because they torture animals and are akin to a serial killer?

A. I'm giving it some background, in that that witness, when he gave evidence, I asked him, "Do you ever listen to the dogs, do you care about the dogs?" And I believe

his answer was, "The last place I used to work, I used to hear pigs. The last place before that, I used to hear cows. Now -- it's as if the answer is just as dispassionately -- Now I can hear the crying dogs." It meant nothing to him and for me I took it from that that the guy just doesn't care. His evidence was that he just didn't care, neutral, and it's my case that I was making there, but I didn't know how little he cares, that when the police do go looking for a serial killer. they would -- and this is established, it's not my opinion, especially in childhood, an early fascination with causing suffering or an inability $\,--\,$ that's what I was -- an inability to empathise, that's also a trait of what can later become a serial killer, a lack of empathy, and by his answers —— most people in this country would -- it's specious and all the rest of it. We do have something about dogs that breaks our hearts. It's not shared by this man. So the point I was making, I would say, yes, I stand by the words I said.

- Q. Mr Curtin, it's right, isn't it, that when police look at people's ability to harm humans by how they treat people's pets, they look at whether they harm those pets. That is a far cry --
- 2.4 A. No.
 - Q. $\,--$ from a maintenance man, who works at a breeding

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1 facility which is lawful and where animals are bred for 2 medical research. It's not the same assessment, is it, 3 Mr Curtin?

- A. We could talk about serial killers all day but there is the psychopath and the sociopath. I think the sociopath is the one that just doesn't care and is able to allow suffering, terrible suffering because of their lack of empathy, that suffering is allowed to continue.
- 10 Employee V's situation, leaning down, fixing a fence, 11 with somebody standing up close to them, calling them 12 a freak, aligning them with a serial killer, who is 13 a protester who has shouted at them day in, day out for 14 months at that point, is going to be intimidated by your 15

Q. It's right, isn't it, Mr Curtin, that anybody in

- A. He is going to be annoyed, frustrated, he doesn't want 16 17 me there, the word "intimidation", that would include 18 threats to his personal safety and stuff which --
- 19 Q. And there is no --
- 20 A. -- is unreasonable.
- 2.1 ${\sf Q}.\ --$ education that you are deploying here or peaceful 22 protest. This is simply designed to target and 2.3 intimidate Employee V?
- 2.4 A. I've two audiences here, of the two ears, the two sets 25 of ears of these two, and I've all the other people, all

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1 the hundreds of people, that's the education, so I'm relaving a bit of information in that bit about the 2 3 serial killers, which I've picked up along the way. 4 It's not just the sadists who are dangerous, it's people 5 who cannot, who have an impossibility to empathise, they 6 are dangerous people.

7 Q. Your actions are because you are wanting to intimidate 8 Employee V --

9 A. That's utter nonsense and I reject it.

- 10 -- and convince him to leave his job at MBR Acres?
- 11 You used the term "persuade".
- 12 Q. Well, "Persuade", sorry?
- 13 A. There is a level of persuasion, yes.
- 14 Q. And you are using the tactic of targeting staff such as 15 Employee V on the basis that, if you can get staff to 16 leave, you can cause MBR Acres to close?
- 17 A. You are inventing that. That has got nothing -- that 18 tactic of getting MBR to close by getting workers to 19 leave is a tactic that you've invented and you are 2.0 trying to suggest that it's something I employ. It's 2.1 absolutely not.
- 2.2 Q. And it's right, isn't it, it's not the first time that 23 you've followed workers outside the site and stood close 2.4 to them and commented adversely towards them, is it?
 - A. I don't know what you are referring to. I refer to us

- as neighbours. I'm a nosy neighbour, MBR are like the neighbours from hell. So one of our jobs is to tell the world what happens at the site.
- Q. If we can go to page 405 in your bundle, please, Mr Curtin.
- 6 A. 405

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- Q. This is part of the witness statement of David Manning.
- 8 A. Yes.
- 9 Q. And again, Mr Manning says:

"For example, as I and another member of staff was putting the notice back up following its needing to be cleaned due to it being spray painted (and to put up new documents) on 19 August 2022 from 14.04 onwards, D11 (John Curtin) approached me and my colleagues to film us and came very close to me, almost touching me, multiple times."

He refers to video 950 from 14.04 onwards:

"If someone came that close to me outside of work, I would tell them to get out of my personal space."

So it's another example of you doing that. Shall we have a look at the video. It's at 950 at 14 minutes and 4 seconds, please. Apparently that's a time stamp for the statement. If we just play it just from the start, please. 950. (Video played).

Pausing there, we can see that people are walking

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- 1 across with something for the notice board; yes?
 - A. Yes.
- 3 Q. Play on, please, (Video played).

4 And pausing there, that's you following after them 5 with your camera phone?

- A. That's me --
- Q. Your phone with your camera, I should say.
- A. I don't know what they are doing, I don't know why they are out. It's fairly unusual for them to do it.
- Q. They put things on the notice board, don't they?
- 11 A. Yes, but it doesn't happen that often. When I say unusual, once every two weeks or something.
 - Q. Right. Let's play on, please, (Video played).

Pausing there, so you are filming them and you've got Mr Manning trying go straight past you, yes?

- A. Yes, and we are close to each other, aren't we?
- Q. Yes. Play on, please. You are following him.
- 18 A. And I'm sitting down.
 - Q. Pausing there, you've got up and just before that person stepped forward, you are quite close, aren't you? Do you want me to rewind it by a few seconds?
- A. No, it's a tight space, I have been sitting relaxed andnow I'm standing up.
- Q. Okay, let's play on (Video played).
 - You've decided to stand closer again, haven't you?

- 1 A. Yes, I want to -- I want to maybe film what he is putting up. I haven't got the camera.
- 3 Q. And again you are right up close to him?
- 4 A. Yes.
- Q. Now you are coming round the back. You are not filming the notice board there, are you, Mr Curtin?
- 7 A. No. I'm --
- 8 Q. So pausing there, you are filming Mr Manning?
- 9 A. Yes, he is a security guard who I see every single day.
- Q. Play on, please, (Video played), and again you are standing closer to Mr Manning?
- $egin{array}{lll} 13 & A. & I \mbox{ am guilty of standing in that area.} & That narrow \\ 14 & \mbox{space}. \\ \end{array}$
- Q. It's right, isn't it, Mr Curtin, that you didn't need to
 walk round behind the notice board to film Mr Manning,
 did you?
- A. I wanted to get round to the other side. He is a big
 guy and there is probably not enough -- I don't know
 what your point is.
- Q. You didn't do it to read the notice board, though, did you, Mr Curtin? You did it to film Mr Manning?
- A. I see Mr Manning every single day and he is not someone who I would choose to photograph, thank you, and this is

25 like -- this is so incredibly weak, what you are asking

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1 me here.

- Q. And it's right, isn't it you are right, you don't
 need to film Mr Manning but you chose to and you chose
 to step up close to him to intimidate him?
- 5 A. I've got my camera turned on. I'm going to make a ——
- 6 I don't know if it's a live —— probably not. I've got
 7 my camera turned on. It's going to keep going. I came
- to go round the back, and Mr Manning is a fairly large guy, and it looked like I probably couldn't get in the
- $10\,$ gap. What I'm doing there is telling the world that
- 11 they are putting a -- it's part of my case that MBR
- Acres have spent millions of pounds to try and get rid
- of our legal process and here is more money, more bits 14 of paper that's going to go up, and people get outraged
- by this sort of stuff.
- ${\tt 16} \qquad {\tt Q.} \ \ {\tt Which you could have perfectly legitimately done from}$
- sitting , as you did, on the highway's barriers and
- 18 filming it but, instead, you decided to get up close,
- 19 walk around the back of the sign -- notice board, where 20 there could be no filming of the notice board, and get
- 21 close to Mr Manning?
- A. I cannot believe that you are giving me these like
 editorial tips on how to take my video as a protester to
- 24 cover a fairly neutral scene.
- 25 MR JUSTICE NICKLIN: (Overspeaking) his answer.

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- A. My aim is to record on my camera yet more money being spent by this company on this injunction.
- MS BOLTON: And it's another example, isn't it, of you targeting the staff as part of your actions to persuade the staff to leave MBR Acres.
 - A. I've literally got no idea how you can come to that conclusion from watching the same scene as me. It's as if you want me to apologise for existing with my physical body. I'm standing there with a camera. My aim here is not to intimidate anybody. Nothing could be further from the truth.
- Q. Again paragraph 98 of Mr Manning's statement onpage 415, please, Mr Curtin.
- 14 A. Yes.
- 15 Q. He says:

"Some protesters particularly intimidate me. D11, John Curtin, comes very close to my face and is mentioned above. He has come so close to me that I have felt like he was in my personal space."

That's a reference to the incident we have just looked at.

A. And it's a perfect example of how I feel I have been singled out. It's like a vendetta. It's as if I'm being stitched up to appear in this court case for sentences like this.

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- Q. He is not stitching you up, is he, Mr Curtin? He is giving an example of an incident which he feels intimidated by, and I would suggest to you that, knowing that you have protested outside the gate for months, following him around and then standing that close to him, putting a camera phone that close to him is going to intimidate him?
- 8 A. Then he needs -- Mr Manning -- I don't want be 9 insensitive to Mr Manning. Mr Manning, if you can't go 10 across the road and put some notices on the board, 11 without frightening you, you need to get another job. 12 If you are a security guard, you are doing your job, I'm 13 not offering the man any aggression or violence. And 14 you find that terrifying and frightening? The two 15 things aren't making sense here.
- Q. And that's exactly what you are trying to achieve, is
 you are trying to intimidate Mr Manning and persuade him
 to leave his job?
- $\begin{array}{lll} 19 & \hbox{A. That's} --\hbox{I'm lost for words. It's a preposterous} \\ 20 & \hbox{suggestion. Absolute} --\hbox{the nonsense that I've heard,} \\ 21 & \hbox{this is perhaps the worst I've heard so far.} \end{array}$
- Q. It's also right, isn't it, if we look at that paragraph,
 again, he talks of other incident. Have you read that
 paragraph? On 7 September 2021.
- 25 A. Paragraph 99?

1 Q. 98.

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- A. 98. Ah, yes, passing a piece of paper.
- Q. That you say had details that nobody else would want to see?
- 5 A. Mm-hm.
- Q. That's again attempting to intimidate Mr Manning, isn't it?
- A. Right, you've asked me a question. What happened that day was, as some security guard no, with the security guards, it's a fact, apart from Mr Manning, I think nearly every other security guard is of an agency, it's of no importance to me, they're all from —
- 13 MR JUSTICE NICKLIN: Don't worry about naming them.
- A. I was going to say from a Pakistani/Indian background.
 It's a fact, and we have done everything we can to make
 that not an issue. There is animosity, I gather,
 between the guards and Mr Manning. Some of them don't
- 18 like him. As some of the guards were coming out, one of 19 them threw a piece of paper and it had his personal
- 20 phone number on it. Yes? I was then telling
- Mr Manning, "Do you know that your colleagues are doing
- this?" As to why I was doing that, one is just to give the guy the heads—up that there is animosity amongst
- your workers, and the other thing, I wasn't going to put
- 25 his phone number all over the website, I was just going

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- to tell him that your details are being put out by other security guards. That's my evidence and I'm on oath and that's what happened.
- Q. It's right, Mr Curtin, if that was true, you would have
 said to Mr Manning, "Someone has tried to give me your
 telephone number. I don't think they are being very
 nice," or something (Overspeaking).
- 8 A. Other people around. That's why I think I said ——
 9 "I can give you the bit of paper when we are on our
 10 own." It's like a bit confidential. I didn't want
 11 other people to know.
- Q. Not, "I've got a piece of information on you and I'm not going to tell you what it is," which is the line that you took, "I've got some information on you, I'll tell you about it later."
- 16 A. Yes.
- 17 Q. And then, when he asked you about it, you said you 18 didn't have it.
- A. I'm on oath, I swear on my dog's deathbed and all the rest of it, that happened and when I found the little bit of paper, I couldn't find it. That's what genuinely wasn't happened.
- Q. If it had been a telephone number, you would have told him that's what it was?
- 25 A. I did.

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- Q. No, you didn't.
 A. I did Mr Manning might not have said he didn't.
 I could tell him what happened, "They are giving your personal phone number out," and when I looked for the bit of paper, I couldn't find it, but I did tell him.
 - Q. And it's right, isn't it, what you are actually doing is telling him that you had information on him and you were trying to intimidate him?
- 9 A. I was telling him I had information on him, like, "oh,
 10 I've got your personal number," but I was giving it back
 11 to him. Was it his evidence that night he received
 12 a load of abusive calls? No.
- Q. No, his evidence isn't that you said anything about
 a phone number, Mr Curtin. You just said you had
 information on him and then you didn't provide it. That
 was an attempt to intimidate him.
- ${\bf 17}$ A. I totally reject what you are saying. You are inventing things.
- Q. Again, it was an attempt to intimidate him because you
 want to persuade the officers, staff, workers of MBR,
 not to work there, in pursuit of your goal to get MBR
 shut down?
- A. The case against me —— you haven't spent millions of pounds to stop me trying to persuade people. I'm allowed to persuade people. It's a legal right for me

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- $1 \hspace{1cm} \text{to $--$ it's what protesting is, persuasion.} \\$
 - Q. Your attempt to persuade Mr Curtin is done by intimidation?
 - A. It's absolutely not my intention the way to close down MBR is to get Mr Manning to leave and then the maintenance man. That's not — that has never been the thrust of what's driven me behind my campaigning. It's going to be a lot more complicated than that to shut MBR down.
- 10 MS BOLTON: My Lord, I'm moving on to the next incident. Is 11 that a good time to stop?
 - MR JUSTICE NICKLIN: Yes. At 2 o'clock can you help me just —— you've taken Mr Curtin to the incident with Employee V on 8 July, the incident in August with the notice board, and then you finally referred to the 7 September incident with Mr Manning.

I can't find those as particulars of harassment.

MS BOLTON: My Lord, I'll double—check over Mr Manning.

Employee V's is part of Mr Curtin's defence. He took

Employee V to that and gave evidence on what was

happening. We didn't know about that, my Lord, until

after we had pleaded the case, until the evidence was

being prepared, at which time it was too late to amend,

being prepared, at which time it was too late to amend but that is something Mr Curtin has challenged as an example of him doing nothing wrong, which is why I've

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- taken him to it. That was part of his defence. He brought it in to Employee V. That's why I've taken Mr Curtin to it.
- 4 MR JUSTICE NICKLIN: And the notice board/
- MS BOLTON: I think the notice board is pleaded. I'm not sure, we will check. My Lord, our point is this all goes to the fact that there is intimidation. Mr Curtin has put it to the witness that that is an example where there wasn't any reason for intimidation. So that's why we have taken him to it, but I think Mr Manning should be pleaded. I will double—check.
- 12 MR JUSTICE NICKLIN: Right. Five past two. Don't talk to 13 anybody about your evidence. Thank you, Mr Curtin.
- 14 (1.04 pm)

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(The short adjournment)

- 16 (2.05 pm)
- 17 MR JUSTICE NICKLIN: Yes, Ms Bolton.
- MS BOLTON: Mr Curtin, I want to take you to the incident of 11 July 2022 at four minutes past three, it's video 756. (Video played).
- 21 Pause there. That's Jane Read's vehicle, isn't it?
- 22 A. I don't know.
- 23 Q. You accept it's a staff member's vehicle that has just 24 come out of the Wyton site?
- 25 A. Yes, I'll accept that from you, yes.

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- Q. Yes. Play on. Pause. We can see that you are looking
 at her and walking out in front of her on the highway
 and that she is braking.
- 4 A. That's your reading. I'm crossing the road.
- Q. And you've walked out at a time, forcing her to slowdown, haven't you?
- 7 A. I'm not able to -- I'm crossing the road is what I'm 8 seeing.
- 9 Q. You are looking directly at her.
- 10 A. Yes
- 11 Q. Do you usually walk out in front of cars on the highway?
- 12 A. You know what, whilst walking round London, it has been 13 quite apparent to a lot of people that I've become 14 accustomed to living on the side of the road and people
- have been pointing out to me during the course of this
- week that I take too many risks crossing the road.
- week that I take too many risks crossing the road.
- 17 I live next to this road and it's a constant 22 months 18 of vehicles going voom voom. I'm crossing the road 19 here.
- Q. You've walked out in front of her because she has comefrom the Wyton site, haven't you?
- 22 A. That's not what I'm seeing.
- Q. And in doing so, you are interfering with her right to pass along the highway?
- A. I'm allowed to cross the road.

1	Q. And plainly, you are looking at her as you do it.	1	restrict :
2	That's a deliberate action.	2	" anybody photographing or videoing members of
3	A. That's your reading into it . I'm crossing the road is	3	the first claimant's staff or any person accessing,
4	what I see.	4	exiting or carrying out lawful activities on the Wyton
5	Q. And if you were simply crossing the road, you would have	5	site ."
6	waited but instead you've walked out in front of her	6	So where do the drones feature in the injunction
7	because she is an employee and you want to slow her	7	there? (Pause)
8	down.	8	MS BOLTON: My Lord, the reason is it's a trespass incident
9	A. I'm crossing the road.	9	for Mr Curtin, so it would still be trespass. That
10	Q. Again you are targeting a specific highways user, namely	10	would be our case. It's deemed different for persons
11	a member of MBR, Ms Read.	11	unknown all along to individuals. So this is an
12	A. If after 22 months of me living here, literally living	12	incident of trespass. That is what we would be saying.
13	here, I think you are cherry—picking information and	13	You will remember from my opening, my Lord, that my
14	that's me crossing the road in front of what is	14	opening focus on drones was to do with trespass.
15	a worker's car, I'm accepting.	15	MR JUSTICE NICKLIN: I appreciate that. So you are saying
16	Q. And I would suggest to you that your actions were	16	that the wording of paragraph 2 of the injunction
17	deliberate and they were to obstruct her?	17	against Mr Curtin, if it were to be granted:
18	A. I reject that, totally.	18	" must not, whether by himself or by instructing
19	Q. Right. Let's move on to ——	19	or encouraging any other person, group or organisation,
20	MR JUSTICE NICKLIN: Can you just play that video from the	20	enter the following land."
21	start to finish, please.	21	That means also flying drones over it?
22	MS BOLTON: My Lord, yes. (Video played). You see	22	MS BOLTON: My Lord, yes, because the law is that at
23	Mr Curtin —	23	a certain height it will be a trespass.
24	MR JUSTICE NICKLIN: I don't need the commentary, thank you.	24	MR JUSTICE NICKLIN: Okay. Do you not think that the
25	Right, thank you.	25	recipient of an injunction is entitled to know a little
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1	MS BOLTON: I want to move on to the next incident,	1	bit more —— I mean, it would not strike an ordinary
2	Mr Curtin, 21 June, 2022. This concerns an incident	2	person that an injunction that prohibits them from
3	involving you flying a drone.	3	entering the following land applied to the flying of
4	At the time of this incident, you were aware,	4	a drone over that land.
5	weren't you, from attendance at a court hearing before	5	MS BOLTON: My Lord, indeed, and your Lordship is right
6	this incident, the first claimants were concerned about	6	that $$ and I will need to go away and think about this,
7	trespass by drones, weren't you?	7	but it needs to be specific words. I think that's
8	A. I listened to your case. Yes, you made a claim that	8	probably right.
9	drones should be banned, which was rejected by the	9	MR JUSTICE NICKLIN: Because it will also need —— I mean,
10	court, I seem to remember.	10	leave aside all the other things that could be said
11	Q. You were aware that the claimants were concerned about	11	about trespass by drones, it would have to specify the
12	trespass by drones, though?	12	height and the height is the million—dollar question.
13	A. Yes, I was aware of the case that you were making.	13	MS BOLTON: My Lord, I think my submission will be height
14	I was aware of it, rejected it, didn't see any sense in	14	isn't as a —— well, there is a number of ways of
15	it.	15	approaching ——
16	Q. Okay. Shortly after that, this incident occurred.	16	MR JUSTICE NICKLIN: If the drones were 2 miles in the
17	I want to have a look at video 698, please, the first 25	17	sky ——
18	seconds, please.	18	MS BOLTON: Yes, indeed.
19	MR JUSTICE NICKLIN: Before we do that —— just pause,	19	MR JUSTICE NICKLIN: So it does need to specify height.
20	please —— I have just been looking at the injunction	20	MS BOLTON: My Lord, indeed, and I will make submissions on
21	order you are seeking against Mr Curtin and I appreciate	21	how I think that could be achieved.
22	that the position has changed intermittently but where	22	MR JUSTICE NICKLIN: Okay. It's a little bit unfortunate
23	is the restriction sought to be imposed in relation to	23	that Mr Curtin, although no doubt he was paying
24	drones in this? The paragraph that refers to drones has	24	attention to the opening speech and the interesting
25	been struck out, as has the paragraph that seeks to	25	arguments that he keeps hearing between you and me about

1	the use of trespass as a cause of action against flying	1	A. There is various zooms on it. I don't know if $$
2	of drones, he might have regarded the fact that the	2	I would have to see again. I might have done. Ah, yes.
3	specific reference to drones in paragraph 8 had been	3	But I said at the start of this video, this is to me,
4	struck out.	4	making a public broadcast, and I'm referring directly to
5	MS BOLTON: It hasn't been struck out from his pleading,	5	the hearing the day before and you can see I think I had
6	though, my Lord. This is specifically pleaded. So he	6	said I'm flying at 50 metres.
7	would know that this was still an issue.	7	Q. 50 metres, yes. Right. Please play on. (Video
8	MR JUSTICE NICKLIN: Okay.	8	played).
9	A. Part of the ——	9	Pausing there, there is movement because that's the
10	MR JUSTICE NICKLIN: No, Mr Curtin, I shouldn't be	10	workers, isn't it?
11	interrupting during your evidence anyway but I just need	11	A. Pardon?
12	to get clear what you are being asked questions about	12	Q. There is movement, isn't it, because there is the
13	and why.	13	workers down there as well. Is that why the drone was
14	Right. We are watching this video. What's this	14	up?
15	video?	15	A. They are doing some work on the gazebo, I'm
16	MS BOLTON: It's at 698.	16	commentating.
17	MR JUSTICE NICKLIN: Right.	17	Q. So you are watching the workers?
18	MS BOLTON: Could we play the first 25 seconds, please.	18	A. You can see activity from —— you can see the gazebo from
19	(Video played).	19	outside the fence.
20	Right, pausing there, Mr Curtin, you are stating	20	Q. Yes.
21	there that you used the drone to delve?	21	A. Where the witness V —— from that you can see this
22	A. Yes, I stated yesterday the drone was a massive issue.	22	gazebo, so it could have been somebody saying they are
23	I was referring to what went on in court, where I did	23	doing something with the gazebo, or it could have been
24	pay attention, and I did listen to what was said, so	24	purely pot luck.
25	I'm — that's me using the drone.	25	
23	i iii —— that's me using the drone.	23	Q. Play on, please. (Video played).
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1	Q. Right, thank you. If we can play on, please (Video	1	Pause there. We can see the employee on the $$ sort
2	played).	2	of just after the gazebo, on the driveway there, can't
3	Pausing there, the drone is now over the gazebo,	3	we?
4	isn't it? You can see the white?	4	A. Yes.
5	A. Yes.	5	Q. Yes. Play on, please ——
6	Q. Yes.	6	MR JUSTICE NICKLIN: Sorry. Where is the employee?
7	A. Yes. Because it's a very narrow site, so it would make	7	A. Stick figure in the bottom left ——
8	no effect to $$ using the drone directly above the site.	8	MS BOLTON: If we go back a couple of seconds, you can see
9	Still be able to see everything from the hedge and	9	the person walking across the drive.
10	that's one of the reasons why I refused the undertakings	10	MR JUSTICE NICKLIN: Fine.
11	because you asked me to undertake never to fly the drone	11	MS BOLTON: Play on, please, (Video played).
12	again, which I wasn't able to do.	12	If you just rewind back there, please, just a few
13	Q. I don't think anybody has asked you never to fly a drone	13	seconds, and play again. (Video played).
14	again.	14	Sorry, you need to go back again, sorry, a few
15	A. They have.	15	seconds. And replay. (Video played).
16	Q. What they don't want is drones flown over their site,	16	And pause. That's starting to focus in on that
17	isn't it?	17	employee moving, isn't it? I'll play further, just
18	A. Yes, I was paying attention and it's contentious that ——	18	a few seconds, please.
19	at the minute, that I've got no right to fly over the	19	A. I'm not just agreeing with you for the sake of it.
20	site and, as things stand today, I feel I do have	20	(Video played).
21	a right to fly over the site, bearing in mind the	21	Q. And pausing there, please. So it's right, isn't it, the
22	height, et cetera.	22	day after the court hearing you put the drone up, you
	<u> </u>		
23	Q. Yes. If we can play on, please.	23	flew it over the site and you were following what the

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workers were doing on the site?

A. Yes, I want to follow what they do if there is any

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A. And I have -- yes. (Video played).

 $\ensuremath{\mathsf{Q}}.$ You have just gone closer there, haven't you?

MR JUSTICE NICKLIN: It's not his function to understand the 1 movement of dogs or trolleys, that's what I'm after. 1 2 I wouldn't particularly be interested in filming the 2 trespass. If you wanted to, you needed to explore what 3 worker walking. 3 the useful height -- whatever that phrase is from the 4 Q. How often do you fly the drone? 4 1977 case —— that was the issue which you needed to explore in evidence so as to premise your arguments on 5 A. It's hard to put a figure on it. Hard to put a figure 5 on it. Sometimes taken random decisions, sometimes trespass. What Mr Curtin thinks is an acceptable height 6 6 7 taken -- someone at the side might say there is 7 to fly a drone is not going to be determinative or even 8 8 something worth looking at, at least once a week. relevant to the question of trespass. 9 Q. At least once a week. You've had a drone crash on the 9 MS BOLTON: Yes, it's reasonable height, my Lord. 10 10 site, haven't you? A. There is one answer I would like to give. 11 A. Yes, I think there has been a number of drones crashed 11 MS BOLTON: On the case law, yes. 12 12 on the site. A. There is one answer I would like to give, the drone we 13 Q. And you've asked for them to be returned? 13 use is 249 grammes. If they are above that, they need 14 all sorts of licensing. It's 249 grammes. It's like 14 A. Yes. 15 Q. Yes. So it's right, isn't it, Mr Curtin, that, one, you 15 a little mosquito. It's only about this big, it's very, 16 16 very light, about that height. The higher you have it, flew the drone over the site the day after a court 17 hearing, knowing that this was causing anxiety to the 17 the less likelihood -- because I don't want necessarily 18 claimant? You discuss it in the video. 18 the workers to know that I'm there. I absolutely don't. 19 A. And I listened to the conversations and my recollection 19 I've had them smashing doors into dog's faces, I've had 2.0 is that the arguments made by the claimants were 2.0 them piling up dog crates so they are wobbling. I want 21 rejected by the judge. There was no added clause, there 21 to see in a limited time, because all the space, 99.9%22 was nothing to say -- it was rejected. 22 of the activity takes place in those sheds. You get $\mathsf{Q}.\;\;\mathsf{It}\,\mathsf{'s}\;\mathsf{also}\;\mathsf{right}\,,\;\mathsf{isn}\,\mathsf{'t}\;\mathsf{it}\,,\;\mathsf{that}\;\mathsf{they}\mathsf{'ve}\;\mathsf{landed}\;\mathsf{on}\;\mathsf{the}\;$ 2.3 23 a small little sliver of activity, and it's in my 2.4 2.4 interest, as a sort of nosy neighbour, to not know that site? 25 A. By accident, yes. 2.5 I'm following them, I'm watching what they're doing, so 89 1 Q. And the staff weren't challenged, were they, about their 1 the higher the better, the lower you go, the more chance 2 evidence, which was drones being flown at head height? 2 you've got --3 A. I challenged one. When they said seven or eight feet, 3 Q. You've heard the workers' evidence that they've I went "Seven or eight feet?" I did challenge that. 4 sometimes had to drive vans to avoid the drone? 5 5 Q. But you didn't challenge most of them, did you? A. You've heard my answer to say -- I think that was 6 A. I challenged where I thought appropriate, and the job of 6 Susan Pressick. Utter nonsense, ridiculous, and she 7 7 the drone is to see what's happening on the site. If said that a year ago, a year ago, that they had to 8 8 workers don't like it or do like it, it's not an resort, because of the drone, to flying -- to moving the 9 9 dogs round in vans instead. Clearly not true. There is overriding concern for me whether they like it or not, 10 as long as you stick within the parameters and use it as 10 drone footage from this year. I made a list, 11 the tool that it is. 11 somewhere -- I haven't presented it in written 12 Q. What do you consider the parameters to be? 12 evidence -- and it was something like trolleys, A. 50 metres. 13 13 January 5th, January 16th, January 20th, loads and loads Q. 50 metres? 14 14 and loads and loads of trolley movement. 15 15 A. But in order to get off the ground, you have to --That's not true. What that witness says. 16 16 Susan Pressick, she was making it up, I believe, on the 10/20 metres, yes. 17 Q. And you have the ability with that drone to tell whether 17 spot. It's untrue. I put to every witness -- or some 18 you were at 50 metres or not? 18 of the witnesses, remember, have you ever been stopped 19 A. Yes. 19 from doing anything because of the drone, and I believe 2.0 2.0 Q. Yes. Do you think it's acceptable to be below the answer -- I can't remember the answer but the answer 21 50 metres? 21 was, oh ves, absolutely, was to prevent them. 2.2 MR JUSTICE NICKLIN: Why is it relevant what he thinks is 2.2 Q. It was Mr Hardy, I believe, Mr Curtin, who explained to 23 23 you that he used the van

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MS BOLTON: I'm trying to explore what Mr Curtin's

understanding of the trespass is, my Lord.

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the van. He went back --

He used the van and then he said then he stopped using

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into it.

- 1 Q. His point was it depended.
- 2 A. Pardon?
- 3 Q. He was clear it wasn't all the time but that that was something that he did. One of the changes that occurred 4 5 as a result of the drone.
- A. It's something that he had done in the past, that he had 6 7 then -- what's the point. It was to do with -- I think in his case, hiding his identity . His identity $--\ \mathrm{he}$ 8 9 10 Camp Beagle ever began campaigning, from the cameras that are on the site . $\ensuremath{\text{I'm}}$ telling you it's absolutely 11 12 normal for the use of the trolley . The thing about them 13 using the van, it's -- if you wanted -- if I can gather 14 more evidence, I could show you that there is clearly 15
 - Q. And their evidence was, wasn't it, that they had to change that use of the trolley as a result of the drone being flown overhead?
- 19 A. And you are going to say to me now I haven't submitted 20 that in evidence.
- 2.1 Q. You haven't.

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2.2 A. I tell you now that this year alone there must be 20/302.3 incidents that we published of trolley use. 20 to 30 in 2.4 the few months before that. The use of vans is not as the witnesses have said. The use of trolley is how they

- 1 move dogs from one shed to another. I suggest to you 2 that, if there has ever been van use, it's probably to 3 do with the quantity. The use of trolleys, is an actual daily event and I've never noticed -- not daily event 5 but a weekly event. I have never noticed a difference in that or a pause in that. 6
 - Q. It's right, isn't it, that the witness's evidence was that they had to change, the use of trolleys was their usual way of moving the dogs around but they had to change that as a result of the drones.
 - A. Okay, well, how come then, on Camp Beagle's social media, there will never be a break in the timescale of when there was a use of trolleys.
- 14 Q. I'm not aware -- that's not before us, Mr Curtin, so I'm 15 not aware that that's the case.
- 16 A. It's not before you, no.
 - Q. But it's right, isn't it, the staff also gave evidence that they had to cover their heads, their faces, as a result of the drones, when they were moving around the site?
- 21 A. They didn't have to. If they wanted to conceal their 2.2 identity, which I understand, it's up to them. A simple 23 hat, a baseball cap, does the job and that's their 2.4 choice
 - Q. So they had to change their behaviour as a result of you

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1 flying a drone over their site?

- A. They don't have to, no. If they wanted to further cover themselves up -- but you are trying to demonise. All the use of the drone is to find out the cruelty on site to the puppies. If people want to hide their identity because they're involved in what I see as this abuse and cruelty, that's optional to them. They don't have to. I'm not forcing them to. The same would be for some journalist covering it.
- 10 Q. Let me make sure I understand this. Your evidence is, 11 if they wanted to cover their identity, they had to 12 cover up. That's right, isn't it? If they wanted to 13 stay anonymous, they had to conceal their identity, 14 every time you flew a drone over the site?
- 15 A. Let's keep it simple. You are working in a puppy 16 factory. If you know there is a drone above, if this 17 little mosquito thing is that low you can hear it, if 18 you want to hide your identity, there are two things: 19 one, don't look up. The other is keep looking down and 20 perhaps put a hat on, but there's no one forcing them, 21 this is a choice they take because perhaps they don't 22 want to be in some photograph in the newspaper, yes.
- 2.3 Q. You accept that if they don't want to be in a photograph 2.4 in the newspaper or on the Camp Beagle website or wherever, at that point, when you fly the drone over the

- 1 site , they have to conceal their identity , whether it's 2 by a jumper over their head, a hat over their head or by 3 getting into a van. They have to do that, don't they?
- 4 A. They can do that by choice based on their own fears of 5 what might happen to them. If you look at Camp Beagle's 6 social media, I don't remember a single post. I've 7 talked before about the lack of rogues' gallery . Who 8 are these people? There has never been an attempt by 9 Camp Beagle to identify workers or deliberately put 10 their faces. I think there was one exception, which I remember, and it's one of the workers doing that 12 around Christmas time. That's the only time 13 I remember -- you could argue in that case there is a face being displayed there (inaudible) festive cheer, 14 15 a finger up, and that's the only occasion that I've ever 16 known -- because, remember, it's my case that there is 17 a deliberate attempt not to name and shame the workers, 18 not to identify them. So if they want to hide their 19 identity, that's their choice, they are not being forced
- 21 Q. As the workers explained, they do have to cover up and 2.2 that's what they do do when the drone is flying, to 23 prevent them from being identified.
- 2.4 No, because there is no drive to identify them from 2.5 Camp Beagle, not from me, certainly, anyway.

1	Q. You just said a moment ago, if they want to avoid being	1	question was whether or not employees were aware of
2	in the national newspaper, they probably do need to take	2	drones being flown, but the identity of the person who
3	some action.	3	was flying them, I'm not sure was ever really focused
4	A. I'm talking common sense. If you are working in	4	upon.
5	a controversial place and there are people taking	5	MS BOLTON: Well, my Lord, in a number of cases it's very
6	photographs of you from outside the gate, from round the	6	difficult to prove, yes.
7	side, on a drone, if you don't want to be identified,	7	MR JUSTICE NICKLIN: Yes.
8	then you've got the liberty to look down or to cover	8	MS BOLTON: I accept that.
9	your face.	9	MR JUSTICE NICKLIN: Sure. Mr Curtin, so that your eviden
10	MR JUSTICE NICKLIN: Mr Curtin, so far as you are aware,	10	isn't misunderstood, at what height do you typically fly
11	have other people flown drones over the site?	11	the drone?
12	A. Of course, yes, yes.	12	A. Typically, 50 metres.
13	MR JUSTICE NICKLIN: How many, roughly? I'm not going to	13	MR JUSTICE NICKLIN: Can you think of occasions when you
14	ask you to name them.	14	have flown it lower than that?
15	A. Erm, regular people? Four or five. I didn't fly	15	A. Mm-hm. I'm on oath. Not deliberately but I may have —
16	a drone for the first year.	16	I may have done, if there is something I'm particularly
17	MR JUSTICE NICKLIN: And you say four or five that you know	17	interested in . But that's a mistake and I can go to the
18	of. Are there other people that you are aware have	18	zoom anyway. All I'm telling you is 50 metres is
19	flown drones over the site?	19	clearly in my mind.
20	A. There is more than four or five, yes, there is perhaps	20	MR JUSTICE NICKLIN: Okay.
21	30 or 40 or 50.	21	A. I can't think. If I wanted to read some fine detail on
22	MR JUSTICE NICKLIN: Okay. We have dealt with the question	22	a packaging or something like that $$ not that I have,
23	of the drone footage and whether it can show	23	but the 50 metres was a bit of a golden rule in my head.
24	individuals . You will need to put to Mr Curtin any	24	MS BOLTON: Mr Curtin, it's right, isn't it, that footage of
25	footage or photographs that you say he is responsible	25	you flying the drone or that you gathered from flying
	97		99
1	for, in which you can identify, or it's possible to	1	the drone or others gathered from flying the drone, have
2	identify, the members of staff.	2	been posted on Camp Beagle's website?
3	MS BOLTON: My Lord, at the moment we are simply taking	3	A. Yes.
4	Mr Curtin to the footage we have, which involves him.	4	Q. Or Facebook page, sorry.
5	We don't know, on many occasions, who has flown the	5	A. Yes.
6	drone. We know Mr Curtin has flown the drone from that	6	Q. And it's right, isn't it, you also talk about that part
7	post.	7	of the reason you do this is to monitor the site?
8	MR JUSTICE NICKLIN: Yes. You will appreciate that there is	8	A. Absolutely.
9	a danger of crossing over from different evidence	9	Q. Yes. And it's also correct, isn't it, that you've
10	streams, so, for example, given what Mr Curtin said	10	confirmed that one of the things that happened before
11	about the size of the drone and the height at which he	11	the Harlan Interfauna break—in —— was it just
12		12	Interfauna? Remind me.
	flies it, it seems unlikely that those employees who	13	A. Interfauna.
13	have been describing it as buzzing around their heads	14	Q. Interfauna break in, when the 82 beagles were stolen,
14	were dealing with a drone that was being flown by		
15	Mr Curtin, but if you are going to put that to him, now	15	there had been detailed surveillance?
16	is your opportunity.	16	A. Yes.
17	MS BOLTON: Mr Curtin, it's right, isn't it, that you didn't	17	Q. And it's right, isn't it, that, if drone footage is
18	challenge the employees that you hadn't flown the drone	18	repeatedly taken of the site and posted on the Facebook
19	at a height that was head height.	19	page, then again that provides a means for people to
20	A. I think I said preposterous or something. I sort of	20	survey and understand the site, should they wish to
21	laughed out loud. I said, "What, seven to eight foot?"	21	break into the site?
22	Q. That was to one employee. Many employees gave evidence	22	A. That's stretching it. What's the —
23	about head height drones?	2.3	Q. I'm asking — (Overspeaking) it's available to many,
24	MR JUSTICE NICKLIN: We can go back and check the transcript	24	isn't it, Mr Curtin?
25	but I am not sure the allegation was being put $$ the	25	A. Yes.

1	Q.	That footage. And as you said, it's for the purpose of	1	MS BOLTON: My Lord, bear with me a moment because I don
2		monitoring, and that provides anybody that sees that	2	think it's specifically Mr Curtin's bundle. (Pause)
3		footage with an ability to understand the site better.	3	My Lord, I'm wondering if we can take an early break
4		That's correct, isn't it?	4	because I know that the general footage is probably not
5	A.	I guess it does, yes.	5	easily accessible because of what we have struck through
6	Q.	And you can understand the claimant's anxiety, can't	6	on persons unknown, so if I may have an early break,
7		you, Mr Curtin, when there has been two further	7	I' II
8		break—ins and their site is being surveyed by drones.	8	MR JUSTICE NICKLIN: Yes. Right, taking an early break.
9		Can you understand that anxiety?	9	Back at 3 o'clock, Mr Curtin.
10	A.	I can understand the predicament they are in and	10	(2.44 pm)
11		being —— holding a controversial business, that	11	(A short break)
12		controversial business is now the centre of attention	12	(3.00 pm)
13		and there is people looking at it left, right and	13	MR JUSTICE NICKLIN: Yes.
14		centre, and they don't want that, I understand the	14	MS BOLTON: Mr Curtin, I want to take you to a number of
15		uncomfortableness of MBR to be in the public gaze, yes.	15	exhibits that were in the persons unknown bundle $$ mos
16	Q.	So you can understand, given the security risks, why	16	of those exhibits are videos, a couple of them are
17		they would take any trespass by a drone very seriously?	17	photographs $$ that deal with footage, both of the staff
18	A.	Well, no, I can't, because —— let me explain something	18	moving around the site and the Wyton site itself that
19		here. Here is the MBR site, a narrow site. Unless you	19	has been taken by drone.
20		want to look down a well or a drain, there is no	20	A. Could I make a comment, seeing as I'm representing
21		advantage at all really from going over the site.	21	myself? I haven't been given any notice of this and we
22		Everything you need, everything, every inch of that site	22	talked about rabbits out the hat. I'm not nervous in
23		can be seen just as well $$ there is nothing $$	23	any way. I hope that I'm able to help the court. I've
24		I literally —— unless you want to see down a drainage	24	reflected on giving evidence about the drone. Before we
25		pit and you get a vertical view, everything —— it's	25	begin. And I hate to say it but you've seen one trolley
		101		103
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1		a very narrow, long site —— everything can be seen, so,	1	load of puppies and you've seen them all. Wagging
2		yes, I can understand that MBR worried about people	2	puppies. I'm going to try and help you here because you
3		having surveillance to plan a raid. I've used —— some	3	are going to ask me did I take this. Let's see how we
4		of the witnesses used the word "paranoia" and that will	4	get on. I take some objection to the fact that ——
5	_	be part of MBR's collective paranoia.	5	normal rules don't apply here.
6	Q.	Collective paranoia. It's right, isn't it, that one of	6	MR JUSTICE NICKLIN: No, I'm doing it mainly in your
7		the things you can see clearly from drone footage is the	7	interests . The evidence against you doesn't change.
8		roof?	8	It's what you have been provided with. You understand
9		Yes.	9	that there is this interesting balance between the
10	Q.	And isn't it right that when you stole 82 beagles from	10	evidence that is being adduced against you personally
11		the site, you entered the site from the roof?	11	and the rest of the evidence that I have relating to
12		Yes.	12	persons unknown.
13	Q.	So I would suggest to you it's not paranoia to be	13	There is probably no better place in this case where
14		concerned about drones flying over the site where	14	that line is blurry is in relation to drones. The case
15		weaknesses in a roof could be surveyed?	15	being made against you is that you are responsible for
16		That's paranoia. That's a paranoiac thought.	16	flying drones.
17	Q.	I also want to look at —— moving on to a different	17	The evidence against you is limited in that respect
18		allegation that has been pleaded as harassment —	18	and there is, it seems to me, an issue that I need to
19	MI	R JUSTICE NICKLIN: Hang on a minute, before we leave the	19	pay attention to, to be very clear in my mind between
20		drone footage, this is your opportunity to put to	20	the generic evidence of drone footage and that which is
21		Mr Curtin specific photographs and footage, which you	21	being relied upon against you specifically.
22		can say is either general or obtained by him, which you	22	So this isn't me giving Ms Bolton an opportunity to,
23		say could be used for the purposes of intelligence or is	23	as it were, stick a few more allegations against you
24		otherwise an example of footage from which employees	24	about drone footage, it's because I think fairness
25		could be identified.	25	requires that, insofar as Ms Bolton is advancing

requires that, insofar as Ms Bolton is advancing

could be identified .

1	a general case about drone use to you, that I get	1	A.	Sorry, I wasn't listening to your question. Could you
2	a clear view of what of this evidence is being alleged	2		ask me again.
3	to be the responsibility of John Curtin and what of this	3	Q.	It's right, isn't it, if they didn't cover their faces
4	can properly be described as generic drone evidence.	4		and their head, they would be identifiable there,
5	A. Yes.	5		wouldn't they?
6	MR JUSTICE NICKLIN: All right.	6	A.	Yes.
7	A. I'm just worried about how I'm about to come across	7	Q.	That's very clear footage.
8	actually .	8	A.	Yes, that's clear.
9	MR JUSTICE NICKLIN: Right. First thing to remember is	9	Q.	And we can see that they have done that. They've
10	golden rule about giving evidence generally is if you	10		covered up to $$
11	don't recall or you don't know the answer, just say so.	11	A.	Yes.
12	So if you don't know whether the footage that you are	12	Q.	Yes. And so you would accept that that's an example of
13	about to be shown was taken by you, you just say so.	13		them having to change what they do because there is
14	That's essentially $$ this isn't contriving any sort of	14		a drone above?
15	trap for you. I don't know what we are about to see.	15	A.	A lot of the workers, like $$ the faces I've seen this
16	A. Yes.	16		week, like Mr Markou —— don't worry, I won't say any
17	MR JUSTICE NICKLIN: And I don't know what questions	17		more names.
18	Ms Bolton is going to ask you about it but because	18	Q.	Please don't.
19	I have these dual roles in this case, which concern both	19	A.	The name that I did mention that I shouldn't have.
20	you as an individual litigant and this persons unknown	20		Apart from the —— there is a Hardy, who was mentioned -
21	case, I need to be very careful that I understand the	21	Q.	Let's not go through names, Mr Curtin. It can go very
22	distinction between the generic drone evidence and the	22	•	horribly wrong.
23	specific , Mr Curtin, drone evidence. All right? I hope	23	Α.	I saw —— I've seen many faces of witnesses, the majority
24	that explains what I'm doing.	24		of faces that I've seen I've never seen before, so
25	A. It's just that I felt, if I did have a solicitor, they	25		a lots of the workers conduct themselves going in, going
23	7. To 3 just that I left, if I did have a solicitor, they	23		a lots of the workers conduct themselves going in, going
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1	may have stood up at that point, so I did it on my	1		out and when they walk around the site $$ whether there
2	behalf, but I'm content ——	2		is a drone or no drone, they will cover their faces.
3	MR JUSTICE NICKLIN: All right.	3		It's their choice and it's what they do. So therefore,
4	MS BOLTON: Mr Curtin, I'm going to take you to a number of	4		you would imagine the person who is acting on behalf of
5	videos and some photographs that can be found —— they	5		the first claimant, it's the very first time I had seen
6	are exhibits to various paragraphs of the persons	6		his face, for example, and the woman that —— the worke
7	unknown bundle between paragraphs 324 and 333 of the	7		that had been there for 40 years, the first time I had
8	persons unknown bundle, which is part of	8		seen her face.
9	Susan Pressick's statement, and those allegations	9	Q	That's 27 July 2021, that incident?
10	concerning drones start at page 588 of that statement,	10		Yes.
11	well, of that bundle, sorry.	11		And it was footage captured and appeared on Facebook on
12	I want to take you first of all to the evidence	12	٧.	25 August 2021?
13	exhibited at paragraph 324 and it's video 150, please,	13	Δ	Yes.
14	if we could play it . (Video played).	14		R JUSTICE NICKLIN: Which Facebook page?
15	A. Oh, yes.	15		BOLTON: Free the MBR Beagles, my Lord. So it's right,
16		16	IVI	isn't it, that that's some time ago, so it shows that
	Q. Did you take this footage?			<u> </u>
17	A. Definitely not because I couldn't — this was in the	17		the workers have been —— they have given evidence about
18	early times and I couldn't fly a drone then.	18		having to cover their faces. That has been going on for
19	Q. And it's right, isn't it, that you can see there, if	19	Λ	some time, hasn't it?
20	their faces weren't covered, those staff would be very	20		From day 1.
21	clearly identifiable?	21	Q.	Yes. Right. Next one is an exhibit to paragraph 326
22	A. Yes, you can also see an extremely unprofessional way of	22		and it's video 747, please. (Video played).
23	carrying dogs around the site.	23		Can I have the date of it?
24	Q. We are not here to argue about the rights and wrongs of	24		If we can pause a moment, it's 25 August.
25	how to carry a dog.	25	Α.	Which year?

1	Q.	2021.	1		hedge and the better the drone you use, we were given
2	A.	Okay, this again $$ we can watch it but it won't be me.	2		a really flash, big drone and I hated it, I didn't like
3	Q.	No, and this is again on Free the MBR Beagles that this	3		it. It was too big, the workers could hear it from
4		footage was released.	4		100 miles away but that had crazy, crazy zoom on it. So
5	A.	Okay.	5		this footage here could definitely be seen from outside
6	Q.	We can play on, please. (Video played).	6		the fence.
7	A.	Again, I would say —— what I see there is	7	MR	JUSTICE NICKLIN: So from your knowledge of flying the
8		unprofessional, stacking cages, dragging them along the	8		drone, this footage could have been obtained by a drone
9		floor.	9		that was not flying directly over the Wyton site?
10	Q.	It's right, isn't it, Mr Curtin, that again that's	10	Α.	Could we zoom out?
11		getting quite close	11	MR	JUSTICE NICKLIN: Play it before it was zoomed out,
12	A.	Look at those crates wobbling. Do you want to take that	12		please.
13		back? Look at those crates wobbling. Where is the	13	Α.	To answer your question, this is $$ if this is the site,
14		manager —— pardon.	14		this is near the top of the site, so it wouldn't be
15	Q.	It's getting quite close to the staff, isn't it?	15		possible to get this from the side angle because the
16	A.	That, I can tell you now $$ it's horrible to watch this,	16		door is pointing that way. I've got an idea. You would
17		untrained. That's not possible to say. You know why?	17		be able to $$ you would be able to see this from the
18		Because when you put this on to whatever software you	18		road ——
19		are using, zoom matters on the imovie, it has got	19		JUSTICE NICKLIN: Okay.
20		a different power zoom. I use a crappy little Android	20	Α.	Yes.
21		one, which is not as good. So it's never possible $$ it	21	MR	JUSTICE NICKLIN: Depending on what type of drone you
22		gets grainier and grainier, as you go in. This doesn't	22		were using and what camera it had?
23		necessarily reflect the height, as recorded on the card.	23	Α.	Yes.
24		Do you understand what I mean?	24	MS	BOLTON: Mr Curtin, sorry, my Lord, I have just had
25	Q.	We can see the staff member there is quite clearly aware	25		something pointed out to me, which is probably a fair
		109			111
1		of the drone, aren't they?	1		enough comment. Mr Curtin does appear to have his phone
2	Α.	Yes.	2		in the witness box.
3	Q.	Yes. Right. Next one, please. If we can go to $$ it	3	Α.	I know.
4		relates to paragraph 327 of the evidence and it's video	4	Q.	If you could just make ——
5		1018. (Video played).	5		JUSTICE NICKLIN: He is not using it.
6	A.	What's the date of this, please?	6	MS	BOLTON: —— if he could just make sure it's turned off
7	Q.	This one is $$ bear with me. (Pause)	7		and put away.
8		That's footage (inaudible) on 27 August.	8		Right. Next video, please. Can we go to 657,
9	A.	You see the way it's zoomed in?	9		please, which is paragraph 329. It concerns
10	Q.	Yes, see how low it's capturing footage.	10		17 March 2022. (Video played).
11	A.	No, do you see the way this could be $$ it has gone	11		We have seen there that that footage has been the
12		grainy now, which means it has been zoomed in from the	12		close—up of an operation and over the entire site,
13		actual software. This could be 50 metres, depending	13		hasn't it?
14		which movie maker you use.	14	Α.	Yes, it is also very grainy, which suggests to me it has
15	Q.	But it records quite good detail, doesn't it?	15		been artificially zoomed into.
16	A.	It does, thank God.	16	Q.	It's right, isn't it, what we saw a moment ago was
17	Q.	Right. Next one, please ——	17		a drone footage of the entire site?
18	MF	R JUSTICE NICKLIN: From your knowledge of the site and	18	Α.	Yes.
19		because you've flown drones over it, is this footage	19	Q.	Yes. Okay. Next one, please.
20		that could be taken if you had flown the drone $$ you	20		Mr Curtin, that one that we have just looked at was
21		have to fly over the site or it could have been to the	21		from 17 March 2022.
22		left or to the right of the site?	22	Α.	Yes.
23	A.	I think the site is $$ I don't think it's $$ I don't	23	Q.	Was that your footage?

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A. I made the video. I put the music on. I remember part

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of the editing process. $\mbox{\ensuremath{I'm}}\mbox{\ensuremath{unable}}\mbox{\ensuremath{to}}\mbox{\ensuremath{say,and}}\mbox{\ensuremath{the}}\mbox{\ensuremath{table}}\mbox{\ensuremath{a}}\mbox$

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know if it's 50 metres across. It's hundreds of metres

that way. So this could absolutely be taken from the $\,$

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- 1 that it's so grainy suggests to me it's taken perhaps 2 from high up and you've had to artificially zoom into 3
- 4 $\ensuremath{\mathsf{Q}}.$ Alternatively , that could be the quality of the drone at 5 the time?
- A. No, the drone stays the same quality. No matter how 6 7 much I rack my brain, I'm unable to tell you. I made 8 the video with the editorial bits but the opening shot, 9 you said it takes the whole site -- that -- if you show 10 me it again, it's the sort of thing -- try and get an $\,$ 11 artistic angle, rise and go all in one go, but 12 I couldn't guarantee that shot, but the opening shot but 13 that might not be different. I'm unable to help you with a definitive -- because it's not often that I'm the 14 15 only one there that can't fly a drone. So it could have
- 17 Q. Looking at the specific area that was being filmed, that 18 would have been over the site. wouldn't it?
- 19 A. No. because it's taken from that angle. So. like I said, there is no advantage to going vertical on that 2.0 21 site unless you want to look down a well. You can see 22 everything perfectly well from the sides.
- 2.3 Q. Okay. Let's have a look at video 746, which is 2.4 exhibited at paragraph 330, 6 June 2022.
- Pausing there, that's not above 50 metres, is it?

- 1 A. I don't know.
- 2 Q. These are single storey buildings.

been someone else

- 3 A. (Overspeaking) start to go grainy, I suggest it is, because the important thing in that, very unusual, very 5 unusual, to have the doors open.
 - Q. If we look at the angle of that camera, there is $\,--\,$ I suggest to you that's a single storey building. It is not plausible that that footage is taken at 50 metres or above: it is significantly below that.
- 10 A. We don't know. It depends on what software you use to 11 make the film. You imagine taking that up -- it could 12
- 13 Q. It's requiring that drone to come down low at another roof height to film that entrance, isn't it? 14
 - A. There is a door open, so I imagine the drone operator -and this is how bad this is: this is an unusual thing now but, if you wanted me to swear, my guess -- I've got no memory of taking that. It will just sound like I'm not being helpful, because if I remember taking that, I would tell you now, and I don't, but it's very, very unusual. But that to me -- it looks like a shallow angle. So whether that's 50 metres or not, I don't
- 2.4 Q. And what we can see is the white shelf in this image is 25 the neighbouring building.

- 1 A. What was that?
- 2 Q. The white shelf that appears, that's the roof of the 3 neighbouring building, isn't it?
- 4 A. Yes.
- 5 Q. Yes.
- MR JUSTICE NICKLIN: There is some kerfuffle outside. Try 6 7 and ignore it. I don't know what it is. Carry on.
- 8 MS BOLTON: So you don't recall whether you took this 9
- 10 A. Even — I think I would remember if I took that footage 11 and I don't remember taking that footage.
- 12 Q. Right. Let's look --
 - A. But it is the sort of footage that, once I had got,
- 14 I would say to someone, good one, nice one, because it 15 shows the dogs inside.
- Q. Yes. Let's have a look at -- I want to go to -- it's in 16 17 the persons unknown bundle. It's a photograph and it's 18 at page 848 and it's the exhibit to paragraph 331 of the 19 witness statement of Susan Pressick, SP28232.
- 2.0 Where this is quite helpful is this shows that the 21 drone at the time was being flown at 50 metres.
- 22 A. Yes.

13

- 2.3 Q. Was that you flying the drone?
- 2.4 A. Couldn't possibly answer that.
- 25 Q. And what it shows us is -- we can see the single storey

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- 1 buildings below.
- 2 A. Yes.

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- 3 Q. That's much higher, isn't it, that image, than the image we have just been looking at?
- 5 A. Yes, but look at the focus, it's crystal.
- 6 Q. Yes, and it's right, isn't it, that it's a much higher image than the image we were just looking at in the video before?
- 8 9 A. It appears to be but if you could -- on a piece of 10 software, you can get a little $\,$ grid and you could say --11 you could go down to the trolleys and you could zoom in 12 to that and it would look like a complete -- you
- 13 wouldn't know it from the same picture.
- Q. We could see what I think was this building on the left 14 15 of the image here, we can see the edge of that roof on 16 the last image, so I would suggest to you that that was
- 17 at roof height, the single storey buildings in the last 18 image, and we are seeing a zoomed-out 50-metre image 19 here, aren't we?
- 20 A. Well, the bit you've chosen is so grainy that it
- 2.1 suggests to me something has been zoomed in and, if you 2.2 had a crystal clear bit, say, from here.
- 23 We will go back to it in a minute, Mr Curtin. I'm going 2.4 to put to you the previous image wasn't grainy, the one 25

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before that might have been but the previous image

1	wasn't?	1	site so far.
2	A. Okay.	2	Q. Right. Okay. Let's look at the next exhibit, which is
3	Q. And it's right, isn't it, that we can see at 50 metres	3	to paragraph 332 of the statement and it's video 661,
4	that drone can do quite significant surveillance of the	4	please. (Video played).
5	site . That's a very clear image.	5	That's 16 June 2022.
6	A. Yes. You don't need any more image than that.	6	A. Mm-hm.
7	Q. No, at that height it is capable, I would suggest to	7	Q. Again it's a very clear image of the employees, isn't
8	you, of interfering with the activities of MBR Acres	8	it?
9	because it will pick up the staff, it will pick up their	9	A. Yes.
10	movements?	10	Q. Did you take that footage?
11	A. So would a camera from the side fence, which we have	11	A. I would really $$ I've seen $$ I know who that is and
12	took some very remarkable pictures of dogs in trolleys.	12	I've seen that person $$
13	Q. And it would also be capable of being used for	13	Q. Let's not do names.
14	surveillance at that height for anybody that wanted to	14	A. — push trolleys.
15	break into the site?	15	Q. Let's not do names.
16	A. Of the points you make, that's quite a $$ I'm not seeing	16	A. And there has been definite occasions where I have
17	the rationale. It's quite a bizarre point to make. You	17	filmed that person, and I couldn't tell you $$
18	should make it $$ I don't understand that point, the	18	I honestly couldn't tell you whether I filmed that. It
19	last one.	19	looks low.
20	Q. Let's have a look at $$	20	Q. Okay. It does look low, doesn't it?
21	MR JUSTICE NICKLIN: Before you leave this photograph, do	21	A. It looks low.
22	you recognise this image in the sense of what it's	22	Q. Yes.
23	telling you about the drone? So round the side it has	23	A. It might not be.
24	got:	24	MR JUSTICE NICKLIN: Is the fact that it is low, does that
25	"N mode, in flight, 6.26."	25	make you think it's more likely or less likely to have
	117		119
1	And there is some bars, a 26?	1	been you who filmed it?
2	A. Yes.	2	A. Less likely .
3	MR JUSTICE NICKLIN: I'm interested in the 4x, if you know	3	MS BOLTON: Okay. Let's look at paragraph 333, exhibit,
4	what that means.	4	which is video 929, please. (Video played).
5	A. 4x. That's the focus.	5	Pausing there, if we could just go back a few
6	MR JUSTICE NICKLIN: That's what I thought. It's four times	6	seconds, please. Pause there, please.
7	magnification?	7	A couple of points, Mr Curtin. That's your voice,
8	A. Yes.	8	isn't it?
9	MR JUSTICE NICKLIN: It's a bit like an iPhone.	9	A. My voice for sure.
10	A. Yes.	10	Q. Did you take this footage?
11	MR JUSTICE NICKLIN: The details below?	11	A. This one, this is a candidate for flying, I would say,
12	A. That's just like the $$ if you were using the camera,	12	perhaps $$ unless you are using some snazzy, snazzy
13	for the lens and the speed shutter.	13	software.
14	MR JUSTICE NICKLIN: Okay.	14	Q. Sorry, say that again, I couldn't hear you.
15	A. The 198 metres is how far you are from the drone.	15	A. Again, this could be one of those candidates, I don't
16	MR JUSTICE NICKLIN: Right. From the base unit?	16	know if this is 50 metres or not.
17	A. Yes.	17	Q. I'm going to suggest to you, Mr Curtin, that's clearly
18	MR JUSTICE NICKLIN: Right. Okay. Thank you.	18	being flown at door height, just slightly above it, if
19	MS BOLTON: It's right, Mr Curtin, if you are 198 metres	19	anything.
20	from the drone, then that's clearly over the site and	20	MR JUSTICE NICKLIN: Your evidence for that would be what?
21	not on the edge, isn't it?	21	MS BOLTON: We will look at the video. We can see the
22	A. Yes. I have never stopped flying over the site . Even	22	movement of the camera. So if I may play that. So if
23	though I heard what has been said in court, there hasn't	23	we could $$ (Overspeaking).
24	been an order to stop flying over the site, and I have	24	MR JUSTICE NICKLIN: Let her make her questions, please.
25	ignored the claimant's worries about flying over the	25	A. Sorry.
	118		120

MS BOLTON: Pausing there, that drone would have to be quite 1 1 A. Anyone is available to fly a drone and -- remember what 2 low, wouldn't it, to get that footage? 2 you can see from a satellite . Sometimes you see as much 3 A. I'm trying to go along with it, be helpful. I hear what 3 detail as you can see off these images that you can see 4 you are saying. It depends on what software was 4 from a satellite. It depends on what you use. packaged to do this. It's possible that this drone MS BOLTON: It does, Mr Curtin, and it depends what you use 5 5 was -- it's possible this is below 50 metres, it's and how reasonable the height is and the interference it 6 6 7 possible, and the person flying the drone has forgot 7 has. But I'm going to put it to you that what all of everything about 50 metres and there is a door open and 8 those images show is that, first of all, some of those 8 9 they are seeing dogs and they are doing what they can to 9 images have demonstrated that workers have had to change 10 1.0 get this footage. their behaviour as a result of the surveillance by 11 Q. It's your voiceover, Mr Curtin. 11 drones. 12 12 A. That means nothing. A. As I told you. I saw people who have hid their identity 13 Q. Can you not help me a bit more on -- how was this 13 from day one and to the point when I have seen their 14 faces in court, it's the very first time, even though 14 15 A. I'm there all the time. I do the narrations on all the 15 they've driven past me and I've seen them for 22 months, 16 videos, especially if I'm doing it. So -- so the two 16 it's the very first time I've seen their face. 17 are not connected. (inaudible) the drone and who flew 17 Q. And it's also demonstrating that it's surveying the site 18 the drone. I'm swearing on oath now and I'm unable to 18 at a low level and the layout of the site? 19 tell you, even this, I bet you think I remember this and 19 A. This video looks like it's from a low level and perhaps 20 2.0 the reason for that is because it's unusual and there is the door was open --2.1 Q. Okay, let's play on. (Video played). 2.1 dogs there. 22 22 If we just go back just a little bit, please. Just Q. That conduct is capable, that flying of drones at those 2.3 a little bit more, please. Okay, play on, please, 23 heights and surveying the site the way they are, is 2.4 2.4 capable of interfering with the claimants' peace and (Video played). 25 Can you pause? It's actually even capturing the 2.5 enjoyment of that land? 121 123 MR JUSTICE NICKLIN: Okay, that's a comment again. His 1 number plate, isn't it, on that vehicle, the white car? 1 Did you see that coming in and out or do you want me to 2 2 answer is not determinative of that issue, it's his 3 rewind it? 3 opinion A. Yes, I didn't notice that. 4 MS BOLTON: My Lord, I will move on. 5 5 Q. Just go back again. There we are. You can see that? My Lord, I'm going to move on to a different 6 A. Yes. 6 incident. 7 7 Q. Yes. Play on, please. (Video played). This is a specific harassment allegation against 8 Pausing there, so that's staying quite -- that's $\;$ 8 you, Mr Curtin. 9 9 taking footage at quite a low height, isn't it? A. Yes. 10 A. It is . You know. Yes, it is . But the reason -- you 10 $Q. \;\; \mbox{And this concerns the filming of staff} \; , \; \mbox{and} \; I \; \mbox{want to} \;$ look at video 183, please. (Video played). 11 are talking about causing alarm (inaudible) because 11 12 there is -- quite uniquely, there is a door open and 12 Pausing there, we can play on if you need me to but that is $\,--\,$ the words used is a precious glimpse. This 13 13 do you accept that's you climbing up to put that camera is indeed a precious glimpse. 14 14 on a pole? 15 15 Q. But we can see, can't we, that, one, this is at a low A. It is ves. 16 level anyway; two, it's also we have seen zoomed out 16 Q. And let's have a look at that. 17 17 images of this building; yes? A. Can I address — give you some background. (inaudible) 18 A. Yes. 18 ask the questions. 19 Q. And so the footage of the zoomed-out, the building, 19 Q. If I ask some questions, if you need to say more, I'm 2.0 2.0 what's in that particular building, that's all quite sure there will be an opportunity for you to do so. 21 21 useful for somebody who wants to survey the site to Let's play on a little bit, please. (Video played).

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Q. Yes.

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MR JUSTICE NICKLIN: That's asking him to comment. That's

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Right, pausing there, please, that camera is

directed at the front gate of MBR, isn't it?

A. It was, before it was taken down.

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break in. isn't it?

not a useful question.

MS BOLTON: And --

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- 1 A. By myself.
- Q. And the purpose of that camera was to monitor thecomings and goings from the MBR site, wasn't it?
- A. Ah, the idea behind this camera was the work of someone
 else. He actually tried to join himself on to this
 (inaudible), a Mr Grace.
- Q. Yes
- A. It was his great idea, get some cameras and we are going to beam it across the world, we are going to do this, we are going to do that. It seemed like a harmless enough thing. Here I am facilitating, let's get some cameras up.
- MR JUSTICE NICKLIN: You say "Beam it across the world".
 Was it like a I mean, a static camera enabling people
 to just log in and see what was happening?
 - A. A ring camera. If you went through him, you could get the password and anyone could — from Los Angeles, you could see what was happening on the B4101.
- MS BOLTON: And it would, of course, capture when the staff were leaving and entering the site or when any vehicle was leaving or entering the site.
- A. There are a number of cameras on it and some of them pointed at the gate and some of them pointed down the road.
- 25 Q. Yes.

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- A. I was eventually attacked the camera was eventually
 attacked. There was a woman there who was hit by a man,
 who came with an iron bar with metal tucked round it,
 because we took these cameras down.
- 5 Q. You did put them up?
- 6 A. I helped, yes.
- 7 Q. Yes.

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- A. I could see no harm in it.
- Q. And it's right, isn't it, that, if the target of the protest wasn't the staff, there would be no need to have a camera facing the gate, monitoring the comings and goings at the gate, would there?
- A. There is a hundred reasons why it might be of interest to put cameras up on this high profile campaign. We have been subjected to violence and attacks. It was high profile, so therefore to have some —— you are telling me it's there to target workers, it was there to catch the scene. And were any rogues' gallery produced? I don't know if they were but they certainly weren't produced with anything to do with me.
- Q. It's right, isn't it, Mr Curtin, that this is this is happening in April 2022, that camera is not facing the general scene, it's facing the gate, an area where there is an exclusion zone, an area where there is supposed to be free passage for the staff? The only reason to focus

- at the gate is to film the comings and goings of when the staff or other contractors are entering and exiting the site.
 - A. Watching that camera from California, it would be like watching paint dry anyway, normally, on the A4101, but if you are going to point a camera somewhere, I would point it at the tents. It's an obvious focal point.
- 8 Q. Yes, but it's not, it's facing the gate, isn't it?
- 9 A. Yes, but don't you notice one thing about this, and it
 10 was very symptomatic of this Mr Grace, who has now
 11 disappeared, everything he did was high profile. If
- 12 I wanted to put a camera to capture the workers to do 13 this, there is about 100 other different ways to do it.
- 14 Wildlife cameras, camouflage it, use small cameras.
- This was like in your face. You could say this could help have a paranoiac effect on the workers, you are
- being watched, and there I am putting it up. I also
- being watched, and there I am putting it up. I alsotook it down, eventually.
- 19 Q. It's right isn't it, that's exactly it; it's to make
 20 them feel alarmed and stressed that they and their
 21 number plates are being recorded as they come and go
 22 from the site?
- A. I didn't say that. It's very high profile. If you did want to instill even more paranoia into the workers, you are being filmed, the whole place is full of cameras,

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- 1 MBR's cameras. There's cameras everywhere.
 - Q. That's the point, wasn't it, to make the workers feel that they were being filmed, to intimidate them? That was the purpose, wasn't it?
- A. This is to film the scene. This is to film vans coming 5 6 out. This is to film any -- people coming past, 7 chucking litter at us, which most of the people, 99% of 8 the people give us a beep and a wave or they are 9 neutral. Some people sometimes will throw McDonalds 10 stuff. We have had worse than that. We have had idiot 11 car racers at nighttime, burning their tyres. So it 12 could be there, actually, for a number of reasons. We 13 found out eventually it was there for different reasons,
- 15 Q. It's right, isn't it, at the time when you are putting 16 this camera up, its focus is the gates?

actually spying on activists, but that's another story.

- A. It's a moveable pole, the cameras and it if I'm going to put a camera on that pole, which I clearly am, there is only one place I'm going to really point it and that's towards the gates. There is only one set of gates and it wasn't to intimidate the workers, it's to —
- 23 Q. I suggest it was?
- A. I am helping in a project here because -- unfortunately, I did help that individual.

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1 Q. Mm-hm. And it was to target the workers? 1 A. I think it might be that same camera -- yes --2 A. It was actually to target other activists and listen to 2 Q. This is a month later. 3 their conversations, we found out was the actual 3 A. Yes 4 purpose. 4 Q. And that's -- so that's facing up the road and the MBR $\ensuremath{\mathsf{Q}}.$ Well, if it's focused at the MBR gates, Mr Curtin, that 5 5 gates are behind those tents on the left, aren't they? particular camera wouldn't do that, would it? It would 6 6 We see the car moving along. 7 7 only pick up what was going on as people were leaving or 8 coming into the MBR site. That's what that was focused 8 Q. So it's right, isn't it, that what that would capture is 9 9 the staff arriving in the morning and leaving? 10 10 A. Since we took these cameras down, we haven't put another A. That was a failed attempt, because the camera is not set 11 one up but the thing that hasn't deterred me putting one 11 up to do that, to put the camera there from that 12 12 up is I can't put a camera here because the workers are distance and hope it will act as some sort of automatic 13 going to get worried about it's all about them. No, 13 trigger when a vehicle goes past, it will record the 14 14 there is loads of reasons why you would want to put vehicle. And it would set off an alarm. But it was 15 15 a failed attempt because the camera had too big a -a camera. Q. Let's have a look at another one. 16 16 Q. But it was setting up to pick up staff and contractors' 17 17 A. Okav. vehicles, wasn't it? 18 MR JUSTICE NICKLIN: Just help me with the camera for the 18 A. More to set off an alarm when the line was crossed, just 19 moment. Is the camera fixed or could you control it 19 to know that a worker has gone in and out, because there 20 20 remotely? had been some night-time vans. 2.1 A. That one there? That's -- I think that camera there, 2.1 Q. Yes. 22 that's being put on, that's not the ring cameras, that's 2.2 A. Which we had missed, and one of the reasons we had an extra camera. That's a camera that the camp had 2.3 2.3 missed them is because those ring cameras, they were not 2.4 bought and that's one that I'm attaching, and that could 2.4 fit for purpose, either. We were told they would pick 25 be operated remotely. You could move it. You could 25 up vehicles coming in and out. So, yes, I'm very 129 131 1 move it 180 degrees, so if you look there, I'm probably 1 interested in who goes in and out of that site all day long and all night long. I'm a nosy neighbour. 2 trying to angle it so it would go like that. 2 3 MR JUSTICE NICKLIN: And when do you say -- you told me that 3 Q. Apologies, Mr Curtin, it has just been pointed out to it had been taken down. When was it taken down? me, I'm describing the site incorrectly. 5 A. I was going to look for the -- where are we? A number 5 6 of months ago. A witness there might be able to help 6 Q. I think we have both misunderstood each other. That 7 7 camera $\,--\,$ sorry, the gates aren't the other side of the MR JUSTICE NICKLIN: You cannot have help. 8 8 tents, are they? 9 9 A. Sorry, it was when the attack -- the attack happened --A. Yes, the gate is here. 10 as soon as we took the cameras down, our windscreens got 10 Q. That's the exclusion zone, apologies. 11 smashed and then, the next night, the madman turned up 11 12 with a bat. That was -- my mind has gone blank. 12 Q. So it's filming entry and exit from the gates from the 13 UNKNOWN SPEAKER: September. 13 other side of the exclusion zone, so if you were coming MR JUSTICE NICKLIN: We can't have shouting out. 14 14 out of the Wyton site, that would be on your left. 15 15 A. Months ago, about six months ago. The cameras were up A. Yes. 16 for months but they are a source of dissension and 16 Q. That's correct, isn't it? 17 I regret putting those cameras up. But not because of 17 A. Yes. 18 the effect that it might or might not have had on the 18 Q. Apologies. It's my confusion, apologies. 19 workers. 19 A. The reason for this is some sort of -- you know, like 2.0 2.0 you have a wildlife camera to see movement, this is what MS BOLTON: Let's look at another one, please, video 192. 21 21 I was trying to do, but not succeeding, with that camera (Video played). 2.2 Pausing there, that's you in the high vis jacket, 2.2

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24 25 That was again focused on staff and contractors, wasn't

A. It's focused on the gate. It's very interested -- it

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A. Yes.

Q. And that's another camera on that water tank, isn't it?

1	breaks people's hearts, the fact that they drive dogs	1		pointed at the gates, as they come and go, that that's
2	out there. It breaks people's hearts, and we have been	2		going to cause them distress that yet again they are
3	able to report on nearly every dog van that has gone	3		being recorded and that that could be for the purposes
4	out. It would be a tragedy, just an afterthought, oh,	4		of identifying them, stopping them in the road, working
5	by the way, we think a van might have gone out earlier.	5		out where they live . That's foreseeable , isn't it , that
6	This is a solemn event, say if a van went out. That	6		that's going to cause them distress?
7	would be the most important thing that (inaudible).	7	A.	They live in Britain. They live in a place where they
8	Q. It lets everybody know when someone is coming and	8		know damn well the controversial nature. They know how
9	leaving so that they can come out and anything from	9		sensitive it is. They can now expect people to be
10	obstruction to taking camera footage of what the number	10		watching their movements because they are so
11	plate is or putting it on social media, it's all there	11		controversial . So a person of reasonable firmness $$
12	to target those coming and going	12		unless you want the protest to absolutely, like I said,
13	MR JUSTICE NICKLIN: Just a minute, are you saying that	13		vaporise, once the secret is out —— they were happy
14	Mr Curtin has done that?	14		enough when nobody knew it was there and the local
15	MS BOLTON: Well, yes, because I'm putting to him $$	15		people didn't know it was there. Now it's out,
16	MR JUSTICE NICKLIN: You are saying he has put number plates	16		a reasonable person kind of has to accept some sort
17	on social media?	17		of $$ well, people are watching them. They know it.
18	MS BOLTON: No, I'm saying it permits all of that to be	18	Q.	It's right, isn't it, Mr Curtin —
19	recorded. I'm not suggesting Mr Curtin has put	19		Not (inaudible) individuals. If you go to this company,
20	something on social media. I'm suggesting Mr Curtin	20		it's a matter of public interest .
21	assisted in putting a camera up.	21	O	It's right, isn't it, Mr Curtin, that whilst the
22	A. Mr Curtin gave up and because Mr Curtin is not hi—tech	22	٩.	employees have accepted there will be a degree of
23	or we never managed it but what we do have in place now,	23		protest, it's quite a different thing, isn't it, for
24	instead of that, is a beam, like a laser beam, that's	24		them to have to experience the distress of knowing that,
25	set up from our side. The workers, everyone knows it's	25		if they don't put on a disguise to drive in and out of
23		23		
	133			135
1	there, they can hear it. The security people happily	1		work every day, that they could be picked up on cameras
2	park their cars to make it go off continually, one	2		and that that information may be shared and they may be
3	particular security guy. We have got a little infrared	3		identified? That's going to cause them distress, isn't
4	beam here and one at the other side of the 20 metres of	4		it?
5	the other side of the gate and that means every time	5	Α.	Not all the workers cover their faces.
6	a vehicle goes in and out, we get a loud noise. Like a	6	Q.	No.
7	whoop, whoop, whoop.	7	A.	If there are fears $$ there have been some incidences $$
8	MR JUSTICE NICKLIN: Just go back to the point. Did you	8		and you can pick them up —— where people have been, say,
9	ever get the camera to work?	9		outed publicly. If these cameras went along with
10	A. No, no, it was $$ no, we could have $$ we could get it	10		parallel, with say like the rogues' gallery, then, yes,
11	to record but not to record automatically, not to know	11		then there's like, "The cameras are going to mean we're
12	in hindsight, if you look back at nighttime, if	12		going to be put on some site and they are going to
13	a vehicle had gone past it. It would pick up too much	13		generate hate for us." That hasn't happened, that
14	information. And the $$ because of the 20 metres, if we	14		hasn't materialised, apart from some —— there have been
15	were able to put it next to the gates, then it would	15		some incidents with individuals . The campaign has not
16	work but, because of the distance, no.	16		gone down that road.
17	MS BOLTON: And considering that the employees have had	17	Q.	The campaign has gone down that road, as you say. You
18	significant issues getting in and out of the Wyton site	18	•	are very aware that employees have been targeted, but
19	during the course of this protest —— we have looked at	19		it's right, isn't it, that, as you keep saying, well, if
20	some of those over the last couple of days —— and	20		they work here —— and that's the attitude, isn't it,
21	considering that that protest has at times involved	21		because the point is to make them so uncomfortable and
22	filming them and you heard the employees say that some	22		so distressed that they stop working here. The point of
23	of them's images and cars have appeared on social media.	23		these cameras and filming the employees and making them
24	A. Yes.	24		feel uncomfortable is to say to them, if you carry on
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working here, you are going to have to put up with this?

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 $\mathsf{Q}.\;\;\mathsf{It}\,\mathsf{'s}$ reasonable, $\mathsf{isn't}\;\;\mathsf{it}$, that when they see cameras

1 A. If we want to go back to that potato factory thing, 1 A. I've got a JC. I've got my own small witness -- revised 2 there are millions of people that are horrified what 2 witness statement. 3 goes on behind the gates of MBR Acres and further 3 MS BOLTON: We have one copy. 4 horrified about what happens to the dogs, and you are 4 MR JUSTICE NICKLIN: Have I got one? 5 asking to rewind and obliterate that obvious fact. This 5 MS BOLTON: You should have, my Lord. It's the revised is not a potato factory. This is a really sensitive witness statement and evidence of John Curtin, is the 6 6 7 place, really sensitive, and it goes with the job. It 7 $\mbox{didn't used to because} \ -- \ \mbox{before Camp Beagle}.$ 8 MR JUSTICE NICKLIN: Okay. 8 9 Q. It goes with the job? 9 MS BOLTON: Do you have it, Mr Curtin? MR JUSTICE NICKLIN: Yes, JC1, what page? 10 10 A. It does. 11 Q. It goes with the job that they should be filmed and made 11 MS BOLTON: It's page 29, my Lord. 12 12 to be distressed --You put in this as evidence, and we see the post on page 29, which says: 13 A. No. I didn't say that 13 ${\sf Q}.\ \ --$ by the fact that they work at MBR Acres, if they "Join us at 2023 World Day for Animals in 14 14 15 choose to work there, they have to put up with this? 15 Laboratories march on Saturday 29 April at Huntingdon. 16 16 "In the morning meet us at camp to greet the workers 17 $\ensuremath{\mathsf{Q}}.$ And that's the idealogy behind this campaign, isn't it , 17 of MBR and to share some breakfast with us." 18 to target them? 18 Q. It was Camp Beagle's -- at the time you submitted this 19 A. That's a scandalous misrepresentation of me saying it 19 2.0 goes with the job. It goes with the job meaning this is 20 evidence -- pinned post, wasn't it? 21 not a potato factory. If I work here, which is my 2.1 A. Yes, because it's World Day. 22 choice, then I can expect to be in the headlines and 22 $\ensuremath{\mathsf{Q}}.$ And the reference to greet the workers, that's 2.3 2.3 a reference to being at the gates of MBR in time for full of controversy. That's not an astounding point, is 2.4 it? And you want -- it's as if these people have 2.4 when the workers arrive. That's correct, isn't it? a special right in society to secrecy and anonymity. 25 137 139 Why? 1 1 Q. To demonstrate to them your objection to what happens at $\mathsf{Q}.\;\;\mathsf{No},\;\mathsf{Mr}\;\mathsf{Curtin},\;\mathsf{no}\;\mathsf{one}\;\mathsf{is}\;\mathsf{suggesting}\;\mathsf{that}.\;\;\mathsf{They}\;\mathsf{are}\;\;$ 2 2 3 suggesting that they should be entitled to go to work 3 A. Yes, if you notice, it doesn't say, "In the morning meet without being caused alarm and distress and without 4 us at campaign to block the workers, to abuse the 5 5 being obstructed. workers, to --6 A. And I have never set out to cause the workers alarm and 6 Q. It doesn't say, though, does it, "Let's meet at MBR for 7 7 distress, and I understand —— I know, if I was to put breakfast and to protest the activities of MBR," it 8 8 a poster up and make it personal, it would really, makes a specific reference "to greet the workers"? 9 9 A. It does, and share breakfast with us. really aggravate any fears that they might have had. It 10 would probably go through the roof. 10 Q. And the reason why it's to greet the workers is the 11 Q. I would suggest that putting up cameras to watch staff 11 focus of your protest is the workers, isn't it? 12 is making it personal. It's making it very personal to 12 A. Right. I've said it once and I'll say it again: it's 13 13 never been my focus to focus on the workers. It just A. No, I don't accept that at all . There is 100 reasons to hasn't been. We have used the word "shit shovelers". 14 14 15 put up cameras here, health and safety, like -- the 15 You said that's condescending and abusive. I see the

2.2 MR JUSTICE NICKLIN: I don't think I've looked at that 23

amount of -- thankfully, it's quite rare but we have had

evidence, at the beginning of this trial, of a post from

Q. And even just before the start of this trial, you put in

23 April this year, and it's in the 11th defendant's

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bundle yet. Where is that?

attacks against us.

2.4 A. JC1/29

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MR JUSTICE NICKLIN: Where have you got that?

evidence bundle at JC1, page 29.

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workers as unskilled -- relatively unskilled shit

shovelers. It's my view. You get rid of one worker,

another one will pop up. You are totally misreading

something here. The main thrust of this article is to

invite people to come for a beautiful demonstration we

had in the middle of Huntingdon, where residents were

saw in August 14th, with like police issues and all the

rest of it. That doesn't happen now. We are confident

coming out and they were clapping us, and we want people

to come to the camp. We don't have -- you know, what we

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in bringing people to the camp and not having large problems.

So it is like a bonus for the camp. The demonstration is taking place in the town centre but, while you are at it, yes, I'm readily asking people — we are asking people, come, come, come, come, and see these workers go in and watch them leave. Perhaps, I think on this day ten o'clock —

- Q. You are going to be at (inaudible) in the afternoon?
- A. Yes, but you can I was going to say bloody. You can do both, you can watch the workers leave and you can still get to Huntingdon for 11am, and I wanted people to witness that, that you can see people finish a day's work and you can still get off to the start of the demonstration, which is 11 am, which is amazing.
- Q. The reference to "greet the workers" is just a further piece of evidence, like the ritual that we have seen in the videos, of the target of this campaign being the staff, just like when we looked at the incident earlier, with Employee V, again the target is the staff. The whole focus outside the gates of MBR, isn't simply to protest and shout your protest message, it's to focus on the staff, to such a degree that they become so harassed and so alarmed by your conduct that they leave. That is what you are trying to achieve.

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- A. Your case that you just put to me is absolutely $\,--\,$ I throw it straight back at you, that what you are doing, you've got an agenda, you are focusing on one point, where it even says -- and that to me -- if --I don't know who put this post up but it's the sort of thing that I would come up with to greet -- how do you put it , you know? To greet -- it's like -- if anything, it's neutral but you are not seeing the World Day, you are not seeing the breakfast, you are not seeing the $\,$ speeches and the drums, you are not seeing the horrible picture of the dog below, you are seeing with your obsession, but you are getting paid to do it, presenting this case, that I, John Curtin, am targeting -- and let me say it for once. I would normally say it outside the court, targeting the shit shovelers. It's not how my mind has ever worked from when I arrived.
- Q. And it's right, isn't it, that without an injunction in place, that targeting would go back to being exactly as it was before the injunction was in place and those staff would on a daily basis, or at least a weekly basis, be finding it difficult to get in and out of the site?
- A. Targeting people to cause them alarm, harassment and distress is illegal anyway. Blocking vehicles in so they actually can't move out the site, actually blocking

them, stopping them, would be dealt with by the police.
The injunction wouldn't stop a rogues' gallery, I don't think, would it?

- Q. Yes, we have seen today, Mr Curtin, video evidence ofthat happening.
- 6 A. Of what happening?
 - Q. Of people not being able to get out of the site.
 - A. Ah, the Anglia Water? I thought we had gone into that. I didn't come here today, and I haven't — I haven't spent 40 years in order to try and stop an Anglia Water man from getting out of there, I tell you now. And that's a ridiculous suggestion to make.
 - Q. I just want to just to make sure I've not missed anything, my Lord, I think I'm going to be very quick on this. I'm just going to very quickly check a few points in Mr Curtin's witness statement. I think I've pretty much covered everything I need to put to Mr Curtin but I don't want to find later that there is something I should have picked up. (Pause)

Mr Curtin — I mean, my Lord, there are some very broad points, Mr Curtin suggesting that his protest has always been legal. I think I've sufficiently put points on that to him, Mr Curtin, but just for clarity 's sake, we say — and we have explored with you over the last few days — that your protest isn't legal, that you've

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crossed the line, that you've trespassed, you've
bostructed and you've harassed and we have explored
that, the reasons why. So I don't think I need to deal
with that further.

- A. And I've rejected every one of those claims very, very
 vigorously. And I find it offensive.
 - Q. And paragraph 7, you say:

"In the second witness statement of Jane Read she talks of being aware that sources at work of crimes I'm alleged to have committed, as does David Manning and numerous other employees. These statements are from people who have already based an opinion on me shaped on gossip about me in the workplace."

You have explored that with the witnesses, but it's right, isn't it, that the witnesses also gave evidence that your actions had specifically left them intimidated and harassed?

A. For example, Employee V has the fact that I'm standing next to him and that becomes absolute terror. Other witnesses have talked about frightened about me, having dreams about me. I have been picked out. I actually —— yes, I have been picked out on my behaviour. I may have let myself down, I'm not sure, once or twice, like the Anglia Water. I remember being frustrated about how badly it went so wrong. Went so wrong. It was just

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like it was a typical example. I've tried -- I've endeavoured and it has been very, very difficult every day is $\mbox{ difficult } \mbox{ there } -- \mbox{ to conduct myself}$ legally and not -- it has never been my intention to cause alarm, harassment and distress to workers, and I've conducted myself, yes -- I've tried to be really, really $\,--\,$ it's not just discipline $\,--\,$ I wanted to do it because of tactical reasons. That has been probably my main thing. I don't have to get to any morality about breaking the law. I, right from day one, thought, right, $\, I^{\, \prime} m \,$ going to be here and while $I^{\prime} m \,$ here, $\, I^{\, \prime} m \,$ not going to let them arrest me, I'm not going to fall into

As I say, the witnesses have given that evidence and I note that your witness statement identifies a number of the witnesses but, my Lord, I don't think I need to put any of that to Mr Curtin. I think that has all been fairly well covered by Mr Curtin with the witnesses, what their answers are. Is your Lordship happy for me not to take that any further?

MR JUSTICE NICKLIN: Yes. MS BOLTON: You do pick out Employee J and employee L in paragraphs 22 and 23, referring to you as in a leadership role and a ringleader but you accept yourself that you consider yourself to be somebody who

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1 marshals the situation

- A. No. I told you the situation. I've got massive, extensive experience of demonstrations. If you showed me any shot here, like the one that you showed me from Anglia Water, I can point to every one of them, yes, they never gone to -- I don't -- well, they had never been involved in any sort of animal rights or antivivisection and they're completely inexperienced people. So I've employed that experience. I have not been a leader. I know that because being a leader means that people tend to do what you say. That hasn't happened.
- Q. But you can see how somebody who tells people where to move their dog, takes the banners down, who points to people where to stand in a protest, how the staff may perceive that as a leadership role?
- 17 A. Yes, that's not --
- 18 MR JUSTICE NICKLIN: Are you saying he is a leader or not? 19 Whether the workers think he is a leader is neither here 2.0 nor there.
- 21 MS BOLTON: It's plain, isn't it. Mr Curtin, from what we 2.2 have been seeing on the videos, that you do take 2.3
- 2.4 A. I'm trying to help. You are aware I talked about the 25 Life of Brian imagery and, if I'm a leader -- no, I'm

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not a leader. If I can use that experience, there is 2 plenty of people who didn't want to listen to it and 3 took the counterview. Don't listen to a word he says. 4 He is a police grouse, all he does is talk to the 5 coppers. I've used my experience and I'm still there. I have been here from near day one and I'm still there 6 7 to this day. I'm the only one that's still there. So 8 my vision has stayed pretty much the same from day one. 9 Other people have come and they have gone and I'm still 10 doing it.

- Q. It's right, isn't it, Mr Curtin, that you yourself have taken us to evidence in your defence where you say that is you telling people to let the staff in, to clear the road, to have discipline. That's because you do take on a leadership role, isn't it?
- 16 A. No, because leaders are able to give commands and I have 17 never been able to -- what --
- 18 Q. I suggest that when you tell people to get ready because 19 staff are coming out or to move out the way, or to show 20 them that they are angry through a loudhailer, you are 2.1 taking on a leadership role?
- 22 A. I'm trying to use my experience, specially when working with people who are completely unexperienced and people 23 2.4 who would not have the self-control that I would have. 2.5 Who would tell you out loud, "I don't know how you do

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it." And I can do it. 1

- Q. And you've spoken quite a few times in giving your own 2 3 evidence about Camp Beagle and the Camp Beagle Facebook 4 page, which you've had the right to edit, and you see 5 yourself $\,--\,$ it's very clear from your own evidence that 6 you see yourself as very much one of the people 7 spearheading the Camp Beagle campaign.
- 8 A. Yes, thank you. Like one of the people helping to 9 take -- for sure, having a -- yes, leader doesn't quite 10 do it. If you can come up with another term.
- 11 MR JUSTICE NICKLIN: I just want to appreciate what the 12 purpose of these questions is . Are you seeking by these 13 questions to establish that Mr Curtin is in some way 14 responsible for the acts of others? That's not 15 something I've detected.
- 16 MS BOLTON: No, my Lord, I'm picking up Mr Curtin on the 17 fact that he has challenged -- I thought this might be 18 reasonably uncontroversial, apologies, but I'm picking 19 up that Mr Curtin has challenged that in the witness's 2.0 evidence, that's all. I'm going to put to you, 21 Mr Curtin, that it's not wrong for them to characterise 2.2 you in that way.
- 23 MR JUSTICE NICKLIN: Why is that important?
- 2.4 MS BOLTON: I thought it was a very straightforward point, 25 my Lord, but I'm just dealing with it.

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1	MR JUSTICE NICKLIN: Right, okay. Don't worry, Mr Curtin.	1	step over that, you might lose your house." "What?"			
2	MS BOLTON: Bear with me, my Lord. (Pause)	2	2 But there were people on the injunction who $$ and some			
3	Mr Curtin, thank you very much. My Lord, I have no	3	of them were having a go at me if I came to court and			
4	further questions.	4	started raising all sorts of points. Keep your head			
5	MR JUSTICE NICKLIN: Right. Thank you very much.	5	down, it's all right for you, you haven't got a house to			
6	Mr Curtin, you told me at the beginning of your evidence	6	lose, because indeed I haven't got a house to lose.			
7	that you $$ one of the earlier questions you were asked	7	I used to do $$ because it was me doing the yabbing(?)			
8	was about the fact that you hadn't $$ you had said in	8	sometimes on behalf of other people, unofficially .			
9	your defence that you were willing to accept the	9	I was saying, "We can get this injunction sorted now.			
10	injunction being continued but you didn't do that and	10	We can do this today. We can sign it off today."			
11	then you told me in your evidence that you had your	11	I didn't know that the persons unknown trial was going			
12	reasons for not doing that. Ms Bolton didn't ask you	12	to go on anyway because I had taken it from your words			
13	about that. You said you would like to come back to it.	13	that that was dead in the water. But that wasn't the			
14	So here is your chance to tell me why it is you find	14	case.			
15	yourself the last person standing.	15	MR JUSTICE NICKLIN: I don't think I've ever given that			
16	A. Yes.	16	impression. I'm sorry if I did.			
17	MR JUSTICE NICKLIN: Why is it that you have not been able	17	A. I honestly wasn't —— I'm surprised but I get it, but			
18	to reach an agreement with the claimants, as you had	18	I thought the persons unknown thing was dead in the			
19	indicated you were willing to in your defence?	19	water. So other people had —— again completely			
20	A. Yes. I sent a couple of bits of evidence this morning,	20	inexperienced people, who were finding themselves			
21	which hopefully ——	21	completely out of their depth. I was, like, "Okay,			
22	MR JUSTICE NICKLIN: I saw what you sent this morning.	22	breathe, it's going to be okay." I asked from you			
23	A. A couple of the bits were right back to August 18, as	23	a number of times deliberately, on behalf of the people,			
24	soon as I found out about the injunction.	24	about costs and you had said, if people are reasonable,			
25	MR JUSTICE NICKLIN: It wasn't quite that far back,	25	they will be reasonable costs. But that could still			
23	•	23	·			
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1	August 2021, I think.	1	mean tens of thousands of pounds.			
2	A. Yes, August 21. What did I say?	2	So			
3	MR JUSTICE NICKLIN: 18. It may feel like that but it was	3	MR JUSTICE NICKLIN: Is that the thing that worries the			
4	only 2021.	4	protesters the most?			
5	A. Oh, yes. You have an injunction, with persons unknown.	5	A. Yes. Yes. And civil liberties , but if you've got			
6	I knew from experience $$ my experience of persons	6	assets and you are involved in this multimillion pound			
7	unknown was it was the worst sledgehammer ever used	7	and counting that didn't seem to have any limits on			
8	against us. So I wanted to be joined to this	8	it			
9	injunction. They refused until I was arrested for	9	MR JUSTICE NICKLIN: From your knowledge, have people given			
10	the $$ for an incident on September 13th, where I was	10	up because they are worried about the costs?			
11	said to have hit a car and this $$ I was acquitted of	11	A. Definitely, no doubt about that. We are dying to get			
12	that. But I think they happily joined me. They sent me	12	out of it, we are regretting ever seeing $$ some of them			
13	a message saying, no, the only people we are having on	13	regretting ever getting involved because of the case.			
14	this injunction is people that were involved in illegal	14	So I'm not $$ I've had a number of injunctions put			
15	activities . I wrote them back, which is part of the	15	against me but this is the first time I've actually			
16	evidence I sent in, but I don't understand that because	16	given evidence in a case because before I used to give			
17	Mel Broughton is sitting next to me, he is on the	17	up and the persons unknown thing, made it pointless			
18	injunction, and what illegalities do you say that he has	18	fighting it.			

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pointless?

"It's complicated but, see that line over there, if you \$25\$

if 1'm not named, 1 am a protester. So I can never \$152\$

MR JUSTICE NICKLIN: Why do you perceive that the persons unknown makes it pointless? Why do you say that the

persons unknown injunction makes fighting yourself

A. Because I'm always -- I'm an obvious persons unknown.

You can't ever doubt that I'm going there, MBRA, because

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done?

As the injunction went on, it dragged on at

a snail's pace. As they began to add more and more

to me, "What's this injunction about?" I would say,

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people, there were people who were terrified, and I mean $% \left(1\right) =\left(1\right) \left(1\right) \left($

terrified and I was terrified . When people used to say

1	escape the persons unknown.	1	you have been involved in repeated incidents where $$			
2	I'm used to the criminal $$ back in the day, decades	2 I'll use the word "obstruct". You understand what				
3	back in the day $$ and when it comes to a deal, which we	3	I mean by this, which is that, for a period, that is			
4	weren't allowed to speak to with you, I thought ——	4	usually measured in minutes, you have delayed a vehicle			
5	MR JUSTICE NICKLIN: Let me just make the rules clear. If	5	leaving or entering the Wyton site. That, Ms Bolton,			
6	there have been what are called without prejudice	6	submits, is to obstruct free access to the site . There			
7	discussions, then I'm not to know about those.	7	is a legal right to have such free access and she says			
8	A. Okay.	8	that you have in the past interfered with that and that			
9	MR JUSTICE NICKLIN: Ms Bolton has told me that there have	9	it's not a necessary part of your protest rights to			
10	been certain open offers made to you. I suspect they	10	carry out such obstruction.			
11	are in similar terms to some of the other defendants.	11	The question would be, back in when you filed your			
12	A. Okay, I won't tell you specifics.	12	defence, you said that you were willing to give			
13	Q. Don't tell me about without prejudice material.	13	undertakings or agree to restrictions that largely			
14	A. Can I give it the widest, vaguest point of view, in	14	represented what the interim injunction imposed. Leave			
15	that, in criminal cases, when there is a deal —— and	15	aside the question of the exclusion zone for the moment,			
16	I've taken part in those deals —— say if there is ten	16	but, for example, do you now —— are you now willing to			
17	defendants and there is a deal on offer to drop the	17	give an undertaking to the court that you won't in the			
18	case, all those ten defendants — these things are not	18	future obstruct vehicles like that?			
19	meant to happen officially but they happen in the real	19	A. My problem is I've got one contempt hearing perhaps			
20	world, all ten people have to accept the deal, and	20	coming up and my case in that one —— I want to get the			
21	I would have been prepared to accept a deal in the	21	registration and I want to — yes, I want to get the			
22	negotiations if it had been put forward, if Mr Curtin	22	registration, and there may be times where, because of			
23	refuses or if anyone refuses, it's all or nothing.	23	my — for me to accept the injunction makes it an			
24		24	imprisonable offence to me to go ——			
25	I was kind of expecting that and when I got the deal put to me, whack, straight away —— and when I saw some	25	MR JUSTICE NICKLIN: You have to put —— to an extent,			
23	put to me, whack, straight away —— and when I saw some	23	WIN 303 FICE MICKEIN. Tou have to put —— to an extent,			
153			155			
1	of the statements about how terrified and how frightened	1	Mr Curtin, it doesn't necessarily mean a prison sentence			
2	they were and the horrible things people said about me	2	because it's for the judge ultimately $$ first of all,			
3	and they wanted me to $$ part of my $$ which $$ no,	3	there has to be a successful contempt application made			
4	I don't know $$ there was a drone element personally,	4	and, secondly, the judge who hears that application has			
5	which I won't go into specifics.	5	got to decide the right penalty to impose is a sentence			
6	MS BOLTON: My Lord, it's an open offer, Mr Curtin can talk	6	of imprisonment. Night does not follow day in that			
7	about it.	7	respect. So there are certain safeguards in relation to			
8	MR JUSTICE NICKLIN: Okay, it's an open offer. So you	8	that. But anyway, you are concerned —— I can understand			
9	didn't like the drone element?	9	an element of concern because that incident that you've			
10	A. Yes, that was like, if I was minded, and I do not regret	10	told me about today where $$ you say you told me you			
11	fighting this case, why should I sit down and $$ the box	11	were crossing the road and the claimants are saying that			
12	thing, I've even accepted the box thing, you know?	12	was obstruction of a vehicle. That's a good example of			
13	Honestly, if I was ever to try and manage the ritual	13	how you might end up on the wrong end of a contempt			
14	that used to take place every day, that didn't have my	14	application if you had given an undertaking not to			
15	heart. I've partaken in it and it's not for me.	15	obstruct vehicles. There is a grey area —— I don't know			
16	The box actually had a massive impact. But why	16	whether you tell me $$ it may be that this is a point			
17	shouldn't I go and lay flowers at my choice at those	17	for your submissions but whether you tell me that you do			
18	gates? Let them —— if you are minded to give me that	18	believe you have the right to stop vehicles.			
19	restriction , then you give me that restriction , but	19	A. No, I've got the right to slow them up. I still think			
20	I didn't feel like accepting. I didn't feel like taking	20	I've got the right to slow them up. (Overspeaking) take			
21	it, especially when I saw the horrible things that had	21	a leaflet . I think I've still got that right . Here you			
22	been wrote about me by the witnesses.	22	are, mate, take a leaflet . Don't want it. Come on,			
23	MR JUSTICE NICKLIN: Put to one side the history of the	23	leave it out, just give it to your boss. I've got the			
24	litigation and how we have got to where we are; you've	24	right to —			

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MR JUSTICE NICKLIN: But in order to have that

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heard that the principal complaints against you are that $% \left(1\right) =\left(1\right) \left(1\right) \left($

1	conversation ——	1	A. Yes.
2	A. If the injunction wasn't here ——	2	MR JUSTICE NICKLIN: Page 30. This is your website where it
3	MR JUSTICE NICKLIN: In order to have that conversation	3	says:
4	because the vehicle could just drive off $$ something is	4	"Speeches, food, stalls, placards."
5	impeding the vehicle for you to have that conversation.	5	I presume those are links.
6	A. Come on, that's obstructing? She would dive on me, "You	6	A. Page 29?
7	obstructed a vehicle." On a technical purist physics	7	MR JUSTICE NICKLIN: Page 30 $$ turn over the page $$ and i
8	thing, yes I have, so I $$ I have not got any right to	8	purple text, under "Write a comment", it says "Speeches,
9	stop anyone getting home to get their dinner getting	9	food, stalls, placards." Is that a description of $$
10	cold, but you said minutes, minutes would be the limit	10	I was imagining those were $$ you could click on, you
11	to me of an acceptable obstruction. So I've gone this	11	could see speeches, or are you telling me that that's
12	far, so I don't feel like why I should sign on the	12	what's going to be on offer at the event?
13	dotted line now.	13	A. That's at the event.
14	MR JUSTICE NICKLIN: So your objections are to the exclusion	14	MR JUSTICE NICKLIN: Okay, so there are going to be
15	zone, that it prevents you from going and, for example,	15	speeches, food, stalls and placards.
16	laying flowers at the gates, as a symbolic act of	16	A. Yes.
17	protest. And that you are concerned about the extent to	17	MR JUSTICE NICKLIN: Got it. Right.
18	which an undertaking not to obstruct vehicles might put	18	A. And if $$ I've got a number of issues that I want to
19	you in risk of contempt applications in circumstances	19	address you about.
20	which you are concerned wouldn't justify it?	20	MR JUSTICE NICKLIN: Are they issues about your evidence or
21	A. Yes, and for example, say if a dog man come out and	21	are they issues more generally about the case? The
22	people are actually blockading and I get involved, if	22	first question is you will have felt it in
23	I saw someone involved in an altercation or a police	23	cross—examination. Are there any instances that you can
24	officer, I can't help it, I would maybe enter the scene.	24	remember that you were being cross—examined and you
25	MR JUSTICE NICKLIN: Right. Are there any other issues that	25	thought, I must say this because Ms Bolton hasn't
	157		159
1	have many that you have desided to fight the elem-	1	continued the week consense of wheat knows to our cheart
1	have meant that you have decided to fight the claim	1	captured the real essence of what I want to say about
2	rather than wanting to settle or settle on terms offered	2	that or she has mischaracterised what I have said? Are
3	to you?		there any things that stick in your mind about that?
4	A. I have — justice must be seen to be done and I'm glad	4	A. No, I'm relatively satisfied how the
5	that I have been here, and that's why I applied to join	5	cross—examination —— but there were already, due to my
6	the case right at the beginning, as a persons unknown,	6	mistakes — I don't want to go back to the opening
7	because I have got things to be said. This case —— this	7	statement but there are a couple of things that I feel,
8	here is like a demonisation, a criminalisation. It	8	if I'm going to have addressed to you, that I need to —
9	doesn't go into all the positive aspects that Camp	9	I've made a list of them. They won't take long but
10	Beagle has done, the cup of tea and the cake and the	10	I would like to do them.
11	Parliamentary petitions and the research.	11	MR JUSTICE NICKLIN: That's all right. I tell you what, you
12	I have wanted to defend the camp publicly and, if it	12	can either do them tomorrow or —— I'm going to have
13	had been possible to put vivisection under the	13	a discussion with Ms Bolton shortly about timetable, so
14	spotlight, I would have used every opportunity. You	14	why don't you leave the witness box, go back to your
15	stopped that just about point blank.	15	seat and then we will finish off for the day. All
16	MR JUSTICE NICKLIN: Mr Curtin, I'm just the referee and	16 17	right?
17	I apply the law fairly for everybody, which is that it's	17	A. Yes.
18	just not relevant in this case, and I know that's	18	MR JUSTICE NICKLIN: Ms Bolton, before I forget, please can
19	a disappointment to you but I have to be fair in	19	you send me an email identifying the references in the
20	relation to the issues that the court deals with and it	20	claimants' witnesses where individuals refer to their
21	just doesn't matter.	21	being distressed or aware of the camera that was fitted
22	Going back to the point you said about travesty, I notice $$ I think you've got your page open. If you	22	outside the Wyton site.
23	go to page 30, I've just noticed —— have you got 29	23	MS BOLTON: My Lord. MR JUSTICE NICKLIN: Then — there was something else but
24		24	
25	open?	25	I've forgotten it.

1	Timetable.	1	MR JUSTICE NICKLIN: Potentially. It seems to me likely
2	MS BOLTON: Yes, my Lord.	2	that we are going to need to take stock after the
3	MR JUSTICE NICKLIN: We are about to embark now upon the	3	Supreme Court decision.
4	persons unknown phase.	4	MS BOLTON: Yes.
5	MS BOLTON: Yes, my Lord. I was actually going to suggest	5	MR JUSTICE NICKLIN: It profits neither of us very much
6	that we rejig the timetable a bit. I was going to	6	really speculating.
7	suggest that we had a non-sitting day tomorrow because	7	MS BOLTON: Yes.
8	we would just like to get everything, so I can go	8	MR JUSTICE NICKLIN: It could vary widely from no change at
9	through which instance we are going to $$	9	all, in which case your evidence is sufficient, your
LO	MR JUSTICE NICKLIN: There is a time pressure that I need to	10	order that you want is legally sound and you can make
L1	make you aware of, which is that I have (Pause)	11	the claim based upon that.
L2	Because of pressures of other cases, the last	12	MS BOLTON: Yes.
L3	sitting day that we can have is Tuesday, 23rd.	13	MR JUSTICE NICKLIN: At the other end of the spectrum, the
L4	MS BOLTON: My Lord.	14	Supreme Court may take this totally off the table.
L5	MR JUSTICE NICKLIN: What I was going to suggest is we need	15	MS BOLTON: Absolutely.
L6	to $$ I'm a little bit uncertain as to how the persons	16	MR JUSTICE NICKLIN: And there is no point in making any
L7	unknown case is going to be presented. I suspect we are	17	further submissions.
L8	both in that camp together.	18	MS BOLTON: Indeed.
L9	So I thought we would try and see how we go with one	19	MR JUSTICE NICKLIN: But we will have to look at the Supremo
20	of them and we may learn what shortcuts there are	20	Court decision and we will have to take stock and see
21	available .	21	what happens.
22	MS BOLTON: Yes.	22	MS BOLTON: Yes.
23	MR JUSTICE NICKLIN: Because, largely, there is not a lot of	23	MR JUSTICE NICKLIN: I think I've said before, to the extent
24	point in us sitting in court watching videos. What	24	that the Supreme Court come up with something which
25	there is is potentially an opportunity for you to	25	means that there was a need to provide further evidence,
	161		163
1	present, as it were, some of the illustrative themes in	1	then I would give you that opportunity to get that
2	relation to each of the categories, to present, as it	2	evidence or provide it, if you could, because there is
3	were, best case evidence and give me the references to	3	no point in us having to go back to the start.
4	the rest, which I can then look up myself, and we will	4	MS BOLTON: I'm glad to hear that, my Lord.
5	do it that way because it doesn't seem to me that we	5	MR JUSTICE NICKLIN: We will see what can be done.
6	need to sit through hours and hours of footage.	6	Happily $$ I put that in inverted commas $$ because
7	MS BOLTON: My Lord, two points. As I think I indicated, we	7	there are no defendants, there is nobody in theory to
8	have schedules. What I would like to do is cut some of	8	prejudice as a result of this.
9	those schedules down a bit, otherwise, yes, there is	9	MS BOLTON: Yes.
L 0	quite a lot to go through.	10	MR JUSTICE NICKLIN: But, you know, we will just take stock
L1	And I was going to suggest that there are some	11	and we will decide what's going to happen. So, yes, you
L2	incidents that you probably need to see.	12	can leave the case open against persons unknown and we
L3	MR JUSTICE NICKLIN: Yes, I think the key ones are probably	13	will do it on the way I've outlined.
L4	the most important. It's your chance, as it were, for	14	MS BOLTON: In that case, my Lord, and subject to something
L5	you to give me the highlights of the evidence that you	15	that has been (Pause)
L6	have.	16	In that case, I think, considering what you are
L7	MS BOLTON: That was one of the exercises I wanted to do	17	indicating is the approach you want to take and that we
L8	tomorrow, was to cut some of those back, and one of the	18	won't be closing persons unknown, I would suggest that
L9	things I wanted to canvass with the court, which will	19	we don't sit tomorrow.
20	help me on the timetabling, is: am I understanding that	20	MR JUSTICE NICKLIN: Okay.
21	the court is content for us not to formally close at all	21	MS BOLTON: Because that allows me to re—arrange it a bit to
22	on persons unknown until we hear from the Supreme Court?	22	how you are thinking of it $$
23	MR JUSTICE NICKLIN: Yes.	23	MR JUSTICE NICKLIN: Yes, I think it would be helpful for
24	MS BOLTON: Because it seems to me I'm going to be making	24	both me, your team and Mr Curtin, to have a rejigged
2.5	submissions that could radically change otherwise	2.5	timetable setting the parameters that we have just

1	discussed. The important thing Mr Curtin needs to know	1	send something round by email when you are ready
2	is when is he going to have to do his closing speech.	2	tomorrow, about proposed timetable, we can all have
3	MS BOLTON: Originally that was timetabled for Friday.	3	a look at it.
4	MR JUSTICE NICKLIN: Yes.	4	MS BOLTON: My Lord.
5	MS BOLTON: Let me (Pause)	5	MR JUSTICE NICKLIN: Mr Curtin, you understand that the
6	It is being raised with me, my Lord $$ I think we	6	phases of the trial that are left $$ if we were just
7	probably can deal with it but is there any reluctance	7	dealing with you, we would move on to the closing
8	for closing to happen before the committal? That's the	8	submissions.
9	only thing that I would raise. Has anybody $$ I think	9	MR CURTIN: Yes.
10	we can probably deal with it because it's $$	10	MR JUSTICE NICKLIN: Ordinarily, the claimant gets the last
11	MR JUSTICE NICKLIN: Yes, it's a pod of evidence which	11	word but it's always subject to the judge to decide what
12	either gets slotted in $$ it isn't going to make any	12	happens. In your case, the fairer way of dealing with
13	wild difference to your submissions. (Overspeaking)	13	it is to require Ms Bolton to set out what she is saying
14	Your broad submissions, I could write out on the back of	14	about you and to give you an opportunity to respond to
15	one page of A4 now. That's not to do a disservice to	15	it . That enables you then to ensure that you understand $% \left(x\right) =\left(x\right) +\left(x\right) $
16	the valuable role that you provide because you are going	16	what is being alleged against you as a result of all of
17	to fill in all of the necessary evidential material	17	the things that we have heard during the trial. You
18	behind all of that but, broadly, I understand your case.	18	will see how Ms Bolton draws the evidence together that
19	MS BOLTON: Yes.	19	we have heard and how she uses it to support her
20	MR JUSTICE NICKLIN: So it seems to me that the fairest	20	arguments.
21	thing for Mr Curtin is for you to give me a reliable, as	21	That will then give you an opportunity, a fairer
22	it were $$ reliable estimate of when you can get either	22	opportunity, to then look at that and say, "Well,
23	a closing submission or a closing skeleton, something	23	I accept that and that and that but I reject that
24	that gives Mr Curtin something to aim at. Essentially	24	conclusion and I reject that argument. My argument is
25	he will do a better job in defending himself if you give	25	this. I say the facts show this." And you can point me
	165		167
1	him the target.	1	in the direction of any evidence that you say is
2	MS BOLTON: So you are asking for us to close Mr Curtin	2	important on the issues that Ms Bolton has raised.
3	first .	3	Largely, there is not a dispute as to the issues
4	MR JUSTICE NICKLIN: Yes. I want you to say, "This is what	4	that are involved. Largely it's a question of looking
5	we are asking the judge for. This is why, on the basis	5	at the evidence that the various witnesses have given
6	of the evidence that we have heard, we say we should be	6	and what it amounts to.
7	granted that." And it's broadly that structure. That	7	MR CURTIN: Yes.
8	will enable Mr Curtin to target his fire on those parts	8	MR JUSTICE NICKLIN: All right.
9	that he disagrees with because he may say, "Well,	9	MR CURTIN: Yes.
10	I agree that the video evidence shows me delaying cars	10	MR JUSTICE NICKLIN: What we are going to do is circulate
11	for however long it is, a matter of moments. I never	11	a revised timetable. You will then know that you've got
12	barricaded anybody in but this was an important part of	12	practically the remainder of this week, because you are
13	my protest right," et cetera, et cetera. So it gives	13	perfectly able to come if you want to the persons
14	him, as it were, the proper target to aim at.	14	unknown phase of the litigation but you may find that
15	Otherwise, he will find the job of having to author	15	your time is more valuably spent working on your closing
16	a closing submission, blind or free without that,	16	submissions.
17	extremely difficult .	17	MR CURTIN: Yes. Two things to say. One, I'm not sure wha
18	MS BOLTON: Right. In which case, that probably puts	18	to do about the persons unknown because I feel, if
19	Mr Curtin's closing on the last day. That gives	19	I partake in it or listen to it, I validate it in some
20	Mr Curtin the heads up. That will be 23 May. And	20	way but can I have the option of $$
21	I will work around ——	21	MR JUSTICE NICKLIN: You can listen to it. You can join via
22	MR JUSTICE NICKLIN: If you can work around that.	22	CVP. There is no question of you $$ well, subject to my
23	MS BOLTON: We want a weekend, so my mind is thinking	23	determination of what the law now decides, if \boldsymbol{I} were
24	probably next Monday.	24	untrammeled by authority, I would say I only need to

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deal with your case and your order will be what I say it

MR JUSTICE NICKLIN: So have a think and just let's talk ——

1	is . You won't be subject to any $$ if, having	1	I was bailed, so the camp started July 21. I didn't			
2	participated in this trial, and the court having made	2	2 want anything to do with Facebook until I got back to			
3	a decision in your case, that is the decision the court	3	3 the camp in January 22.			
4	has made. If, untrammeled by authority, it would be my	4	So I would always keep an eye on it and make sure			
5	conclusion that that puts you in the category that you	5				
6	don't need to worry about persons unknown injunctions,	6	a mystery to me and I did not have anything to do with			
7	but Ms Bolton has at least adverted earlier in the trial	7	it . Instagram $$ so the evidence I gave to the court is			
8	to the fact that it might not be as straightforward as	8	I think I said after about six weeks I got involved but			
9	that, but I'll need to look at that.	9	it's not correct because I have been going through old			
10	MR CURTIN: So I will monitor ——	10	Facebook posts to try and find things. So it's			
11	MR JUSTICE NICKLIN: You can listen in but the important	11	post—January 2022, whereas Instagram is the opposite.			
12	thing is you will have got the transcripts. I don't	12	I got involved because I had an Instagram account and			
13	know whether you have printed them out. If you wanted	13	I knew how it worked. I think Instagram nearly straight			
14	hard copies of them $$ would you want hard copies of	14	away by the beginning of the first week in July.			
15	them?	15				
16	MR CURTIN: I've got them.	16	answers $$ what I told you was wrong and that's the			
17	MR JUSTICE NICKLIN: That's fine. All you are doing is what	17	correct version from my point of view. But Facebook not			
18	a barrister would do, or another advocate, which is go	18	until January 2022 and then Instagram nearly straight			
19	back through the transcripts. Because you will remember	19	away. So I was worried in case I had said something			
20	the bits. You may have been noting this as you go	20	that's wrong.			
21	along. The important thing is extract from the evidence	21	MR JUSTICE NICKLIN: Okay, right. I think that deals with			
22	of the witnesses or your own testimony those parts of	22	everything for today.			
23	the evidence which you think are important and which	23	MS BOLTON: My Lord, I also have Chief Inspector Sisson's			
24	demonstrate the points that you wish to make.	24	statement to hand up.			
25	MR CURTIN: Yes.	25	MR JUSTICE NICKLIN: Have you seen this, Mr Curtin?			
	169		171			
1	MR JUSTICE NICKLIN: Okay? That's the key thing about going	1	A. Pardon? No.			
2	back through the evidence of the trial but the important	2	MR JUSTICE NICKLIN: I think he is a superintendent, isn't			
3	thing is you are trying to use the evidence to support	3	he?			
4	ultimate arguments, which is it is wrong that \boldsymbol{I} am the	4	MS BOLTON: You might be right.			
5	leader of the camp for these reasons. I said in my	5	MR CURTIN: Can I give an answer why I haven't called any			
6	evidence this, you should accept my evidence. Other	6	witnesses. One of the things I felt like people have			
7	people have not suggested anything which could be	7	offered to be witnesses for me. And my understanding of			
8	construed as me being a leader and their own impression	8	the criminal law is the only reason I would need to			
9	of whether I am a leader or not is $\mbox{irrelevant}$. So	9	provide witnesses would be what I would call mitigation,			
10	things like that.	10	"John is such a nice guy."			
11	You first look at what are the main points that	11	MR JUSTICE NICKLIN: I understand why you think that.			

You first look at what are the main points that I want to bring forward, what are the key bits of evidence upon which I rely.

14 MR CURTIN: Yes.

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MR JUSTICE NICKLIN: All right.

MR CURTIN: I have just gone through my points then and I said I needed to address the court. I don't actually because I've ticked the boxes and stuff like $\,--\,$ I've got written here, I did write on August to join the -- so I've covered most of the points there but it's actually something -- I think I said it from here and not the witness box, about the social media. I said I got there and it only took me a couple of weeks to get involved with the social media. That's wrong. Facebook, I did not get involved with Facebook until after my arrest and

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MR JUSTICE NICKLIN: I understand why you think that. 12 MR CURTIN: They tried to demonise me and I don't feel I need to have a witness there to say, "John tries to 13 14 obey the -- he is not a leader but he actually inspires people." I haven't felt the need to do that. I would 15 16 have liked, but I hadn't presented it properly, some 17 sort of police evidence. That's the only route --

18 MR JUSTICE NICKLIN: Let me see what I believe to be 19 Superintendent Sissons has said.

20 MS BOLTON: You are right, my Lord, it is superintendent, 21 I do apologise.

MR JUSTICE NICKLIN: Yes. (Handed).

23 Thanks very much.

(Pause)

2.5 Right, that gives us the up-to-date position.

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1	Essentially what I wanted to know $$ you know what I got	1	environments we deal with protesters, advertising the
2	previously from the superintendent about information	2	fact that we do talk to the police on a daily basis.
3	about the policing response to the demonstration, and	3	I was going to submit it as evidence and I know $$ but
4	particularly what arrests there have been and what the	4	maybe I might want to refer to it if my defence is
5	results of those arrests were. So it gives me a picture	5	finally going to be closed. He is a person and he has
6	of the engagement of the police and what has happened in	6	got an ACAB tattoo. It's the only thing I could find
7	relation to criminal prosecutions, okay? It just helps	7	and it's in my personal pictures. He is smiling and he
8	me with $$ because there are $$ in the authorities, the	8	is next to the police liaison officer, who has also got
9	Court of Appeal in Canada Goose said that sometimes the	9	a big smile on his face. It relates to a memory I have
10	better way of $$ sorry, that civil proceedings are not	10	of the conversation between those two but I was able to
11	necessarily the best or only way of controlling	11	have a useful role there. Because I was there, this
12	demonstrations and that the police often have a very $$	12	guy, who's clearly got a view about the police with his
13	they do have a very important role to play but that they	13	ACAB I imagine you know what that means. Do you?
14	have an advantage because they make decisions on the	14	MR JUSTICE NICKLIN: No.
15	ground.	15	MR CURTIN: All coppers are bastards.
16	Me, sitting in court 13 in central London, it's very	16	MR JUSTICE NICKLIN: Oh.
17	difficult for me to make minute decisions about how the	17	MR CURTIN: He was telling the policemen of his feelings,
18	protesters' behaviour ought to be regulated.	18	and I was there and I was sort of like a mediator, but
19	MR CURTIN: Yes.	19	that summed everything up, because I understood why he
20	MR JUSTICE NICKLIN: That's one of the difficulties with	20	has got the ACAB. I absolutely relate to that. I'm
21	this type of litigation and so one of the factors that	21	a million miles away from him but he is the sort of guy
22	it seems to me —— and Ms Bolton will make her	22	that I had to negotiate and they have both got big
23	submissions —— that is at least relevant for me to	23	beaming smiles on their face. Can I put that in as
24	consider, particularly when it comes to the terms of any	24	evidence tonight or is it too late?
25	injunction that I might grant, is the extent to which	25	MR JUSTICE NICKLIN: Don't worry about it. It's not
	173		175
1	it's better to leave these matters to the police.	1	a point ——
2	MR CURTIN: Yes, what hasn't been brought out by the	2	MS BOLTON: I think we challenged that there was no evidence
3	evidence, apart from I brought it out $$ and to me it	3	of that role.
4	wasn't challenged $$ that I have acted as an	4	MR JUSTICE NICKLIN: He has given evidence of that.
5	unofficial ——	5	MS BOLTON: My Lord, we can't really take that any further.
6	MR JUSTICE NICKLIN: I've got the very clear thrust of your	6	So that's our position.
7	evidence, which is that you have told me that you have	7	MR JUSTICE NICKLIN: Right.
8	played an important liaison role with the police. You	8	MS BOLTON: So if that helps Mr Curtin on clarification, but
9	expressed your frustration , I think yesterday $$ well,	9	I'm not entirely sure that it's going to take us much
10	on Friday, on the occasion where the gold command had	10	further anyway.
11	turned up and decided to police the protests and that	11	MR JUSTICE NICKLIN: Right. Okay. So we are not sitting
12	your channel of communication between you and what you	12	tomorrow. And you are going to circulate a revised
13	regard as the usual liaison officers was essentially no	13	timetable.
14	good because somebody else was calling the shots that	14	MS BOLTON: Yes.
15	day. I've got that.	15	MR JUSTICE NICKLIN: Provide me with the references to the
16	MR CURTIN: Okay.	16	evidence and on the camera.
17	MR JUSTICE NICKLIN: You haven't been challenged in relation	17	MS BOLTON: Yes.
18	to that evidence and, subject to anything Ms Bolton will	18	MR JUSTICE NICKLIN: And we will sit again on Wednesday.
19	say to me, to which you will get a chance to respond,	19	MS BOLTON: My Lord.
20	I would accept that evidence.	20	MR JUSTICE NICKLIN: Right. Thank you very much.
21	MR CURTIN: If you could bear with me. This is the last	21	(4.57 pm)
22	point I'm going to make. I was trawling through the	22	(The court adjourned until 10.30 am on Wednesday,
23	Facebook yesterday to find the bits where there is me	23	17 May 2023)
24	talking to the cops and, to be honest, I can't find	24	,
25	anything because it's not the most sexiest thing in the	25	

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