



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

Day 7

May 4, 2023

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Thursday, 4 May 2023

1
2 (10.28 am)
3 MR JUSTICE NICKLIN: Right. Yes, Mr Curtin.
4 MR CURTIN: If I may, before I have the witness, if I please
5 may give you some — a warning. I'd like to tell you
6 I would like to ask the witness a number of questions,
7 not many, regarding an article that's in a newspaper
8 today, in the Daily Mirror, which I've submitted, so
9 I can't for once be accused of being late. It talks of
10 an industrial amount of dogs being imported into this
11 country and I just wanted to ask the witness, being the
12 representative of the second claimant — I refer to it
13 here in the first line of his statement, "I am the
14 Second Claimant representative ...". Susan Pressick in
15 her statement — she makes a statement and she says she
16 was given permission by this man, but he is the
17 representative as we speak
18 MS BOLTON: No, she didn't.
19 MR CURTIN: She is. I can read English. "I am ..."
20 MR JUSTICE NICKLIN: Let me see the article —
21 MR CURTIN: He didn't talk about any —
22 MR JUSTICE NICKLIN: Let me see the article first please.
23 MR CURTIN: I've submitted it this morning.
24 MR JUSTICE NICKLIN: I'd like to see it, please, myself.
25 MR CURTIN: Can I show you —

1

1 MR JUSTICE NICKLIN: It's on the Daily Mirror today?
2 MR CURTIN: Yes. I sent it to the MBR injunction box this
3 morning.
4 MS BOLTON: My Lord, it's suggesting that over two years
5 1,000 dogs have been flown into the UK and 123 of them
6 in January of this year. None of that is inconsistent
7 with what Mr Curtin has explored on those flight details
8 with the witnesses. Indeed it may be very well that
9 that information has come from these proceedings because
10 it's completely consistent with what was shown as flying
11 in in January 2023. That has all been explained by the
12 witnesses, who were the appropriate witnesses to ask
13 about that, Ms Pressick and Ms Jarrett. That is not for
14 this witness.
15 MR JUSTICE NICKLIN: Right. I was only asking to see the
16 article at the moment.
17 Try not to express your dissatisfaction with my
18 decisions.
19 MS BOLTON: My Lord, it's not at all — I do apologise.
20 It's more we've been sent a vast amount of documents
21 overnight on — or first thing this morning —
22 MR CURTIN: You have not.
23 MS BOLTON: — on vivisection and these points.
24 MR CURTIN: You've been sent two.
25 MS BOLTON: And we have already had the witnesses that these

2

1 were points for. They've already been canvassed with
2 those witnesses, who have explained that, and all that
3 is is an article actually confirming what was in that
4 flight manifest and what's been said in these
5 proceedings.
6 MR JUSTICE NICKLIN: I don't yet have the article. I'm
7 trying to find the article so I can read what it says.
8 What is the headline?
9 MS BOLTON: My Lord, Ms Pratt will send the link to your
10 clerk. (Pause)
11 MR CURTIN: I apologise for the technical error by me by not
12 cc'ing Ms ...
13 If I remind you of the words of Ms Pressick, "How
14 many do you import? [as read]", I think one of her
15 answers was "A few".
16 MR JUSTICE NICKLIN: Right. I don't want to hear any more
17 submissions until I've seen the article; okay? (Pause)
18 Right. I've read that, Mr Curtin. Now, why is it
19 relevant to ask this witness about the number of dogs
20 that are being imported to the UK from other countries?
21 MR CURTIN: Because I view this witness, from what it says
22 on the paperwork, "I am the Second Claimant
23 representative ...", so therefore he should represent
24 the officers, meaning the directors, the employees,
25 a very senior position. So he's put up there for some

3

1 senior — or is he just there in some nominal paperwork
2 role?
3 There is a statement — there is evidence from
4 Mrs Pressick that, when she wrote her statement, she had
5 the permission of Mr Markou. I want to ask him a few
6 more — and I've still got some questions to ask him
7 about his role. Is he there as just a nominal role?
8 What right — Mrs Pressick seems to have put him in that
9 role and then says, "I'll tell you what, I'll write this
10 statement". I would like to explore that — I would
11 like to ask the questions of this witness as
12 a representative — the representative of the directors
13 and the employees of MBR Acres about — just a couple of
14 questions about, "Is it standard practice to you in
15 MBR Acres to liaise with America?", because remember the
16 case against us is how cruel it would be if MBR Acres
17 was shut down, to force animals to be imported into this
18 country.
19 It's our case that this is happening anyway by this
20 company and I just want to establish that this is
21 standard practice and 128 — he might not even know
22 because he didn't seem to know much. I don't think he
23 is any part of the senior management so I don't think
24 he's going to be able to answer the questions anyway.
25 But he is — "I am the Second Claimant ...". He

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1 represents the directors and their business interests .
 2 MR JUSTICE NICKLIN: Mr Curtin, there are two separate
 3 points; okay? Mr Markou's status as a representative
 4 claimant is one issue; okay? That's one issue and it's
 5 separate from what questions you might want to ask him
 6 about this article ; okay? Two separate issues.
 7 MR CURTIN: Okay.
 8 MR JUSTICE NICKLIN: I'm only dealing at the moment with the
 9 second of those issues .
 10 Now, let me just clarify something with Ms Bolton.
 11 Do the claimants dispute the figures that are in this
 12 article ?
 13 MS BOLTON: My Lord, we can't possibly know the answer to
 14 that because we're not the only -- the claimants aren't
 15 the only party that would have brought dogs during that
 16 period into the UK. As Ms Jarrett explained, that
 17 includes Envigo.
 18 MR CURTIN: Ah --
 19 MS BOLTON: Mr Curtin, please let me finish.
 20 Second, the information appears to have come from
 21 a Danish Freedom of Information Act request from
 22 Robert Cogswell of Beagle Freedom Project, so it would
 23 appear to be what has happened in the last two years.
 24 Those numbers are broadly consistent with the flight
 25 details that Mr Curtin provided, which is also part,

1 I think, of that Freedom of Information Act request.
 2 That was gone through with Ms Pressick and
 3 Ms Jarrett, who both explained, one, that's not all from
 4 their company and, two, that those numbers will now
 5 change and why. They were the right people to ask those
 6 questions of and Mr Curtin did. This is just more of
 7 the same and it's not for this witness. The right
 8 people have already been asked these questions. We're
 9 simply pulling out a new article referring to the
 10 information that was provided to the court last week.
 11 MR JUSTICE NICKLIN: Right. Mr Curtin, you can ask a few
 12 questions about the material in this article but you may
 13 find that Mr Markou doesn't know much about this, in
 14 which case you will stop; all right?
 15 MR CURTIN: Okay. He will be provided with a copy in good
 16 time --
 17 MR JUSTICE NICKLIN: I don't know. We can probably display
 18 it on the screen, I suspect.
 19 MS BOLTON: He doesn't have it. Yes, it's being printed, as
 20 I understand.
 21 MR JUSTICE NICKLIN: Well, can we display it on the screen
 22 or not?
 23 THE EPE OPERATOR: Yes.
 24 MR JUSTICE NICKLIN: Yes, right.
 25 MR CURTIN: The reason I brought it up was to try and be

1 helpful because I knew it was going to come up.
 2 MR JUSTICE NICKLIN: That's fine. It's very helpful for you
 3 to give me advance notice of things that you want to ask
 4 the witnesses questions about.
 5 Right. Are we ready to show -- are you going to ask
 6 that first of all or do you have other questions first ?
 7 MR CURTIN: No, I'll finish --
 8 MR JUSTICE NICKLIN: Do you wish to ask Mr Markou questions
 9 about this article or do you wish to cover other topics
 10 first ?
 11 MR CURTIN: Cover other topics first.
 12 MR JUSTICE NICKLIN: All right. So we don't need it on the
 13 screen immediately but please keep it on standby. Thank
 14 you very much.
 15 MR DEMETRIS MARKOU (continued)
 16 Cross-examination by Mr Curtin (continued)
 17 MR CURTIN: So, Mr Markou, having watched the video from
 18 yesterday of the incident , when you were arriving to
 19 work on 15 August -- now having watched the incident and
 20 having listened to the conduct of myself and other
 21 protestors, "Get the cars in , let the cars in", has that
 22 in any way changed your mind from what you wrote in your
 23 statement of your levels of terror and being afraid and
 24 in particular in relation to me? Have you changed your
 25 mind in relation to me, that rather than being an

1 agitator who was out to cause you trouble, there was
 2 Mr Curtin acting responsibly, trying to make sure that
 3 you were getting to work safely? Have you changed your
 4 mind after watching the video?
 5 A. Can you -- which part of my statement you are referring
 6 to, please?
 7 MS BOLTON: You might have to go back to the video because
 8 it was yesterday. He probably wants to reference the
 9 video again.
 10 MR CURTIN: The video -- we only watched one video --
 11 MS BOLTON: Take him back to it because we were partway
 12 through when we stopped.
 13 MR CURTIN: I think we'd finished. I don't want to submit
 14 any ...
 15 You know the incident I was talking about. We
 16 watched it together yesterday, when -- the hot day when
 17 you were delayed and then you were given the police
 18 escort and then you could hear Mr Curtin saying, "Let
 19 them in, let them in", that video.
 20 A. Can you please refer me to my statement, which part --
 21 MR JUSTICE NICKLIN: It's paragraph 23 of your witness
 22 statement.
 23 MR CURTIN: I apologise.
 24 MR JUSTICE NICKLIN: It's all right.
 25 MR CURTIN: Look at the paragraph, but I'm asking you to

1 reflect on what you saw on the video. When you wrote
 2 this, you hadn't seen the video. Having watched the
 3 video, have you changed your mind about my conduct on
 4 that day?
 5 A. I haven't changed my mind, no.
 6 Q. Okay.
 7 MR JUSTICE NICKLIN: Can I ask you then -- if you look at
 8 paragraph 25, you say:
 9 "I remember sitting very still in the car because
 10 I was frozen with fear. I also tried to move as little
 11 as possible, in the hope that this would make it more
 12 difficult for the protestors to tell that there was
 13 someone sitting in the seat."
 14 Now, having watched the video yesterday which shows
 15 what Mr Curtin was doing on that day, do you consider
 16 that what Mr Curtin did made you frozen with fear?
 17 A. Yes, I considered his presence intimidating.
 18 MR JUSTICE NICKLIN: You found his presence intimidating?
 19 A. Yes.
 20 MR JUSTICE NICKLIN: Right.
 21 MR CURTIN: If we can go back to your witness statement,
 22 paragraph 35, towards the end of the paragraph:
 23 "It is crazy that we had to take such steps ..."
 24 You're referring to the convoy there.
 25 "... as all we wanted to do was get to work in

1 peace."
 2 Yes?
 3 A. Yes.
 4 Q. Well, again, Mr Markou, I put it to you that you're
 5 involved in an extremely controversial industry. By
 6 being involved in that industry, I'd go as far as to say
 7 you have to expect that there will be demonstrations,
 8 noisy demonstrations. You have to accept that as
 9 part -- it goes with the job. Would you accept that?
 10 A. I accept that people have their own opinions about what
 11 we do.
 12 Q. Your statement is that:
 13 "... all we wanted to do was get to work in peace."
 14 Well, at the moment -- for the last 22 months, that
 15 hasn't happened, has it? Every time you've gone to
 16 work, there has been protests, and I would celebrate
 17 that. I think it's a great thing that there's
 18 demonstrations and I ask you to accept that that's
 19 a proportionate response. You should expect
 20 demonstrations because of the work you're involved in.
 21 Simple point. Do you accept that?
 22 A. I am not against a peaceful form of demonstration.
 23 Q. What would that be? Silence? Three people with
 24 a banner? Have you got a limit to this type of protest?
 25 When you say "protesting", what do you think people do

1 on a protest? What's your idea of a protest? What's
 2 your idea of a peaceful protest?
 3 A. Not obstructing our way to work, not intimidating us,
 4 not shouting abuse or showing footage of us online -- on
 5 social media, not attacking us at home, not confronting
 6 us outside of work, not only at home --
 7 Q. What about --
 8 A. -- not receiving life threats.
 9 Q. What about standing opposite the gates shouting "Puppy
 10 killers"? Is that peaceful?
 11 A. I don't agree with that expression so, in my view,
 12 that's not peaceful, shouting that verbal abuse. To me
 13 that's considered verbal abuse.
 14 Q. To call you a puppy killer is abuse? Is that what
 15 you're saying?
 16 A. Yes.
 17 Q. Despite the fact that we gathered yesterday that you are
 18 indeed a puppy killer or, as you put -- we had some
 19 definition, "No, we don't kill puppies, we kill dogs".
 20 You're a puppy/dog killer. We established that
 21 yesterday; correct?
 22 A. No. No.
 23 Q. I'm afraid we did. I don't want to go -- I know what
 24 you said yesterday. I put it to you that you
 25 accepted -- for example, just the fact that taking part

1 in the terminal bleeding procedure, that has involved
 2 the killing of dogs, let's say dogs. You're a dog
 3 killer.
 4 A. Sorry, are you changing the definition now?
 5 Q. Yes, if you want. It's your definition. You wanted
 6 to -- I'm no longer drawing a -- let's keep it at "Dog
 7 killer" now rather than "Puppy killer". You've killed
 8 dogs in your work, haven't you, over the five/six/seven
 9 years that you've ...?
 10 A. My Lord, I made it clear yesterday that I don't accept
 11 the term "killer" and I made it clear with examples why
 12 I do not accept the term "killer".
 13 MR JUSTICE NICKLIN: So if the protestors stood outside the
 14 Wyton site and held placards and shouted, instead of
 15 "Puppy killers", "You workers work at an institution
 16 which causes the death of dogs", would you object to
 17 that protest message?
 18 A. We do not cause the death of dogs. I -- if you can
 19 clarify that because we do breed dogs to supply to
 20 customers. We do not breed them for the purpose of
 21 killing them specifically. We breed them to supply to
 22 customers. If we would kill the dogs, we wouldn't have
 23 dogs to supply to customers. So that term, it's a bit
 24 generic(?), the same way a commercial -- you know,
 25 another dog breeder that breeds dogs for --

1 MR CURTIN: No.
 2 A. -- like who do not breed, would they call that breeder
 3 a "dog killer"? So I cannot accept that term because we
 4 are breeding dogs to supply to the customers. We don't
 5 breed them just to kill them.
 6 MR JUSTICE NICKLIN: Right. You don't need to pursue this
 7 point because the question as to whether or not
 8 a protest message is one that is -- the law is likely to
 9 restrain errs on the side of allowing the protestors to
 10 express themselves in the way they choose, so it's not
 11 for those who are protested against to define the terms
 12 of the protest message. They may disagree with it but
 13 that's the reality. So you don't need to spend time
 14 with this witness on that point. All right?
 15 MR CURTIN: May I ask one more question on the topic of
 16 killing dogs?
 17 MR JUSTICE NICKLIN: No.
 18 MR CURTIN: No? Okay.
 19 Right. Let's go to paragraph 36, last sentence:
 20 "It was frustrating that the protestors breached the
 21 injunction, and it made me feel that I would never be
 22 able to safely travel to ... work without being
 23 harassed."
 24 This relates to one incident or very few
 25 incidents -- what would you say? -- where the gate was

1 blocked after the injunction -- after the injunction
 2 happened, there have been at least one incident, if not
 3 two, where you've been held up going to work; is that
 4 correct?
 5 A. There were some incidents --
 6 Q. Some?
 7 A. -- after the injunction, yes.
 8 Q. I put it to you along the lines of -- I said one first
 9 of all. Would it be correct there was two incidents --
 10 two to three. Let's say two to three.
 11 A. I'm sorry, I can't recall the exact number.
 12 Q. But -- okay -- does it happen every week that you can't
 13 get into work for an hour or two?
 14 MR JUSTICE NICKLIN: Mr Curtin, his witness statement goes
 15 on to identify what he says in the heading, "Specific
 16 incidents after the November 2021 Injunction was
 17 granted", so he identifies the incidents he's talking
 18 about. This is a paragraph by way of introduction.
 19 MR CURTIN: Okay.
 20 But you use a term, "It was frustrating". I put it
 21 to you that rather than --
 22 MS BOLTON: My Lord, I think the problem is Mr Curtin won't
 23 have all of them because they don't all involve him.
 24 MR JUSTICE NICKLIN: Yes.
 25 MS BOLTON: I think that's where Mr Curtin may be putting

1 something to the witness unfairly because he doesn't
 2 have all of the information because they don't all
 3 relate to you.
 4 MR CURTIN: Okay.
 5 What about the term "frustration"? I put it to you
 6 that you've used words like "terror", but as far as
 7 going in and out of the Wyton site, I would say the
 8 height -- no, not the height -- I would say it would be
 9 a much more -- a better description of your feelings of
 10 frustration rather than the terror you talked about when
 11 faced with protestors who are shouting. Frustration,
 12 I'm asking you that. Is frustration nearer to terror
 13 than your general feel or are you still sticking to the
 14 fact that protestors terrify you?
 15 A. I'm sorry, can you repeat the question? It's a bit
 16 confusing. Make it clear.
 17 Q. You've used the word -- in paragraph 36 you've used the
 18 word "frustration". I put it to you that that word
 19 would much better sum up how you feel when you pass
 20 protestors who are shouting than "terror". It's just
 21 a simple question. I'm inviting you to accept my point
 22 that it's closer to frustration than it is to terror,
 23 when you pass protestors going in and out of work.
 24 A. It's a mixture of emotions, both frustrating and feeling
 25 terror. But it was frustrating that we rely on the just

1 of the legal system to allow us peaceful entrance to our
 2 site to carry on work. It was frustrating to know that,
 3 even after we had the injunction, the interim injunction
 4 in November, the protestors still did block the entrance
 5 and didn't allow us to peacefully enter and exit our
 6 site and block the highway. So that was frustrating.
 7 It's a mixture of emotions almost on a daily basis.
 8 Q. Okay. So you'd much prefer the injunction basically got
 9 rid of us so we couldn't protest anymore?
 10 A. I am not against peaceful protests.
 11 Q. Okay, let's move on to paragraphs 59 and 60 and 61.
 12 Extremely strong language I would say used in these
 13 paragraphs. You talk of --
 14 MS BOLTON: He's just reading it, Mr Curtin.
 15 MR CURTIN: Sorry.
 16 Yes?
 17 A. Sorry, what's the question?
 18 Q. I'm saying that you've used extremely strong language,
 19 how much you dread going to work. You finish off by
 20 saying about a living hell.
 21 "The protestors make my commute to and from work
 22 a living hell ..."
 23 Do you stand by that?
 24 A. Yes.
 25 Q. So these days it's typical -- say in the past month,

1 you've driven in and out of work and you've heard
 2 protestors shouting, this for you becomes a living hell;
 3 is that correct?
 4 A. Yes.
 5 Q. And you use this term "protestors". Did I talk to this
 6 witness about a generic ---
 7 MR JUSTICE NICKLIN: Yes, you did that yesterday, Mr Curtin.
 8 MR CURTIN: We talked about the generic --- for you, there's
 9 the protestors and we talked yesterday about your
 10 definition and we weren't clear. For you, it seems to
 11 be anyone that raises concerns and takes that out in the
 12 form of some sort of protesting. There's one type of
 13 protestor. They all come under one banner in your mind;
 14 is that correct? That's what you seem to be constantly
 15 saying in your statement, "There's the protestors. The
 16 protestors do this, the protestors do that". There's
 17 one class of ---you put the protestors in one class,
 18 don't you?
 19 A. I refer to the protestors outside of the site protesting
 20 against us and blocking entrance. If I remember, you
 21 mentioned about protestors outside --- online, outside of
 22 work. There are protestors outside of work that are
 23 present occasionally --- sorry, there are protestors
 24 abusing us outside of work which are also general(?)
 25 persons on site outside the gate, so they are protestors

1 to me.
 2 MR JUSTICE NICKLIN: Mr Markou, do you accept that there are
 3 some people in the category of protestors who can be
 4 seen on the video simply to be standing, holding
 5 placards, sometimes not obstructing vehicles?
 6 A. Yes.
 7 MR CURTIN: But those protestors, as you approach them, they
 8 give you a form of terror, don't they? When you see
 9 protestors, you associate it with fear and what might
 10 happen, don't you?
 11 A. If they --- from their actions --- or some of them, yes,
 12 that brings the feeling of fear.
 13 Q. So if they're standing there shouting, "Shame on you,
 14 shame on you", trouble could come? Is this your frame
 15 of mind?
 16 A. I cannot recall the expression "trouble will come" ---
 17 Q. No, no, no.
 18 A. --- but if you are using that word, that's a form of
 19 intimidation.
 20 Q. No, sorry, sorry. I apologise ---
 21 MR JUSTICE NICKLIN: What Mr Curtin meant was, if you hear
 22 protestors shouting, "Shame on you, shame on you",
 23 Mr Curtin is suggesting that you still fear that they
 24 may do something worse.
 25 A. "Shame on you" is a very --- a generic word, but if it's

1 used in the form of a loudhailer, shouting that
 2 expression for more than an hour continuously, then,
 3 yes, I consider that abuse. If they shout in the
 4 loudhailer to be heard inside the buildings,
 5 continuously, for hours, amongst other words, then, yes,
 6 I consider it abuse. If they do that from the time we
 7 come in to the time we leave, I consider that form of
 8 protest, to me, verbal abuse.
 9 MR CURTIN: Paragraph 61:
 10 "As I say above, although I have taken as many steps
 11 as possible to hide my identity ..."
 12 I just want to draw your attention to that; yes?
 13 A. Yes.
 14 Q. Yet your name appears on the paperwork today as the ---
 15 you are a representative, are you not, of the second
 16 claimant? This is your role. You are here; yes?
 17 A. Yes.
 18 Q. Could you answer the question sometimes rather than
 19 nodding because there's a woman here who types what you
 20 say, so nodding your head --- you need a "Yes" or a "No".
 21 Do you understand?
 22 A. I answered "Yes".
 23 Q. Yes, good. I know.
 24 We'll come back to this point in a moment about you
 25 being a named person who is speaking on behalf of the

1 claimant. I'll return to this. I just want to go
 2 through the rest of your statement --- not many more
 3 points --- and then we'll come back to this point; okay?
 4 You talk of an incident on --- paragraph 62, and
 5 following that, you talk of an incident where you state
 6 that you were followed from MBR and an unidentified
 7 person stopped their car, you had some kind of
 8 altercation and this person took your picture. This is
 9 the incident I refer to. I don't argue with the fact ---
 10 I'm not arguing the fact that I can absolutely see why
 11 this caused you some level of alarm, harassment,
 12 distress. I understand that this would have unsettled
 13 you. But are you making --- this is in my witness
 14 bundle against me and I'm defending myself as a named
 15 person. Forget about the protestors. This is about
 16 Mr Curtin. Is there any suggestion by you that I was
 17 involved in what for you was a frightening incident?
 18 Is it your case that I was involved in this incident?
 19 A. I do not mention your name on this section.
 20 Q. Is it --- so you're not mentioning my name. That's
 21 because I've got nothing to do with this incident; would
 22 that be correct?
 23 A. I'm not aware of that. If you are, I'm not --- that's up
 24 to you.
 25 Q. It's just that it's in my bundle, that's all, so if it's

1 in my bundle, I talk about it. Okay. Let's go to
 2 paragraph 66. It talks of:
 3 " ... one of my colleagues had found a hidden camera
 4 ... "
 5 In February 2021. Paragraph 66; yes?
 6 A. Yes.
 7 Q. Then the second -- so a camera gets found. Then the
 8 second sentence:
 9 "I felt that I was not safe on the Wyton Site even
 10 when I had entered through the Gate and it was closed to
 11 the protestors."
 12 Yes?
 13 A. Yes.
 14 Q. And the finding of the camera made you paranoid?
 15 A. Yes.
 16 Q. You talk of getting -- the idea behind it, they get
 17 video footage of "us". Who is "us"? It might sound
 18 a simple question, but I'm asking you.
 19 A. Everybody on site.
 20 Q. So do you think these cameras were there to capture your
 21 identity and other workers' identities? Is that what
 22 you think these cameras are there for?
 23 A. There was footage of staff on site from those cameras
 24 that was --
 25 Q. What footage?

21

1 A. Footage that was available on social media.
 2 Q. Could you repeat that answer, please?
 3 A. On newspapers.
 4 Q. Yes, so as a result of those camera footage, I put it to
 5 you that you know -- you seem to know that what was
 6 actually released was footage that eventually got into
 7 the national newspapers about workers moving trolleys
 8 around the site and packing them off to laboratories.
 9 So what got printed from those -- what got used from
 10 those cameras was a form of investigation into the
 11 animal cruelty side -- would you accept that? -- or the
 12 animal experiments. Let's put it that way.
 13 A. All the work we do is under the Government guidelines.
 14 Q. Yes, I know. I'm not asking you. I'm asking you, you
 15 seem to know that, as a result of those secret cameras,
 16 the purpose of them seems to be to have published
 17 information about the nature of MBR's business and its
 18 involvement with animal experiments, not -- the end
 19 result wasn't to reveal your identity or any other
 20 worker; is that correct?
 21 A. That's incorrect. The faces of the staff were visible
 22 in this footage made available online.
 23 Q. The faces -- I'm not disputing that there may have been
 24 faces -- there may or may not -- but what the footage
 25 was used for was an exposé in the national newspapers

22

1 that didn't centre on any -- it had nothing whatsoever
 2 to do with identity of workers. It was to do with the
 3 controversial nature of animal experiments, wasn't it?
 4 A. I disagree because, if you were meant to do as you just
 5 state, you would have blurred the faces of the staff and
 6 focus on the company, not the staff.
 7 Q. So when you say you felt paranoid, as soon as they found
 8 the camera -- so when the cameras was found
 9 in February -- is this what paragraph 66 relates to? So
 10 the camera was found and it immediately made you
 11 paranoid about being watched; yes?
 12 A. Yes.
 13 Q. I put it to you, again, Mr Markou, you're a man who is
 14 involved and has been prior to MBR in the very
 15 controversial practice of not only breeding beagles for
 16 animal experiments but bleeding them to death. I put it
 17 to you that you need to accept that people are going to
 18 investigate what you do and that's normal. They should
 19 be -- it's healthy that there's inspection, that there's
 20 investigation into MBR activity, but you seem to want to
 21 just operate in secrecy. Why is this?
 22 A. We do not operate in secrecy.
 23 Q. But why then does a camera make you paranoid? Is there
 24 a problem with MBR appearing in the national newspapers?
 25 Is that a problem to you? We'll come to that in --

23

1 A. If it's linked with what we -- what I feel is lies, then
 2 yes, and making the staff more easy to target outside of
 3 work, then yes.
 4 Q. Can I show you the article from today, from the
 5 Daily Mirror, please?
 6 MS BOLTON: Is that the article we've already had?
 7 MR CURTIN: Yes, it is.
 8 MS BOLTON: He hasn't got it.
 9 MR JUSTICE NICKLIN: Can I just check, in that paragraph,
 10 is February 2021 the correct date?
 11 MS BOLTON: I don't think it is. I think it's a typo.
 12 I think that's February 2022.
 13 MR JUSTICE NICKLIN: That's what I think, but can we check
 14 that?
 15 MR CURTIN: My Lord, the man hasn't got the article --
 16 MR JUSTICE NICKLIN: He can have it on screen.
 17 MR CURTIN: Can you see the article?
 18 A. No.
 19 MR JUSTICE NICKLIN: It should be on your screen now.
 20 A. It's not.
 21 Just a second. Yes.
 22 MR CURTIN: Take a quick look, please. This is from today.
 23 MR JUSTICE NICKLIN: Do you want him to read the whole of it
 24 or just the headline?
 25 MR CURTIN: I don't need him to read the article.

24

1 MR JUSTICE NICKLIN: Having read the headline, Mr Markou,
 2 Mr Curtin is going to ask you a question or two.
 3 MR CURTIN: I ask you to accept that, because of the nature
 4 of your job, your company — and you're an employee of
 5 it — are going to appear in the papers in
 6 a controversial way. Do you have a problem with that?
 7 Do you have a problem with this article, today's
 8 article? Does this article cause you any trouble?
 9 A. They use a kind of wording that wants to pick up some
 10 kind of reaction to the people that read this kind of
 11 newspaper. I understand that different kinds of
 12 newspapers decide to use different topics with
 13 a different kind of wording to attract attention to
 14 a specific group of people that prefer to read this kind
 15 of newspapers.
 16 Q. Yes. Just like — yesterday you took exception — you
 17 didn't like the fact when I suggested that you kill
 18 puppies and then you turned round and said that you
 19 killed dogs. I ask you to accept, yes, this is an
 20 extremely emotive subject and this is a typical example
 21 of what you have to expect as an MBR worker.
 22 A. From your — just on your question, as I mentioned
 23 before, I do not accept the term of "killing". Please
 24 do not refer to me with that expression again. Thank
 25 you. Can you repeat the question, please?

1 MR JUSTICE NICKLIN: Mr Markou, the thrust of Mr Curtin's
 2 questions are that this article that was published last
 3 night/today in the Mirror newspaper, a national British
 4 newspaper, shows that there is public interest in what
 5 takes place in relation to the breeding of animals for
 6 scientific research and in this particular article the
 7 extent to which dogs are being imported to the country
 8 in order to enable that to happen.
 9 A. Yes, I agree with that, and dogs are imported anyway,
 10 not only for lab (inaudible) use. Pet dogs are imported
 11 to this country from abroad, the same kind of route.
 12 Dogs are imported from abroad in the UK, I accept that.
 13 MR CURTIN: I'll come back to the importation of dogs at the
 14 end, once I've gone through — we've only got one more
 15 page to go through of your evidence.
 16 Paragraph 67, you talked about again your fear of
 17 the protestors.
 18 "I am scared when moving between the buildings on
 19 the Wyton Site because I know that the protestors have
 20 tried to get through the fence ..."
 21 The last sentence:
 22 "... I am worried about what would happen if the
 23 protestors managed to break into the Wyton Site and
 24 break into the buildings my colleagues and I work in."
 25 Now, are you worried in a professional capacity on

1 behalf of you are the representative of the second
 2 claimant — are you worried — tell me about that.
 3 Are they financial worries or are they worries to do
 4 with people using violence and aggression? Are they
 5 financial worries or is it relating to violence and
 6 aggression?
 7 A. I am worried about my personal safety.
 8 Q. Okay. But I put it to you that you do know what happens
 9 when people break in because there has been two
 10 incidences — do you accept there have been two
 11 incidences at MBR Acres of people breaking into the site
 12 and on one occasion liberating five beagles and on
 13 another occasion liberating 20 beagles? Are you aware
 14 of those incidences?
 15 A. I'm aware of the break-in incidences, yes.
 16 Q. I put it to you that what happened there was peaceful —
 17 very, very peaceful, non-violent direct action activists
 18 did break in, they offered no aggression whatsoever to
 19 the staff, but they took dogs away from the site and
 20 they rehomed those dogs; is that correct?
 21 A. I do not know what happened to the dogs after they were
 22 stolen from our site.
 23 Q. Did you hear of any aggression shown towards workers?
 24 Were you on duty when the break-ins happened?
 25 A. I wasn't present when this incident happened. I wasn't

1 there.
 2 Q. Did you — you are on oath. Are you aware of any acts
 3 of aggression or violence during those Animal Rebellion
 4 actions, the two, one in June of 2022 and one in
 5 December 2022? Are you aware of any violence offered
 6 during those occasions towards the workers?
 7 A. I'm aware of the confrontation they had with our
 8 security staff which, from the explanation and the
 9 description, it was very intimidating.
 10 Q. Paragraph 68, you talk about fight or flight earlier in
 11 the paragraph, and:
 12 "... [it is] as if we were living in a warzone."
 13 I put to you that's greatly exaggerated, colourful
 14 language that doesn't belong in a witness statement.
 15 But I challenge you. Are you telling me that, in the
 16 past month, as you've gone in and out of work, you've
 17 felt like you were in a war zone?
 18 A. Sorry, can you —
 19 Q. In the past month —
 20 A. Where are you —
 21 MR JUSTICE NICKLIN: No. Don't talk over him.
 22 MR CURTIN: Okay. Could you help?
 23 MR JUSTICE NICKLIN: Yes. Mr Markou, in paragraph 68,
 24 towards the end of the sentence — it's the penultimate
 25 sentence in that paragraph — you say:

1 "We did not know when we would receive the
 2 'all-clear' to leave; it could come at any time, so
 3 sometimes we had to dash to the cars and leave quickly
 4 as if we were living in a warzone."
 5 A. Yes.
 6 MR JUSTICE NICKLIN: Mr Curtin's question is: thinking back
 7 to the last month where you have gone in and out of the
 8 Wyton site -- Mr Curtin wants to know whether you still
 9 say that those activities have been like living in a war
 10 zone.
 11 A. No, because of the injunction.
 12 MR JUSTICE NICKLIN: Right.
 13 A. Sorry, as I mentioned in the first line, during the
 14 period before the injunction was granted.
 15 MR CURTIN: Okay, but you've talked of people still blocking
 16 the gates. You've talked throughout your entire
 17 statement of the amount of fear and intimidation that
 18 you feel all the time. So in the past month -- and
 19 I know that's since the injunction -- do you still feel
 20 like being an employee of MBR and going in and out of
 21 work of MBR is like a war zone? Does the war zone
 22 relate to the early period or are you still in the war
 23 zone, Mr Markou?
 24 A. Depending on which protestors are present, there are
 25 different kinds of reaction from them, so some days are

1 worse than others still .
 2 Q. Paragraph 69 -- again I don't know why it's in my
 3 witness bundle -- it relates to your knowledge -- your
 4 perceived knowledge from the work-room gossip about
 5 Lisa Jaffray --
 6 MS BOLTON: No, sorry, it's not fair to put it as "work-room
 7 gossip" when there has been a prosecution and
 8 a conviction. That's not appropriate.
 9 MR CURTIN: Okay. There may have been a prosecution of
 10 Lisa Jaffray, but there is a contention -- okay, let's
 11 deal with specifics .
 12 Is it your belief that Lisa Jaffray "used medical
 13 records to obtain my colleague's personal details"?
 14 MR JUSTICE NICKLIN: That's not relevant to you. I don't
 15 know why it's in the statement, but it's not relevant to
 16 you.
 17 MR CURTIN: I feel dutybound if it's in my statement --
 18 MR JUSTICE NICKLIN: I know that, but I'm telling you that
 19 you don't need to worry.
 20 MR CURTIN: Right. The last paragraph now. In terms of
 21 your identity --
 22 MS BOLTON: That was for the anonymity application. That's
 23 gone.
 24 MR CURTIN: Okay, but in paragraph 70 --
 25 MS BOLTON: But we didn't pursue anonymity for this witness.

1 MR CURTIN: My point is he talks about his neighbours --
 2 MR JUSTICE NICKLIN: It's all right. Carry on. You can ask
 3 the questions.
 4 MR CURTIN: You talk about being in your area:
 5 "... [I went] to walk around my local area due to
 6 [the] worry of being recognised by the protestors."
 7 Yes?
 8 A. Yes.
 9 Q. Again, it's this generic term, "protestors". Could that
 10 mean your neighbours, the people who also walk in that
 11 park? Are the protestors -- are some of them
 12 potentially neighbours of yours, who live in your
 13 general area?
 14 A. Potentially, yes.
 15 Q. They're just people, aren't they? "Protestors" could
 16 mean anybody, couldn't it? Anybody you see in the shop
 17 could be a protestor?
 18 A. Yes.
 19 Q. Right. Just a few more questions. Let's go back to
 20 what I said. I think it was 61. Could someone help me?
 21 MR JUSTICE NICKLIN: You were in 61. That's where it does
 22 mention "I'm worried about my identity [as read]".
 23 MR CURTIN: Let's go back to 61:
 24 "As I say above, although I have taken as many steps
 25 as possible to hide my identity ... "

1 Correct?
 2 A. Yes.
 3 Q. Yet your name appears on all the paperwork, does it not,
 4 "Demetris Markou"?
 5 A. Yes.
 6 Q. When Ms Pressick -- you gave evidence yesterday --
 7 Ms Pressick, she's the one that came up with the idea.
 8 She's the one that asked you if you would be the
 9 representative of the second claimant. That's what you
 10 said yesterday; is that correct?
 11 A. She asked a number of staff, one was me and
 12 I accepted -- approved.
 13 Q. Ah, she asked a number of staff. Explain this to me,
 14 please. Explain the process.
 15 A. She asked a number of staff, senior staff .
 16 Q. Any member of staff, and you're the one that said "Yes"?
 17 A. Senior staff .
 18 Q. And by "senior", there are people, as you know, that
 19 have been working in MBR for some ten years, some
 20 20 years, some 30 years. You've been there some five
 21 years. So you're far from being the most senior, but,
 22 yes, working there for five years. So how was this
 23 done? Was it done in a letter or in a meeting or did
 24 Mrs Pressick approach each person individually? How
 25 do you remember this process came to happen that you

1 ended up being the person with your name on the
 2 paperwork? That's all I'm asking.
 3 A. If I remember correctly, it was a meeting.
 4 Q. Pardon? Again?
 5 A. If I remember correctly, it was a meeting.
 6 Q. Okay. And ...?
 7 A. And I accepted.
 8 Q. Did she ask you, "Who is prepared to be the spokesman
 9 for the second claimant?" or "Who wants to be?"
 10 Did you want the job or did you just agree to it for the
 11 sake of the company?
 12 A. I volunteered for that role. I accepted, yes.
 13 Q. Were you warned that as a result of that your name would
 14 appear publicly? Did you realise?
 15 A. I was made aware, yes.
 16 Q. Okay. So even though you want to hide your identity,
 17 you'll volunteer to be the named person as the
 18 representative of the second claimant?
 19 A. Ideally I do not want my name shown in the papers, but
 20 I understand our legal system requires that — the legal
 21 system requires that detail, which is why I accepted.
 22 I do not want my name shown on the papers, but because
 23 of the legal system, how it's structured, I understand
 24 I have to have my name appear on the papers.
 25 Q. It has to happen, yes. You talked about you volunteered

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1 your name. Have you been given perhaps promotion,
 2 remunerations? Have you been given extra pay, for
 3 example, for carrying out this role?
 4 A. No.
 5 Q. Has it required any extra work of you? Has it
 6 required — apart from making a statement and coming
 7 here today, has being the representative of the second
 8 claimant required any work of you whatsoever?
 9 A. I had to sign the injunction — the papers, like as part
 10 of the — being claimant, I have to sign the papers.
 11 I have to sign the ...
 12 Q. So a piece of paper is put in front of you here and
 13 you're requested by people who are more senior than you,
 14 you believe, "Here, will you please sign this?" That's
 15 how it goes, is it? You sign the paperwork?
 16 A. I review the paperwork before I sign it, so I have to be
 17 aware of what's included in the paper before I sign.
 18 Q. Can I take you to — I want the description of what the
 19 second claimant is.
 20 MR JUSTICE NICKLIN: Well, if you take any of the
 21 statements, Mr Curtin —
 22 MR CURTIN: I think there's a breakdown.
 23 MR JUSTICE NICKLIN: — if this is sufficient, if you look
 24 at the front page of any of the witness statements, the
 25 description of the class that Mr Markou represents is in

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1 brackets after his name, so on the front page of any of
 2 the witness statements.
 3 MS BOLTON: Mr Curtin, it's on page —
 4 MR CURTIN: I think it's Susan Pressick's where she —
 5 MS BOLTON: 441. It's in the title.
 6 MR CURTIN: Different in my bundle?
 7 MS BOLTON: 441.
 8 MR CURTIN: Yes. So you — and this is you,
 9 Demetris Markou — you are here today to give evidence
 10 on behalf of the officers and employees of MBR Acres and
 11 the officers and employees of the third party suppliers;
 12 yes?
 13 A. Yes.
 14 Q. Do you know what it means to be representative of the
 15 officers? Do you know who the officers are?
 16 A. The people responsible for what's described on the
 17 paragraph.
 18 Q. So, for you, the officers are the people more
 19 responsible?
 20 A. Yes.
 21 Q. That's very vague. Let's talk a little bit more
 22 about — so you don't know who the — do you know who
 23 the officers are? Are there many officers? You're
 24 speaking on their behalf today, remember, but you don't
 25 seem to know who you're speaking on behalf of. Can

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1 I help you out here?
 2 A. As I say in my statement, on behalf of the officers and
 3 employees of MBR Acres Limited.
 4 Q. Can I help you out perhaps? But you should know this.
 5 I put it to you that the — is it news to you that the
 6 officers that they refer to refer to the directors?
 7 Did you have any idea of that?
 8 A. The people more responsible in the company, yes.
 9 Q. Have you ever met the directors of this company,
 10 MBR Acres?
 11 A. Yes.
 12 Q. You have? Have you spoke to them?
 13 A. Yes.
 14 Q. Are you here today to represent their interests?
 15 A. I'm here, as it says in my statement, for that reason,
 16 exactly.
 17 Q. But when you say — I asked you have you spoke to the
 18 directors. Is this on a — how many times have you met
 19 the directors?
 20 A. A few.
 21 Q. A few. Have you ever had a meeting with them about the
 22 business of the company?
 23 A. Yes.
 24 Q. Did they come to the company to speak to you or did they
 25 come to speak to senior management?

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1 A. It was done in person and online.
 2 Q. This was online?
 3 MR JUSTICE NICKLIN: In person and online.
 4 A. (Inaudible — overspeaking).
 5 MR CURTIN: I'll ask you once again, are you here — we'll
 6 go on to the employees — are you here to represent the
 7 interests of the directors? You?
 8 A. I'm here "... for and on behalf of the officers and
 9 employees of MBR Acres Limited and the officers and
 10 employees of third party suppliers and service providers
 11 to MBR Acres Limited pursuant to CPR 19.6". That's very
 12 clear, I think.
 13 Q. To me, it's very unclear. What about the employees?
 14 You're here to talk on behalf of the employees. Do you
 15 understand that?
 16 A. Yes.
 17 Q. What are your credentials to represent the employees?
 18 How are you able to represent the employees today? You
 19 told me you signed a piece of paper, but how are you
 20 representing the employees today?
 21 A. I'm a senior staff member.
 22 Q. You are the senior staff member or a senior —
 23 A. I am a senior staff member.
 24 Q. So any senior staff member could be in your shoes; yes?
 25 It just happens to be you?

1 A. Yes. Yes.
 2 Q. Can I point you to Susan Pressick's 20th statement,
 3 please?
 4 MR JUSTICE NICKLIN: Which paragraph, Mr Curtin?
 5 MR CURTIN: I think it's the first paragraph, where she
 6 talks about Mr Markou giving her permission. Can
 7 someone give me the paragraph? It's not the first
 8 paragraph.
 9 MS BOLTON: It's page 447 in the persons unknown bundle.
 10 It's paragraph 2.
 11 MR JUSTICE NICKLIN: Yes, paragraph 2. Have you got that?
 12 MR CURTIN: Yes. Have you got paragraph 2?
 13 A. Yes. Yes.
 14 Q. Five lines down:
 15 "Demetris Markou has authorised me to make this
 16 witness statement on his behalf as the representative of
 17 the Second Claimant class."
 18 Yes?
 19 A. Yes.
 20 Q. So you, by putting your name to this court document,
 21 it's a very serious role — do you accept that?
 22 A. Yes.
 23 Q. — where your job is to represent the officers,
 24 employees and the contractors?
 25 A. Yes.

1 Q. So the same woman that asks you, requests, "Will
 2 somebody stand up and be the representative of the
 3 second claimant?", and you say, "Yes, I will do that" —
 4 do you follow me so far? So Susan Pressick, as you gave
 5 evidence yesterday, she — and management, someone
 6 from — was it Susan Pressick who asked you to be the
 7 second claimant? You said "senior management". Let's
 8 get down to the names. Was it Susan Pressick who asked
 9 you to be representative of the second claimant?
 10 A. Yes.
 11 Q. And then how did it happen — tell me about — when
 12 Susan Pressick wrote this entire statement, she's taken
 13 the responsibility now from representing the directors,
 14 the workers, the contractors, from you. So she asked
 15 you to be second claimant and then, in the next
 16 sentence, did she say, "I want you to give me permission
 17 to write this statement"? Is that what happened?
 18 A. Yes.
 19 Q. I put to you that's woefully inadequate. I put to you
 20 that you, Mr Markou, are in no standing whatsoever.
 21 Do you represent MBR Acres?
 22 MS BOLTON: My Lord, I think Mr Curtin is misunderstanding
 23 Ms Pressick's evidence.
 24 MR CURTIN: I'm not.
 25 MS BOLTON: All she's saying, in a very standard way, is,

1 "I'm writing this so that Mr Markou doesn't have to
 2 repeat what I'm exhibiting, what I'm providing for this
 3 case". This is a perfectly normal way of somebody
 4 producing a witness statement —
 5 MR CURTIN: It is not.
 6 MS BOLTON: — otherwise all of the evidence has to be
 7 exhibited to two witness statements. That's all that
 8 paragraph is about. Mr Curtin saying it's woefully
 9 inadequate for it to be done that way, it would just
 10 mean that there would be another duplicate statement
 11 dealing with all of the video evidence and all of the
 12 things that have happened. That's not required and
 13 that's all Ms Pressick is saying in that. This witness
 14 is being told that this is all woefully inadequate.
 15 That's Ms Pressick's evidence.
 16 MR JUSTICE NICKLIN: Right. Mr Curtin, just summarise to me
 17 what point you're trying to get across and see whether
 18 I can help move you on with some questions.
 19 MR CURTIN: If I may put it just in my own language. For
 20 me, this case stinks and justice must be seen to be
 21 done. I feel like I'm fighting Scott Marshall in
 22 America, but yet the case is against MBR Acres. This
 23 man is on paper as being the representative of the
 24 directors, et cetera. In Susan Pressick's statement,
 25 there's lots of — she goes on about logistics of

1 running the company, getting the new security in. This
 2 man is here just on a rubber-stamped paperwork by
 3 a woman who got him to do it that doesn't even work for
 4 MBR Acres. I am saying it smells and it stinks, I think
 5 if I could put it simply. I am not happy about -- that
 6 this man is in any responsible role in any way at all
 7 to -- say, for example, the directors. He's said he's
 8 met them a few times. He's not part of the senior
 9 management. I am calling into question I suppose the
 10 entire case by -- this man, I challenge that he does
 11 represent ...
 12 MR JUSTICE NICKLIN: Right. Okay. Let me ask a few
 13 questions then.
 14 MR CURTIN: Thank you.
 15 MR JUSTICE NICKLIN: Mr Markou, in your role as being the
 16 representative of the individuals that are named, so you
 17 are acting for and on behalf of the officers and
 18 employees of MBR Acres Limited -- let's start with that
 19 first. In that role, have you had any collective
 20 discussions with the employees and the directors about
 21 the strategy and the position that will be taken in the
 22 litigation on their behalf?
 23 A. Yes.
 24 MR JUSTICE NICKLIN: So have you had meetings with all of
 25 the employees about this case?

1 A. Yes, we had meetings.
 2 MR JUSTICE NICKLIN: Right. About this case?
 3 A. Yes.
 4 MR JUSTICE NICKLIN: So moving on to the officers and
 5 employees of third party suppliers, what third party
 6 suppliers are you identifying there?
 7 A. People that supply us with things like diet, bedding,
 8 any service for the site, we have responsables(?), like
 9 certain equipment or (inaudible) or repair.
 10 MR JUSTICE NICKLIN: I'm not going to ask you to name them,
 11 but assuming you would therefore -- you could have
 12 written out a list of all of the third party suppliers
 13 of MBR Acres?
 14 A. I could. Yes, I could.
 15 MR JUSTICE NICKLIN: Have you had meetings with those
 16 companies and their employees about this litigation?
 17 A. That was -- for some of them, yes. For some of them.
 18 MR JUSTICE NICKLIN: So I just want to be clear about this.
 19 How many third party suppliers have you had meetings
 20 with them and their employees?
 21 A. It was two -- two that I remember.
 22 MR JUSTICE NICKLIN: When you met the employees, were they
 23 a group of the employees that were perhaps representing
 24 them or were they all the employees?
 25 A. One of them was one person, which would be -- was one

1 person only, that supplier of that kind of service, and
 2 the other was the head of the team -- the representative
 3 of the company, yes.
 4 MR JUSTICE NICKLIN: So is it fair to say that you have met
 5 some of the third party suppliers but not all of them?
 6 A. Yes.
 7 MR JUSTICE NICKLIN: Right.
 8 Now, Mr Curtin, that will enable you to make
 9 submissions to me later in the trial, which is that
 10 Mr Markou is not -- he can't actually represent all of
 11 these people because he's just being put forward as
 12 somebody who speaks on their behalf but in a real sense
 13 he can't speak for everybody in that group because he's
 14 not had discussions with them.
 15 MR CURTIN: Just one more question on that.
 16 MR JUSTICE NICKLIN: Go on then.
 17 MR CURTIN: Remember you're on oath. Susan Pressick has, in
 18 her 20th statement, which includes the evidence against
 19 me in this case and it goes into many areas of the
 20 management of Marshalls -- have you read her statement?
 21 Have you read the statement -- have you read the
 22 20th statement of Susan Pressick?
 23 A. No.
 24 Q. You gave her permission to write it and to act on behalf
 25 of the --

1 MS BOLTON: That's not what Ms Pressick's evidence is.
 2 Mr Markou gave her permission to write on his behalf as
 3 well. That's not about everything that's in
 4 Ms Pressick's statement.
 5 MR CURTIN: No, okay. But you haven't read Susan Pressick's
 6 statement, have you, her 20th statement?
 7 A. No.
 8 Q. Okay. Right. Just a couple more questions and I invite
 9 you to look at the Daily Mirror article from today,
 10 please.
 11 MR JUSTICE NICKLIN: Okay, we've got that on the screen.
 12 What do you want to ask?
 13 MR CURTIN: Just so we can clarify because I'm really
 14 unclear and you gave a number of answers yesterday.
 15 Mr Markou, yes, your name is on the paper. Are you part
 16 of the senior management of this company?
 17 A. Yes.
 18 Q. You are. So you began talking earlier to the judge
 19 about your knowledge of flying dogs in to this
 20 country -- Marshalls flying dogs into this country.
 21 Could you tell the court your knowledge of this, please,
 22 this practice?
 23 A. Of dogs imported to the country --
 24 Q. Correct. You began to talk before you said it's
 25 usual --

1 MR JUSTICE NICKLIN: Just a minute.
 2 Mr Markou, are you aware in your role of the
 3 importation of dogs as part of your responsibilities at
 4 MBR?
 5 A. I am aware of the import of dogs.
 6 MR CURTIN: Is it part of your job to co-ordinate
 7 information about dogs coming in from America and using
 8 that information as part of your UK operation?
 9 A. No.
 10 Q. Would it be a surprise to you that Ms Pressick or
 11 Susan Pressick, she talked of dogs being flown in only
 12 when there was a particular shortage; is that correct?
 13 A. Yes.
 14 Q. And she said -- I asked her how many and she said,
 15 "A few".
 16 MS BOLTON: She didn't say "A few", my Lord, and she was
 17 taken through the manifest so that's not a fair
 18 question.
 19 MR CURTIN: Well, she did.
 20 MS BOLTON: I think she might have said a few hundred.
 21 MR CURTIN: No. So it's standard practice -- is this
 22 correct -- at Marshalls to import dogs into this
 23 country?
 24 A. Only if it's necessary.
 25 Q. Yes, if it's necessary to sell some dogs to make some

1 money, Marshalls will do it; yes?
 2 A. If there's a shortage, then some dogs need to be
 3 imported.
 4 Q. Is it your knowledge that throughout the time of
 5 Camp Beagle and for many years before, that Marshalls
 6 routinely fly dogs into this country from America?
 7 Remember you're on oath.
 8 A. Am I -- can you repeat that?
 9 Q. Is it your understanding that Marshalls routinely fly
 10 dogs into this country from America as part of their
 11 business operation, when necessary?
 12 A. I'm not aware of all the imports to this country.
 13 Q. What are you aware of -- why are you aware of the
 14 imports? What is your awareness of the importation of
 15 dogs? Explain it clearly, please.
 16 A. I'm not aware of all the imports to this country.
 17 Q. What --
 18 MR JUSTICE NICKLIN: Mr Curtin, I think you have the
 19 evidence you need, which is that you've got the evidence
 20 that the company imports dogs to this country where it
 21 is necessary to do so.
 22 Explain to me what the point is that you wish
 23 ultimately to submit to me.
 24 MR CURTIN: That it's the case of the claimants that -- they
 25 did not go into this in their claimant [sic]. They

1 reported that it would be a tragedy if MBR Acres was to
 2 shut because it would lead to the importation of dogs
 3 from America. Well, we know now this is happening
 4 anyway. This is something that is not a challenge to
 5 the Marshall company. They will do it and they do do
 6 it.
 7 MR JUSTICE NICKLIN: Yes, but you've got that evidence. For
 8 what it's worth -- and don't -- you've got to look at
 9 the evidence as a whole because Ms Pressick's evidence
 10 was that, although they do do that, if MBR Acres'
 11 domestic breeding operation were to close, the American
 12 supply would not be sufficient to replace the lost dogs
 13 that were bred in this country. So you do have the
 14 evidence from the various witnesses that, when
 15 necessary, there are imports of dogs, so you've got that
 16 point.
 17 MR CURTIN: But for Marshalls --
 18 MR JUSTICE NICKLIN: You've got that point, but I'm not sure
 19 what more you could want from Mr Markou. He's confirmed
 20 his awareness that there is a practice of importing
 21 dogs.
 22 MR CURTIN: A couple more questions.
 23 MR JUSTICE NICKLIN: Just tell me what they are first.
 24 MR CURTIN: Just trying to clarify -- he's got some
 25 knowledge, now he's got no knowledge. I'm going to put

1 to him, "128 dogs in one month this year; is that
 2 normal?". I was going to ask him that.
 3 Is that normal? A normal figure?
 4 MS BOLTON: They're not --
 5 MR CURTIN: Please. I'm asking the judge.
 6 MS BOLTON: They're not -- as was explained by Ms Jarrett
 7 when she was taken through those figures, they're not
 8 even all of the dogs from this claimant.
 9 MR CURTIN: There's one entrant for Envigo who do not supply
 10 animals in this country, as he'll know, to laboratories.
 11 They sell the blood at Envigo. They don't supply other
 12 laboratories.
 13 MS BOLTON: That's not what the witness' evidence on that
 14 was.
 15 MR JUSTICE NICKLIN: Right, stop arguing please.
 16 MR CURTIN: Can I ask the question, please?
 17 MR JUSTICE NICKLIN: Stop arguing. Stop making points on
 18 this.
 19 MR CURTIN: Can I ask one more question?
 20 MR JUSTICE NICKLIN: No, I'm going to ask a question of
 21 Mr Markou and we'll see what he says to it.
 22 MR CURTIN: Thank you.
 23 MR JUSTICE NICKLIN: Mr Markou, from your general awareness
 24 of the imports of dogs to this country, are you able to
 25 help the court with how many dogs might be imported on

1 a typical month?
 2 A. No.
 3 MR JUSTICE NICKLIN: Right.
 4 MR CURTIN: I do believe that's all my questions.
 5 Ah, one more thing. Mr Markou, I put it to you that
 6 you have -- because of the nature of the business you're
 7 involved in -- you talked yourself about being paranoid.
 8 If you are -- you say you are -- well, you are a senior
 9 member of management and I would say, as a senior member
 10 of the management, your paranoia will undoubtedly affect
 11 the rest of the workers.
 12 My question to you is that I put it to you that you
 13 have a heightened state of paranoia that has -- that
 14 is -- has a negative effect on the other employees.
 15 It's my case to you that you have an unbelievably high
 16 state of paranoia about the presence of protestors and,
 17 as a member of the management, you have a negative
 18 effect about the impression that other workers have of
 19 us. What have you got to say about that? Do you spread
 20 your paranoia to the rest of the workers? What do you
 21 say about that?
 22 A. No, I do not.
 23 MR CURTIN: Okay. Thank you.
 24 MR JUSTICE NICKLIN: Right.
 25 Ms Bolton?

1 MS BOLTON: No re-examination, my Lord.
 2 MR JUSTICE NICKLIN: Thank you very much.
 3 Right. Mr Markou, thank you very much for your
 4 evidence, coming to court -- well, coming and making
 5 yourself available to give evidence via the videolink.
 6 I'm sorry that you had to come back today but that
 7 completes your evidence now. Thank you very much.
 8 A. Thank you.
 9 MR JUSTICE NICKLIN: Right. We'll take our mid-morning
 10 break, then, now and we'll come back at 12.05.
 11 (11.47 am)
 12 (A short break)
 13 (12.11 pm)
 14 MR JUSTICE NICKLIN: Right. Employee V?
 15 MS BOLTON: My Lord, no. Employee H.
 16 MR JUSTICE NICKLIN: Okay.
 17 MS BOLTON: It's page 1545 in the bundle, but the text of
 18 the statement starts on page 1547.
 19 MR JUSTICE NICKLIN: Right. We'll need to go -- there's no
 20 public here. So we need to go into public, don't we?
 21 MS BOLTON: My Lord, yes.
 22 MR JUSTICE NICKLIN: We'll go into private for the purposes
 23 of having the witness sworn. That video is off, is it?
 24 MS BOLTON: I was going to say can we check that that screen
 25 is off.

1 THE CLERK OF THE COURT: It is.
 2 MR CURTIN: Is there someone there in case people do come
 3 in?
 4 MR JUSTICE NICKLIN: No, my clerk's just putting -- we don't
 5 have an usher today but my clerk is discharging that
 6 role today, so she is putting up the notices. So we can
 7 carry on now.
 8 (Hearing in private)
 9 Please can you activate the screen at the remote
 10 location?
 11 Can you hear us all right?
 12 THE WITNESS: I can, yes.
 13 MR JUSTICE NICKLIN: Good. Thank you very much.
 14 Right, we need the witness to be sworn now.
 15 EMPLOYEE H (sworn)
 16 Examination--in-chief by MS BOLTON
 17 MS BOLTON: My Lord, this next witness' name is [redacted].
 18 [Employee H], can I ask you please to turn to page 1547
 19 in the bundle? It should be the first witness statement
 20 of Employee H. Do you have that?
 21 A. Sorry, are you talking to me? You're not very clear.
 22 MR JUSTICE NICKLIN: Where is your remote microphone,
 23 Ms Bolton? That's the problem.
 24 MS BOLTON: I don't have one at the moment.
 25 MR JUSTICE NICKLIN: That's the problem. Can we hand out

1 one of those?
 2 MS BOLTON: Can you hear me now?
 3 A. Yes, that's better.
 4 Q. Can I ask you to turn to page 1547 in the bundle,
 5 please?
 6 A. Yes.
 7 Q. You should see -- it's the first witness statement of
 8 Employee H.
 9 A. Yes, I do.
 10 Q. Is that your witness statement?
 11 A. It is.
 12 Q. If I could ask you, please, to turn through to
 13 page 1563 --
 14 A. Yes.
 15 Q. -- did you sign that witness statement?
 16 A. I did, yes.
 17 Q. There's an exhibit at pages 1564 to 1567.
 18 A. Yes, that is my exhibit.
 19 Q. Is that statement still true to the best of your
 20 knowledge and belief?
 21 A. It is, yes.
 22 MS BOLTON: Thank you very much.
 23 MR JUSTICE NICKLIN: Right. We can cut the video feed now.
 24 [Redacted], I will now have to call you "Employee H".
 25 A. Okay.

1 MR JUSTICE NICKLIN: I hope you understand that's because
 2 we're now going to go into open court.
 3 A. Okay.
 4 (Hearing in public)
 5 Cross-examination by MR CURTIN
 6 MR CURTIN: Good morning.
 7 A. Good morning, or afternoon.
 8 Q. I'm going to run through your statement in simple
 9 chronological order. So paragraph 1, you say you're
 10 working in the role of senior animal technician. Does
 11 that mean you're one of the senior people or is that an
 12 actual title, you are the senior animal technician?
 13 A. No, that is not my title. That is -- I'm just one of
 14 the senior people there.
 15 Q. Okay. Let's cross the page to paragraph 4, talking of
 16 senior. So you've been employed at the site by MBR
 17 since 2017 and before that you were employed by MBR's
 18 predecessors; yes?
 19 A. That's correct.
 20 Q. The previous employer before MBR went under the name of
 21 Harlan Interfauna and became Envigo?
 22 A. Envigo, yes.
 23 Q. So you worked there. What about the predecessor of
 24 that, Interfauna? Were you there then, when it was
 25 known as "Interfauna"?

1 A. For a short time, yes.
 2 Q. This may be irrelevant, but how long have you worked at
 3 the site, please?
 4 A. I have worked at the site for 12 years.
 5 Q. 12 years. So you were at the site when the management
 6 changed from Envigo to MBR; correct?
 7 A. That's correct.
 8 Q. We've heard -- I think it's from Susan Pressick. She
 9 referred to that period as a "transition period" --
 10 A. Yes.
 11 Q. -- and she's accepted that in that transition, as
 12 a result of that, a number of dogs were killed that were
 13 the existing -- that belonged to the existing owners; is
 14 that correct?
 15 MS BOLTON: Ms Pressick didn't give that evidence, my Lord.
 16 She didn't.
 17 MR CURTIN: But a witness, a witness. I beg your pardon.
 18 A witness has given evidence of what they called the
 19 "transition period", in which they accepted during that
 20 transition period dogs were killed. Is that correct?
 21 A. To be honest, I don't really know because I wasn't
 22 really involved in that sort of part of the operation.
 23 Q. Okay. So paragraph 5 and 5.1, 5.2, 5.3, 5.4 up to 5.5,
 24 let's talk about those. You talk about your
 25 experiencing protests in the past, but those protests,

1 you say, were of a different nature to the protests
 2 since Camp Beagle was set up in the early summer of
 3 2021. That's correct, isn't it?
 4 A. That is correct.
 5 Q. And if I may put it this way, paragraphs 5.1, 5.2, 5.3,
 6 5.4, 5.5, it's as if you put some nostalgic -- it's
 7 a nostalgic reflection on previous protests, that they
 8 used to be, compared to the ones now, relatively quiet
 9 and peaceful; is that correct?
 10 A. That is correct.
 11 Q. I put to you, other than the regularity, because the
 12 camp is there every day, there is very little difference
 13 between the protests of Camp Beagle and the protests
 14 that were happening in the year prior to Camp Beagle,
 15 apart from the regularity.
 16 A. I would say that's totally wrong. I would say that
 17 now -- that the protestors there are extremely verbally
 18 abusive. They shout, they swear, they're harassing us.
 19 Q. Tell us about the protests before Camp Beagle. Tell us
 20 how mild they were.
 21 A. They were standing there with placards.
 22 Q. Just standing. Did they shout?
 23 A. Not overly, just "Shame on you". No verbal abuse as it
 24 is today.
 25 Q. If someone says -- if someone shouted at you, "Shame on

1 you", do you take that as abuse or not?
 2 A. Not as bad as "Scum", "Sub-human", "Filth", "Shit
 3 shoveler".
 4 Q. Okay, but the protests evolved. They were a much more
 5 mild-mannered bunch. That's your case, isn't it?
 6 A. They weren't as abusive, so I would say, no, they
 7 weren't as abusive.
 8 Q. Are you aware of an incident just a few days before
 9 Camp Beagle was set up where there was a demonstration
 10 at the gates on a Sunday? I put it to you there was
 11 lots of shouting and I think there was even perhaps some
 12 damage to the gate. Are you aware of that, just before
 13 Camp Beagle was set up, there was quite a lively
 14 demonstration? Are you aware of that?
 15 A. I'm sure there was. I mean, there's been so many
 16 demonstrations.
 17 Q. Okay. I put it to you that you're painting a nostalgic
 18 memory of those protestors that you've invented since
 19 the time of Camp Beagle, "They used to be okay but not
 20 like this lot". I put it to you that the protestors of
 21 Camp Beagle were indeed very, very similar to their
 22 predecessors except in terms of regularity.
 23 A. Not at all. I would totally disagree with that. They
 24 are historically -- the protestors beforehand were,
 25 I would say, peaceful protesting, whereas today I would

1 certainly say it's not peaceful protesting. It's abuse,
 2 it's bullying, it's harassment.
 3 Q. Okay. Can I point you to paragraph 12? I apologise,
 4 I said I was going to take you through chronologically,
 5 but just skip to paragraph 12 and we'll go back to the
 6 chronological order after that.
 7 A. Yes.
 8 Q. You talk of your knowledge, for example, of the
 9 Huntingdon Life Sciences campaign --
 10 A. Yes.
 11 Q. -- and criminal damage and even -- and bomb threats,
 12 et cetera.
 13 A. Yes.
 14 Q. So is it your case -- would you accept from me that the
 15 Huntingdon Life Sciences protests were -- let's call it
 16 the start of the century, in the 2000s -- would you
 17 accept that?
 18 A. Yes, it was about that -- then, yes.
 19 Q. We can see from the details you've given here that the
 20 Huntingdon Life Sciences campaign was indeed a very
 21 militant -- according to you, a militant, aggressive
 22 campaign; correct?
 23 A. I don't think I used the word "militant", but it was
 24 quite a nasty campaign, yes.
 25 Q. So what you describe in paragraph 5, is it your case

1 that there was the Huntingdon Life Sciences period, if
 2 I can put it that way, where people caused criminal
 3 damage and made bomb threats, and then there's the
 4 Camp Beagle protests, which are aggressive, harassing,
 5 violent, but in between we had a mild section; is that
 6 your case? For some reason or another, which we needn't
 7 go into, all of a sudden the protestors are very meek
 8 and mild and peaceful and quiet; is that your case?
 9 A. For a start I didn't say that they were violent.
 10 Violent abusive but not violent physically. The
 11 campaign outside our place of work at Wyton was quiet,
 12 whereas, obviously, during that time Huntingdon was
 13 targeted more than we were so I would suggest that there
 14 were different protestors.
 15 Q. Did you say you worked there while the site was run by
 16 Harlan?
 17 A. I did, yes.
 18 Q. Are you aware of an injunction that was brought out by
 19 that company against protestors?
 20 A. I was, yes.
 21 Q. Would you accept that the reason that Harlan would say
 22 that they carried that injunction was because they were
 23 under siege by protestors who did this and who did that
 24 and who shouted abuse and harassment, alarm and
 25 distress -- and indeed an injunction was granted.

1 Would you accept that the reason that -- according to
 2 Harlan, because they were under siege? I don't know if
 3 they used those terms, but there was wild demonstrations
 4 that needed taming. Do you remember this and do you
 5 accept the fact that there was an injunction taken out?
 6 A. I do remember there was an injunction taken out,
 7 like I say, I do remember some protestors outside.
 8 I wouldn't say that we were held under siege. Nothing
 9 was ever said about being under siege.
 10 Q. I put it to you that this entire paragraph 5.1 and 5.2
 11 is nonsense.
 12 A. Well, I would say to you that it isn't nonsense. I was
 13 there and I certainly remember that it was a lot more
 14 peaceful than it is today.
 15 Q. Would you say -- because by the look of it, this
 16 nostalgic view, would you say it was even good-natured,
 17 the --
 18 A. I wouldn't say it was good-natured, I mean obviously
 19 people are out there to protest, but I certainly would
 20 say that it is not as nasty verbally and harassing
 21 and -- like going down the sides and shouting at us down
 22 the side of the site, they certainly weren't there.
 23 They were outside at the front and that was it.
 24 Q. When you say "protestors", like many witnesses -- ah,
 25 let me ask you one question first which I should have

1 asked you at the start. When you made this statement,
 2 did you make it of your own free will, et cetera?
 3 A. Of course, yes, I did.
 4 Q. Are these your words?
 5 A. Yes.
 6 Q. Were you guided in any way in the making of this
 7 statement?
 8 A. No.
 9 Q. Think about it. Were you guided or coached in any way
 10 whatsoever? For example, you can see there "Role", "The
 11 impact of the Protests ..." -- did you write "Role"?
 12 Did you write "The impact of the Protests before the ...
 13 Injunction" in black headings or did you work from
 14 a template? Did you work from a blank piece of paper or
 15 did you work from some sort of template?
 16 A. No, we didn't have a template.
 17 Q. Okay. If I can point you to paragraph 8 --
 18 MR JUSTICE NICKLIN: Before we leave that topic, Mr Curtin,
 19 Employee H, I just have a question about the Harlan
 20 injunction.
 21 A. Yes.
 22 MR JUSTICE NICKLIN: Were you aware of the terms of that
 23 injunction at all?
 24 A. Not overly. I do remember slightly some of the grounds,
 25 but it was a long time ago so I can't remember fully so

1 I wouldn't be able to sort of say with sort of truth
 2 what I would know.
 3 MR JUSTICE NICKLIN: Did you recall that the injunction
 4 essentially only permitted protests once every week with
 5 no more than 25 individuals protesting and not to exceed
 6 three hours?
 7 A. I believe that was the case and they weren't allowed,
 8 I believe, a mile between -- either side of the gate.
 9 MR JUSTICE NICKLIN: And that they were required to
 10 demonstrate in a particular zone?
 11 A. That's correct, yes, opposite where the protestors are
 12 at the moment.
 13 MR JUSTICE NICKLIN: Would it be fair to say that the
 14 activities of the protestors were therefore
 15 significantly curtailed by the injunction order?
 16 A. Definitely, yes. It was a lot better.
 17 MR CURTIN: But you've got -- do you have a recollection of
 18 a before and after the injunction? You haven't spoken
 19 about it. Do you remember a period whilst at Harlan
 20 before an injunction where there would be lots of wild,
 21 uncontrolled protests and then it improving after the
 22 injunction? Have you a memory of that scenario?
 23 A. I do remember one time where there was probably about
 24 20 people. It was just one incident where they stood
 25 across the road. But obviously that was one

1 recollection. I can't remember too much other than
 2 that.
 3 Q. Okay. Question 5.5, a simple enough statement that they
 4 didn't used to use the drones back then.
 5 A. No, that's correct.
 6 Q. That's because perhaps there were -- I put it to you
 7 because there were no drones back then.
 8 A. No, probably not. That was a long time ago.
 9 Q. And if they had have had drones, they more likely would
 10 have used them; do you accept that?
 11 MR JUSTICE NICKLIN: Well, that's speculation, Mr Curtin.
 12 It's not ...
 13 MR CURTIN: That same paragraph, 5.5:
 14 "... I feel like I cannot walk around outside at the
 15 Wyton Site freely. I am always on guard and looking up
 16 for a drone."
 17 A. Yes, that's correct.
 18 Q. So you don't like -- what are your feelings when you see
 19 the drone?
 20 A. Well, I feel intimidated and feel that my personal space
 21 is being invaded. I feel as if somebody is watching me
 22 all the time, which obviously they are.
 23 Q. Correct, which obviously they are.
 24 MR JUSTICE NICKLIN: Would it be fair to say, from that
 25 answer, Employee H, that it's not so much the annoyance

1 caused by the drone being there, it's the fact that you
 2 know that the drone is recording what you're doing?
 3 A. It's recording what we're doing. It's invasion of our
 4 privacy. It's just not very nice in general. It's like
 5 Big Brother watching you.
 6 MR CURTIN: Can I point you to a Daily Mirror article from
 7 today, please? This is connected.
 8 MR JUSTICE NICKLIN: Okay, you're better off with the other
 9 article if you want to make the point. It's the point
 10 that footage from the drone has appeared in a newspaper
 11 reporting activities at MBR Acres.
 12 MR CURTIN: Okay.
 13 Would you accept from me, if you could, that -- I'm
 14 going to ask you in a minute about another Daily Mirror
 15 article. Today there's a Daily Mirror article --
 16 would you accept from me? -- in the newspapers
 17 concerning how MBR have been flying dogs into the
 18 country. Do you dispute that? Have you heard of that?
 19 A. I don't know, no. I haven't seen it.
 20 Q. You don't know. Okay. I put it to you that there has
 21 been previous Daily Mail articles where they have used
 22 drone footage to inform the British public about the
 23 controversial nature of the work that MBR do. Would
 24 that be correct?
 25 A. Well, if you'd given them the drone footage, yes.

1 Q. They published that drone footage. Does this cause you
 2 to feel unsettled? If you were to see in the
 3 Daily Mirror about drone footage, would that make you
 4 feel -- how would it make you feel?
 5 A. Well, it's drone footage. You know, we're doing nothing
 6 wrong.
 7 Q. That's debatable, isn't it? Do you accept there are not
 8 just tens of thousands -- would you accept that there
 9 are millions of people in this country that would take
 10 issue with that?
 11 Forget about -- we're not here to talk about the
 12 rights and wrongs of what you do. Do you accept there
 13 are millions of people potentially in this country that
 14 would feel that what you are doing at MBR -- what the
 15 workers of MBR are doing and the whole nature of the
 16 business is exactly that, is wrong? Would you accept
 17 there are people who hold that opinion?
 18 A. There are some people. I certainly wouldn't say
 19 millions.
 20 Q. Why wouldn't you say millions?
 21 A. Well, because there is essential work going on.
 22 Q. So you say. You're telling me that you're not aware --
 23 MR JUSTICE NICKLIN: Mr Curtin, it's not a profitable line
 24 of cross-examination because neither you nor the witness
 25 is going to be able to give evidence about the number of

1 people who hold those beliefs.
 2 MR CURTIN: No.
 3 MR JUSTICE NICKLIN: All you can say is that there is
 4 a significant number of people, we don't know how many,
 5 who are opposed to the activities of MBR Acres.
 6 MR CURTIN: Okay. So do you accept you're involved in an
 7 extremely controversial area of work?
 8 A. It is controversial, yes, to some people.
 9 Q. It is controversial to some.
 10 A. To some people.
 11 Q. Do you accept that the nature of the work you do is
 12 going to actually attract attention and attract
 13 demonstrations because of that controversial nature?
 14 Do you accept that?
 15 A. I do accept that there is protests, yes. It's the way
 16 they conduct themselves that I have a particular problem
 17 with and how it upsets me as a person.
 18 Q. Okay. So you do have an understanding -- an expectation
 19 perhaps that, if you work for MBR, get used to
 20 demonstrations?
 21 A. I wouldn't say it's an expectation, but obviously you
 22 come across it from time to time before the actual
 23 activity at Wyton site at the moment.
 24 Q. Let's move on to paragraph 6. It's your belief, as put
 25 out in this statement, that they -- "they" being the

1 Camp Beagle protestors or the Camp Beagle community:
 2 "... [they] have gone beyond what they have a right
 3 to do by camping outside on a major highway ..."
 4 A. Well, yes.
 5 Q. Is that your views?
 6 A. Yes. I believe that camping on a major highway is
 7 beyond. I'm very surprised that you are still there.
 8 Q. Okay. Have you ever heard of Greenham Common protests?
 9 A. Yes.
 10 Q. What's your understanding of the Greenham Common
 11 protests?
 12 A. They were protesting against nuclear weapons.
 13 Q. And your memory, does it consist of a demonstration or
 14 a large demonstration or does it -- if I can refresh
 15 you, those women camped outside an American airbase that
 16 was holding American cruise missiles. They camped
 17 outside there. That was their protest. Do you remember
 18 that?
 19 A. Vaguely but I was not in my -- I only vaguely know
 20 about -- obviously, they were protesting against nuclear
 21 weapons. It certainly wasn't on my radar at that time.
 22 Q. Do you think that should have been allowed or do you
 23 think that should have been banned?
 24 A. No, I think obviously it depends on whose land it is and
 25 whether it's dangerous wherever they're camping.

1 Q. But answer the question. Do you think -- say if they're
 2 on the side of the road, which I can tell you now they
 3 were, do you think the Greenham Common protests should
 4 have been banned just on the basis that they were
 5 camping?
 6 A. Obviously not banned as in demonstrations, but
 7 I certainly don't think that living on the side of
 8 a road is a legal activity.
 9 Q. You don't want Camp Beagle to be there, do you?
 10 I understand if your answer was no. I'll ask again.
 11 You don't want Camp Beagle --
 12 A. I don't mind if the protestors are there. What I do
 13 object to is being daily -- having the daily abuse and
 14 harassment every day.
 15 Q. Right, we'll come to that daily harassment and names in
 16 a while -- well, let's talk about it now. No, we'll
 17 talk about it in a while.
 18 I'll just put one more point to you about
 19 paragraph 6. I put it to you that the fact that people
 20 are camped there, that they do protest every single day,
 21 it must annoy you and frustrate you every single day
 22 that this happens, as opposed to dealing with, in the
 23 nostalgic days, when it was just once every now and
 24 then. Just the fact that people demonstrate every day
 25 will have an effect on you?

1 A. If they demonstrated every day and wasn't going to abuse
 2 me and shout at me and harass me, that's fine.
 3 Q. Okay. So you're accepting that, as long as people don't
 4 abuse you and harass you, that's fine. Okay. So what
 5 about if they're camping, though --
 6 A. As long as they don't block -- excuse me. As long as
 7 they don't block or in any way prevent us from getting
 8 into our work -- of course it's a whole harassment and
 9 them -- with you at the side of the road living there.
 10 Q. So if they did all this, if they protested and they
 11 didn't shout abuse at you in particular or in fact at
 12 any workers -- if they operated peacefully with the
 13 banners and they shout "Down with animal experiments",
 14 but they did it every day, do you take back the fact now
 15 that -- if they did all that and they were camping, you
 16 wouldn't have any problem with it; is that correct?
 17 A. If they were camping I would find that, you know -- why
 18 should people camp on the side of the road?
 19 Q. Maybe to carry out their democratic right to protest.
 20 Have you considered that? It may not be something you'd
 21 agree with, but have you considered people's democratic
 22 right to protest and some people may want to do it
 23 through sacrificing a lot of their time and make it
 24 a camp? Have you considered the fact that some people
 25 might choose to do that and that's their right to do so?

1 A. They may choose to camp but there are campsites where it
2 is legal to camp.

3 MR JUSTICE NICKLIN: Employee H, can I ask, do you recognise
4 that for some people the demonstration of their
5 commitment to a cause or their opposition to
6 a particular aspect might, they feel, be demonstrated by
7 camping physically at the target of their protest?

8 A. Oh, of course, yes, I do believe that. But after nearly
9 two years on a public road, I feel that that is not
10 lawful.

11 MR JUSTICE NICKLIN: Okay, right.

12 MR CURTIN: Paragraph 8, again that first sentence, are you
13 telling me — is it your evidence that you sat there
14 with a blank piece of paper and you wrote that first
15 sentence?

16 A. I didn't write it as a blank piece of paper. We were
17 giving our statements through videolink and they are
18 words, yes, that came out of my mouth.

19 Q. And that is word for word without any guidance from
20 anyone in the room? That's exactly what your mind came
21 up with and submitted to the statement; yes?

22 A. Well, I can't [sic] say 100% that during the summer of
23 2021, yes, protests outside the Wyton site became more
24 intense and it was not possible to enter or exit the
25 site safely.

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1 Q. It's not a controversial point, but I just point to
2 you — I suggest to you that you were guided in that
3 statement. You were helped to make that statement by
4 somebody else.

5 A. No.

6 Q. Okay. What about if I was to tell you that that exact
7 sentence — virtually that exact sentence word for word
8 appears in a number of other statements, would that
9 surprise you?

10 A. Well, it's fact.

11 Q. But the wording, word for word — is it a strange
12 coincidence that everyone should use the same type of
13 wording? That's all I'm getting at.

14 A. Well, like I say, it's fact, so we're pretty much saying
15 during that time that the protests were intense and it
16 wasn't possible. So I don't know. I can't speak for
17 anybody else.

18 Q. Okay. Further along:
19 " ... police assistance was often required to enter
20 and exit the Wyton Site."
21 This paragraph refers to the early period — perhaps
22 let's talk about the first three or four months.

23 A. Yes.

24 Q. It's your evidence that police were often required; yes?

25 A. Yes.

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1 Q. I put it to you — and you've even said they were
2 required when the workers left the site — I put it to
3 you that the police as an absolute pattern were there
4 every single occasion when workers came in the morning
5 and they left. It wasn't like they were required. The
6 police were attending every single time that workers
7 left and workers came.

8 A. Well, I believe that they were required coming in and
9 out for my safety.

10 MR JUSTICE NICKLIN: No, Mr Curtin's point is he's
11 suggesting to you that, in that early period of the
12 protest, the police were regularly present, every day,
13 to ensure the access to the site.

14 A. Yes, for our safety — yes, they were.

15 MR CURTIN: Paragraphs 9 and 10 — at least 9 and 10 refer
16 to the setting — up of a convoy.

17 A. Yes, that's correct.

18 Q. I put it to you that the convoy that was arranged was
19 a matter of choice of the MBR workers, of the MBR
20 management. It was something you chose to do?

21 A. It was a choice for our safety.

22 Q. Taken by who?

23 A. By management.

24 Q. Okay. Was Mr Markou one of those people? Is he classed
25 as senior management or not?

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1 A. He's senior management, yes.

2 Q. Okay. Let's go on to a general point now, the end of
3 paragraph 11 and the start of paragraph 12.:
4 " ... I am worried that the protestors will target me
5 and my family at my home and online ..."

6 A. Yes, that is correct.

7 Q. I can understand you would have that worry. I am
8 defending myself and I see nothing in this statement
9 relating to any evidence to me, that I have targeted
10 anyone during the course of this campaign in any
11 fashion.

12 A. Well, you've certainly targeted me before by shouting at
13 me.

14 Q. That's not in your evidence. This is —

15 A. No, it happened a couple of weeks ago.

16 Q. This is evidence, remember. This is a court case. This
17 is a court case —

18 MS BOLTON: Hang on, the witness is answering the question.
19 Sorry, can you answer —

20 A. Yes, certainly. This happened a couple of weeks ago or
21 probably about a month ago.

22 MR CURTIN: Go on.

23 A. One afternoon myself and another colleague were walking
24 down the field and you popped up by the side and then
25 continued to shout or started to shout "Monster" and

72

1 made me jump out of my skin and proceeded to follow us
 2 down the --- to the bottom of the site, still shouting at
 3 us.
 4 Q. Have you heard me shouting before?
 5 A. Yes.
 6 Q. Have you heard me shouting regularly?
 7 A. Yes.
 8 Q. Would it be fair to say that you've heard me shouting at
 9 every single MBR employee?
 10 A. On occasion, but at this occasion you were just shouting
 11 at myself and my colleague.
 12 Q. Because you were there.
 13 A. Yes.
 14 Q. Is it your suggestion that I ambushed you on this
 15 particular day or is it the fact that --- I think you put
 16 it you just came out ---
 17 A. Well, it certainly felt like it because you made me jump
 18 out of my skin.
 19 Q. Okay. Do you ever recall --- because this is about ---
 20 I'm now going to address your level of worries, for
 21 example, being worried about being attacked at home.
 22 Do you ever remember on site being addressed by police
 23 officers in terms of a --- how shall we put it? ---
 24 a security meeting, some guidance from police officers?
 25 Do you have any recollection of this?

1 A. Yes.
 2 Q. How many times have the police been inside the MBR site
 3 to give the security briefings?
 4 A. Once, I believe.
 5 Q. Do you --- if I may assist you, do you remember ---
 6 perhaps it was the --- was it the anti-terrorist squad or
 7 someone with connections to an anti-terrorist squad?
 8 A. Yes, I believe it was.
 9 Q. And could you tell the court roughly how that meeting
 10 went, what was shared with you?
 11 A. I can try and remember. It was a long while ago now.
 12 It was ---
 13 Q. Roughly.
 14 A. --- historical goings-on. The various protestors
 15 I believe were mentioned, yourself and Mel Broughton.
 16 Q. When you say "mentioned", do tell more. What did they
 17 say about me?
 18 A. Obviously your history.
 19 Q. Obviously nothing.
 20 A. Excuse me?
 21 Q. You said "Obviously". There's nothing obvious here.
 22 You're giving evidence. So they told you about my
 23 history. What did they tell you about my history?
 24 A. Okay, as to what I remember, that you were in prison for
 25 the break-in at the site previously.

1 Q. The Wyton site?
 2 A. It was, yes.
 3 Q. Were you aware of that before the police told you or was
 4 that the first time you were aware?
 5 A. No, I was aware of that. Yes.
 6 Q. How were you aware of that before the police told you?
 7 A. Because I was there at the time.
 8 Q. I've got some trouble with the chronology of how long
 9 you've worked then because the --- I was arrested for
 10 liberating 82 beagles in 1990. Were you working there
 11 in 1990?
 12 A. I was and I left in --- a few years later and then came
 13 back, hence 12 years.
 14 Q. Ah, yes, because I was --- I immediately picked up on
 15 a discrepancy but now it makes sense. So you were
 16 there. How long had you worked --- how long had you
 17 worked there before you left? When you were working
 18 there in 1990, what was the --- from when you began work,
 19 what was the length of your employment then?
 20 A. Quite a few years, yes.
 21 Q. It doesn't matter for my case, but ---
 22 MR JUSTICE NICKLIN: I think it would help us get the
 23 chronology correct, if you could, to the best of your
 24 memory ---
 25 A. I'm just trying to think now. 1990 ...

1 MR CURTIN: Did you begin in 1990?
 2 A. Approximately 15 years.
 3 MR JUSTICE NICKLIN: Sorry, you thought you'd worked there
 4 from 1990 for three years?
 5 A. No. No, sorry. I was there from 1986 to 2002.
 6 MR JUSTICE NICKLIN: Okay. And then when did you return?
 7 A. I returned in 2010.
 8 MR JUSTICE NICKLIN: 2010, did you say?
 9 A. Yes.
 10 MR JUSTICE NICKLIN: Thank you.
 11 MR CURTIN: So your involvement with this site goes as far
 12 back as mine and further ---
 13 A. Briefly, I guess, yes.
 14 Q. --- which to me puts your --- what you wrote in
 15 paragraph 5 about your nostalgic ideas of demonstrators
 16 as, again, utter nonsense because I put it to you that,
 17 at that time, at that period, 1986/1987 right up to the
 18 2000s and beyond, the Animal Rights Movement was way
 19 more militant than it is today and there were --- this
 20 nostalgic point of view that you put across has no
 21 bearing on reality. If anything, I know from personal
 22 experience that there is --- the movement was way more
 23 extreme, militant, whatever you want to ... would that
 24 be the case?
 25 A. Not at our site, no.

1 Q. But, okay, let's -- so did you tell other workers about
 2 your knowledge, the fact that I'd broken into the lab,
 3 to the site?
 4 A. Not that I can recall. I think people had got that from
 5 social media and Google.
 6 Q. And you said nothing about this? You kept quiet?
 7 A. To be honest, I can't remember. I might have done, but
 8 I think, like I say, most people got bits and pieces
 9 from internet.
 10 Q. Yes. We'll come to that in a minute. So how did it
 11 make you feel about me, knowing that I'd broken in and,
 12 as I would put it, liberated 82 dogs? How does that
 13 make you feel about me?
 14 A. Well, I believe that you're very extreme in your motives
 15 and your outcome of what you do. It certainly scares
 16 me. And the fact that you say "liberated", which
 17 obviously you believe, when it's breaking and entering
 18 and burglary -- and obviously that is against the law --
 19 is scary as well because obviously there is no regard
 20 for the law in that respect.
 21 Q. Why should the fact that I had been -- I was known to
 22 have carried out an act of breaking into the site at
 23 night, offering no resistance to any other worker,
 24 no one hurt, et cetera, no one challenged. Why should
 25 that scare you?

1 A. Because you've done it once and who's to say that it
 2 would stop you from doing it again or at some stage?
 3 I don't know. I can't say what my mind -- how my mind
 4 works.
 5 Q. Okay, but if I was to break into the MBR site this
 6 Saturday and take ten dogs, would that scare you, the
 7 fact that I'd done that?
 8 A. Yes, it would.
 9 Q. Are you talking on behalf of the company or are you
 10 talking personally?
 11 A. No, I'm talking personally. It makes you a dangerous
 12 person, I'm sorry.
 13 Q. Tell me why it makes me a dangerous person.
 14 A. Because, like I say, if you're prepared to break the law
 15 in that respect, I don't know what else you could do.
 16 Q. That's quite a generalism, isn't it?
 17 A. Well, yes. Yes. Like I say, I don't know.
 18 Q. Right. Now, while we're on the subject, let's talk
 19 about this thing about "most people knew". So other
 20 people -- you're aware that other people had knowledge
 21 about my previous history with the site; yes?
 22 A. Yes.
 23 Q. Now, remember --
 24 MR JUSTICE NICKLIN: Mr Curtin, I know you've got several
 25 questions to ask about this so we may do this at

1 2 o'clock, if that's all right.
 2 MR CURTIN: I do hope to have both witnesses wrapped up by
 3 today.
 4 MR JUSTICE NICKLIN: Okay. Fine.
 5 Right. Employee H, we're going to have our lunch.
 6 You have yours as well. There's a rule for all
 7 witnesses. It's nothing particular to you, but you
 8 mustn't discuss your evidence with anybody, please,
 9 during that period.
 10 A. Yes. Okay. Thank you.
 11 MR JUSTICE NICKLIN: All right. Thank you very much. See
 12 you at 2 o'clock.
 13 (1.00 pm)
 14 (The short adjournment)
 15 (2.00 pm)
 16 MR JUSTICE NICKLIN: Right, Mr Curtin, ready to go?
 17 MR CURTIN: Hello, are you there?
 18 A. Hello, yes, I'm here.
 19 Q. Okay. So I think one of the last things I put to you
 20 was about the fact that you knew about -- you had
 21 knowledge of the fact that I had been convicted of
 22 stealing dogs and you were scared by that. Now,
 23 I challenge that. Let me clarify why I challenged it.
 24 I can understand a point of view that having knowledge
 25 that I'd broken the law could give you some fear as to

1 that I may do it again; correct?
 2 A. Yes. That is correct.
 3 Q. First of all -- two things. I'd like to draw your
 4 attention to the time gap, 1990 -- we're talking
 5 30--something years; yes?
 6 A. Yes.
 7 Q. And the other thing, I'm accepting, and I did accept at
 8 the time, that it was a break of the criminal law, but
 9 you may be the first person that I've yet to come across
 10 in my life that would suggest -- and hopefully you'll
 11 understand -- that that was a bad thing of me to do,
 12 that was very, very wrong of me; it was an awful thing
 13 for me to do, to take those dogs out of your premises
 14 and put them into good, safe, loving homes. Do you
 15 think it was a terrible thing that I did there?
 16 A. You broke the law.
 17 Q. I know it was illegal, but the suffragettes, for
 18 example, broke the law. Do you think it was an awful
 19 act that -- I'm aware that it's illegal, but do you
 20 think it was terrible that you had some knowledge that
 21 I'd taken some dogs from that site and spared them from
 22 being experimented on and found them safe, loving homes?
 23 MR JUSTICE NICKLIN: Okay, Mr Curtin, that's an example of
 24 you building a comment into a question.
 25 MR CURTIN: Okay.

1 MR JUSTICE NICKLIN: You and the witness aren't going to
 2 agree about this; all right?
 3 MR CURTIN: Okay. I was accepting that I was breaking the
 4 law but I was trying to point you in the direction of
 5 the non—violence of it.
 6 A. It may have been non—violent because nobody was there.
 7 I don't know what would have happened if somebody was
 8 there or what would have happened in the future.
 9 I mean, I could speculate or you could speculate.
 10 Q. Okay, yes. Good answer.
 11 So this police meeting you had, they specified about
 12 myself and Mel Broughton and they drew attention to the
 13 fact that here you have two people involved in
 14 a campaign against you, against your company, and each
 15 with a colourful, criminal record; is that correct?
 16 A. Yes.
 17 Q. How did that make you feel?
 18 A. Well, not very nice, as you can imagine, having some
 19 people like that against you.
 20 Q. And when they talked about — when they brought up car
 21 bombs or — sorry — bomb threats and criminal damage to
 22 employees' houses — they told you about that, the
 23 anti—terrorist police did — how did that make you feel?
 24 A. Well, obviously very scared, as it would anybody.
 25 Q. Apart from making you scared, were the police able to

1 tell you anything in that meeting that perhaps pacified
 2 or allayed your fears or lowered your fears?
 3 A. Well, they said it's very uncommon for it to happen,
 4 but, obviously, it could happen.
 5 Q. What do you mean by "it", it isn't common? What do you
 6 mean?
 7 A. Well, as in car bombs and attacking people's homes.
 8 Q. Did they — because you — you had the advantage of
 9 personal experience. Whilst working in the industry for
 10 so long, you knew what he was talking about when he
 11 referred to the Huntingdon Life Sciences. But for the
 12 other workers who were perhaps new to the job, had
 13 joined it in the past — when I say "new", the past five
 14 years, ten years — do you remember it causing alarm,
 15 harassment and distress amongst those people to be given
 16 such information?
 17 A. Well, obviously it would. It would do anybody, as
 18 I say. When you're put against something like that with
 19 people suggesting that certain people could be capable
 20 of these things, it would make you scared.
 21 Q. Just to help me, do you remember anything else the
 22 police said about me on that occasion?
 23 A. No, I can't remember.
 24 Q. Now, remember you're under oath. Now I want to talk to
 25 you about — if I'm allowed to call it — will you allow

1 me to call it "canteen gossip", "normal work gossip"?
 2 We're all human beings and, if you were to tell me that
 3 you'd never spoke about the protestors, to be honest,
 4 I wouldn't believe it. I'm asking you to accept that in
 5 MBR you have perhaps become a tightly knit group and,
 6 just by being human beings, you're going to talk about
 7 the protestors. That's correct? You've even said it in
 8 your statement.
 9 A. Yes.
 10 Q. I want you to tell the court what kind of things that
 11 have been spoken about Mr Curtin. If I can point you to
 12 the fact this involves all the stuff you've heard on
 13 social media. Give an example or give as many examples
 14 as you can of the kind of things that have been
 15 discussed about Mr Curtin.
 16 A. Well, we've had discussions on Mr Curtin and how abusive
 17 he is or what he's been saying, obviously your colourful
 18 past, as you put it, and obviously what's on social
 19 media and on Google, as I say.
 20 Q. What is on social media? Tell me your knowledge — and
 21 you're on oath — tell me your knowledge of — not just
 22 from what you've gathered from social media but from
 23 what others have gathered and told you. Tell me in
 24 a couple of sentences what you know, if you can, or what
 25 you think you know.

1 A. Well, obviously what you were convicted of, the grave
 2 incident.
 3 Q. Let's talk about that because it's all — you keep
 4 saying "obviously".
 5 A. Well, you were convicted for it, weren't you?
 6 Q. Okay. Is it the canteen talk? Do you remember an
 7 incident where there was an act of grave—digging in
 8 relation to another vivisection campaign called the
 9 Newchurch Guinea Pigs?
 10 A. I vaguely recollect that, but you were just involved
 11 with that. I don't think you were ever convicted of
 12 that one.
 13 Q. And there was a grave desecration in that, wasn't there?
 14 A. There was, but, as I say, I believe that you were
 15 arrested for it but I don't believe you were convicted
 16 for that one.
 17 Q. Anything else?
 18 A. Well, like I say, the other one with the — trying to
 19 get somebody's head. You were trying to dig up some
 20 grave.
 21 Q. So some other grave thing that you're not sure of?
 22 A. I believe it was a lord or something that you were going
 23 to deliver to the Princess Royal.
 24 Q. And when was this?
 25 A. In the early 1980s.

1 Q. When you say --- has this been spoken about in the
 2 canteen, if I can call it "in the canteen" --- in the
 3 workplace?
 4 A. Not while I've been there. Not while I've been there.
 5 Other people might have done, but not while I've been in
 6 there.
 7 Q. You weren't tempted to offer this situation once my name
 8 came up; no?
 9 A. Well, no, no. I --- like I say, I've spoken to you
 10 about --- or spoken about you, about your abuse and
 11 what---not on daily goings in and out of --- what you'd
 12 said, and if you're down the side recording, I'll say
 13 "Mr Curtin is down the side recording so everybody just
 14 be aware".
 15 Q. Okay. Are you aware of what I could call --- what looks
 16 like a split amongst Camp Beagle or in Camp Beagle and
 17 then various websites and chat groups being formed that
 18 seem to have an attitude towards me and various
 19 accusations made against me by what you could perceive
 20 as fellow protestors as being a thief or a grass or
 21 a bully or in fact a sex predator? Have you ever heard
 22 any of these allegations? You're under oath, remember.
 23 A. Yes, I'm aware. Yes, I have seen it on social media.
 24 Q. All those? Thief, sex predator, bully and grass? I've
 25 just taken at random those four. Have you heard --- is

1 that a surprise that you, that I've been accused of
 2 those things?
 3 A. I don't know you so I can't be surprised because I don't
 4 know your character.
 5 Q. Ah, but you've heard the allegations of those, say, four
 6 things?
 7 A. I've read them. I haven't heard them; I've read them.
 8 Q. There's a site called --- a Facebook site, "Connie
 9 Jurtin". Does that mean anything to you?
 10 A. I have read those comments on there, yes.
 11 Q. Did you used to follow it regularly?
 12 A. Not all the time, no. I occasionally went on there.
 13 Q. And did you notice on the --- because my name is
 14 John Curtin, this site is called "Connie Jurtin".
 15 Did you notice there was a focus upon myself on that
 16 site?
 17 A. Well, obviously, yes.
 18 Q. And basically none of it complimentary towards me, let's
 19 just put it that way.
 20 A. No.
 21 Q. Let's move on to the --- it shouldn't take too long
 22 hopefully.
 23 Paragraph 13, basically I just want to draw your
 24 attention to the word "they":
 25 "They are very keen to [do this] ... They have used

1 social media ... They then put the images and videos of
 2 our cars ..."
 3 Who do you mean by "they"?
 4 A. Well, I don't know who they are because I don't know
 5 them personally. Like I say, it's protestors. I don't
 6 know who puts things on there.
 7 Q. Yes. I've talked to other witnesses about often "they"
 8 will be substituted for "protestors". Do you have
 9 a generic "they" when it comes to people who oppose
 10 animal experiments or is there categories?
 11 A. No, I don't have any in particular to whatever. You
 12 know, people who --- if people are opposed to it, they're
 13 opposed to it.
 14 Q. In relation to paragraph 13, do you --- you follow the
 15 Connie Jurtin site, do you follow Camp Beagle? Have you
 16 looked at Camp Beagle's social pages?
 17 A. I have looked at it in the past, yes.
 18 Q. I just want to immediately draw your attention to
 19 something that's not actually there. What you'll see on
 20 there is discussion of MBR, their activities, maybe
 21 there's a parliamentary petition, demonstration. What
 22 you don't see on Camp Beagle is actually what you fear
 23 the most, either like a rogues' gallery, where all the
 24 workers are put together, "Get these monsters", or in
 25 fact any personalisation of any worker at all.

1 Would you agree that you haven't seen personal attacks
 2 against --- especially against named individuals or
 3 people with a photograph next to them? Would you accept
 4 that you haven't seen that on the Camp Beagle site? You
 5 may have seen it on other sites, but the Camp Beagle
 6 site, I would ---
 7 A. I've seen them in comments --- I have seen them in
 8 comments and you have named people and people have
 9 shouted names of people during the live feeds that you
 10 do.
 11 Q. Okay, but on the Camp Beagle site itself, do you ever
 12 remember seeing, for example, a photograph of you and
 13 any attempt to identify you on the Camp Beagle site?
 14 A. Not myself individually, but other people.
 15 Q. Okay. I don't want to spend too much on this. Let me
 16 ask you just a simple question. Do you fear the
 17 Camp Beagle site going down that road of ---
 18 A. Yes, I do.
 19 Q. Is it any relief to you that, so far, the Camp Beagle
 20 sites have not gone down that road of identifying
 21 workers deliberately?
 22 A. Well, you haven't identified them as such but you put
 23 cars on there, you've got number plates on there, you do
 24 lives where people's faces are quite evident from the
 25 grain(?), so, yes, I do fear it.

1 Q. Okay. I would accept that on some of Camp Beagle's
 2 sites , posts, for example, when the workers come out,
 3 yes, there are visible cars there, but what I'm asking
 4 you to -- and you did say you got some relief that, at
 5 least on the Camp Beagle sites, so far there's not
 6 a co-ordinated attempt on that site to out the workers
 7 and to identify them, and that's been a relief to you?
 8 A. Not on their page.
 9 Q. Pardon?
 10 A. Excuse me, not on the posts but -- on the posts there
 11 have been, sorry, where people are commenting, so
 12 obviously, you know, perhaps you ought to sort of try
 13 and look through all the posts to see because people
 14 have tried to identify and put faces up. There has been
 15 posts of that before.
 16 Q. Yes, I would agree with you that I think there have been
 17 some on the comments page. I myself have seen very
 18 occasionally some names being mentioned. If I was to
 19 see that myself, I would take it off. But I'm just --
 20 you've agreed that there's some relief that, so far,
 21 Camp Beagle's social medias have not obviously set out
 22 to target individual workers?
 23 A. Not me, no.
 24 Q. Because would it be right to say that, of all your
 25 fears, perhaps top of the tree would be to be targeted

1 at home?
 2 A. Of course, yes.
 3 Q. Of course?
 4 A. Of course.
 5 Q. You say "Of course". Other witnesses --
 6 MR JUSTICE NICKLIN: Mr Curtin, don't worry about other
 7 witnesses.
 8 MR CURTIN: Okay. Now, there's no -- this is a -- I'm
 9 defending myself. I'm not defending "they", I'm not
 10 defending protestors, I'm defending myself. There's
 11 nothing in your witness statement that would put any
 12 responsibility or direct any responsibility to me --
 13 towards myself in terms of me either promoting or being
 14 part of -- attacking or making things personal and
 15 especially at people's houses. There's no evidence that
 16 I've done that. Is it your case because --
 17 A. Yes, not to my knowledge.
 18 Q. Okay, thank you. So when you say, "They have used
 19 social media as a weapon", are you constantly referring
 20 to a weapon of intimidation or do you mean -- because
 21 there's nothing -- using it as a weapon for propaganda
 22 or a weapon for awareness -- when you say a "weapon" --
 23 shall we move on because you're not talking about me
 24 anyway. Whoever "they" are is not me in this case.
 25 That's correct, isn't it?

1 A. Yes. Well, you can carry on, where you've done -- you
 2 know, as you say on your social media, you've called us
 3 names and had videos of you shouting at us, so ...
 4 Q. "Us"; "They" and "us", okay.
 5 A. Us, yes, as in workers, employees.
 6 Q. And I must address it because it's in the pack again.
 7 There's talk of sending funeral packs to people's homes.
 8 There's no suggestion that I'm behind that.
 9 A. No.
 10 Q. Is that right?
 11 A. Yes, that's correct.
 12 Q. Paragraph 14, you talk of hiding your identity,
 13 disguising.
 14 A. Yes, that's correct.
 15 Q. Did you do this prior to Camp Beagle?
 16 A. No.
 17 Q. Because I put it to you that there was no need to
 18 because, prior to Camp Beagle, the amount of
 19 demonstrations were few and far between. If there had
 20 been demonstrations before Camp Beagle, isn't it likely
 21 that you would have hid your identity because of the
 22 nature of the work that's carried on here?
 23 A. Because of the nature of being seen and having to be
 24 personally attacked and followed home.
 25 Q. Next page. The next few paragraphs, 32, 33, 34, it's

1 about the decision taken to not travel in convoy
 2 anymore; correct?
 3 A. Correct.
 4 Q. Going in convoy or not going in convoy was a choice made
 5 by MBR and the workers and security. It was a choice,
 6 wasn't it, and it's a choice you decided to stop doing
 7 here?
 8 A. Yes.
 9 Q. Okay. Paragraph 35, third sentence down, you use the
 10 words "persistent actions of the protestors". Because
 11 that's something that's kind of unique here with
 12 Camp Beagle; it's that level of persistency?
 13 A. The level of -- I wouldn't -- yes, persistency,
 14 harassment, bullying, abuse, yes.
 15 Q. Okay. If we go down to the last sentence:
 16 "I was so worried that the protestors would open the
 17 door and drag us out. The build-up and anticipation
 18 each morning and afternoon ... was too much."
 19 A. It was.
 20 Q. I'm not taking away the fact that you may have had
 21 anxiety and fear of it happening. Has anyone been
 22 dragged out of their cars outside of MBR during the time
 23 of Camp Beagle?
 24 A. No. There's been a couple of times where I think door
 25 handles have been tried at that time, yes.

1 Q. Okay. Have any workers been physically attacked going
 2 in and out of MBR Acres during the time of Camp Beagle?
 3 A. Not themselves physically. We've had certain items
 4 thrown at cars.
 5 Q. Were those reported to the police?
 6 A. I'd reported one. I'm not sure about others.
 7 Q. So once. You made a report once about something --- was
 8 it your car?
 9 A. It was a car I was travelling in, yes --- well, it wasn't
 10 my car, no, but it was a car I was ---
 11 Q. And you reported it to the police?
 12 A. I did, yes.
 13 Q. Were you given a crime number?
 14 A. I'm sure I would have done. I don't know what the crime
 15 number is if you're going to ask me.
 16 Q. Was there a follow-up police operation, to make
 17 a statement?
 18 A. No. As I recall, I dialled 999.
 19 Q. But is it your case that you don't remember what
 20 happened after the 999 call? Was there a police
 21 investigation into this? Because that would be a crime,
 22 wouldn't it, throwing something at your car?
 23 A. I don't know if they interviewed anybody. I didn't hear
 24 anything else. I don't know whether they actually came
 25 to speak to you or the other members of --- that were out

1 there.
 2 Q. Paragraph 36:
 3 "I find the protestors abusive and violent in their
 4 speech ..."
 5 Okay?
 6 A. Yes.
 7 Q. We might as well get on to some of the stuff. I want to
 8 take issue with --- not take issue. Talk to me about the
 9 violence in their speech. Do you mean threats of
 10 violence?
 11 A. No, the way they speak. Somebody can --- the tone of
 12 their voice, the way they look at you, the way that they
 13 shout at you, it is violent in their speech.
 14 Q. You've said already you're aware that --- you disputed
 15 the fact that there are millions, but there are people
 16 in this country who feel what appears to be on the
 17 surface opposite to you. They feel distressed about
 18 what's going to happen to those puppies. They feel
 19 anxious about the puppies; is this correct? Would you
 20 accept that other people feel very, very passionately
 21 about this issue?
 22 A. Of course. A lot of people have passionate things about
 23 a lot of things.
 24 Q. What about their distress? Do you think MBR Acres, by
 25 its nature and the nature of its work, causes distress

1 to other people? I'm not trying to catch you out here.
 2 I just want to know what you think.
 3 A. Cause distress to other people?
 4 Q. Yes.
 5 A. I'm sorry, can you expand on that, please?
 6 Q. What I mean is, just by the fact that MBR, they bleed
 7 dogs to death, they send dogs to laboratories where they
 8 will go through potentially cruel experiments, this
 9 makes some people --- this makes a certain sector of
 10 society very upset.
 11 A. It would make some people upset, yes. I can't dispute
 12 that.
 13 Q. Okay. So the violence, could we change that to
 14 "passion" or not?
 15 A. No.
 16 Q. Okay.
 17 A. No.
 18 Q. Let's stick with "violence". Let's now talk about the
 19 abuse. How does it feel to be called a puppy killer?
 20 A. Well, I wouldn't call myself a puppy killer. I believe
 21 that that is abusive in itself. Would you call a vet
 22 a puppy killer?
 23 Q. Are you aligning your job to a vet? Are you drawing
 24 parallels?
 25 A. I'm drawing parallels to the way --- the speech and the

1 way that you are saying that somebody who euthanises an
 2 animal is a killer.
 3 Q. Okay. There may be some times where vets would
 4 euthanise a dog that some people might find challenging,
 5 on behalf of some people, just the fact that --- I know
 6 I can think of an example there. They've got a new baby
 7 or --- even if they've got a new settee and they don't
 8 want their dog to destroy it, I can imagine --- but on
 9 the whole vets euthanise dogs for the sake of that dog;
 10 yes?
 11 MR JUSTICE NICKLIN: Well, Mr Curtin, you're straying off
 12 the path here.
 13 MR CURTIN: I am straying. I'm aware.
 14 MR JUSTICE NICKLIN: Back to the point. You don't need to
 15 defend the protest message; all right? It's not about
 16 convincing me that you're right or convincing other
 17 witnesses that you're right. That's not part of the
 18 process.
 19 MR CURTIN: I understand. This witness did align herself
 20 with the same parallel ---
 21 MR JUSTICE NICKLIN: I know that.
 22 MR CURTIN: --- and I was disputing that.
 23 Are you aware that there is a large section,
 24 a section, however you want to describe it, of people
 25 that would take exception to the fact that you are

1 drawing parallels between your job at MBR Acres and that
 2 of a veterinary surgeon?
 3 MR JUSTICE NICKLIN: That's even more remote.
 4 MR CURTIN: Okay. Scrap what I just said.
 5 Right. I asked you how it felt to be a puppy
 6 killer. I want to know how it makes you feel. You said
 7 you wouldn't call yourself -- how does it feel for you
 8 to be called a puppy killer?
 9 A. Well, it's like with all the other abuse that are hurled
 10 at us. It's not very pleasant, it's not nice.
 11 Q. I'll ask you a straightforward -- I've asked every
 12 witness so far, are you a puppy killer?
 13 A. No, I do not kill puppies. I euthanise when necessary,
 14 very occasionally.
 15 Q. So you're a puppy euthaniser?
 16 MR JUSTICE NICKLIN: Mr Curtin.
 17 MR CURTIN: Okay.
 18 I'm not going to go into details, but are you aware
 19 that MBR holds a bleeding licence?
 20 A. Yes.
 21 Q. Are you aware that an aspect of that licence is
 22 a terminal bleeding procedure?
 23 A. Yes.
 24 Q. Have you ever, in your extensive period of MBR, taken
 25 part in that procedure?

1 A. No, that's not within my job role.
 2 Q. Okay. Thank you for the answer. But you are part of
 3 a company that sells dogs' blood -- yes? -- and you are
 4 part of a company that sometimes bleeds dogs till every
 5 last drop of blood comes out of them; yes? That is your
 6 company; yes? MBR Acres, that's the licence that you
 7 hold. You're aware of that; yes?
 8 A. I am aware of the licence, yes.
 9 Q. So do you accept -- forget about you denying -- can you
 10 hold a space for people in this country that would feel
 11 justified and feel they had a right to point at, not
 12 you, but any worker going into MBR as a bunch of puppy
 13 killers? Would you accept that there are people who
 14 would hold that point of view? And we live in a country
 15 where you're allowed to express your view. Can you hold
 16 that space for those people?
 17 A. I can certainly express that they have that view, but
 18 whether it's -- the abuse, bullying and harassment of
 19 calling us that and shouting at us, that is not peaceful
 20 protesting.
 21 Q. Well, they're protestors, so protestors -- we've got to
 22 expect protestors to do some shouting, haven't we?
 23 A. Not abusive. That's not peaceful protesting.
 24 Q. I won't go on about this issue. You talk in
 25 paragraph 39 about the whole process really draining.

1 You talk about "draining" twice.
 2 A. It is very draining. If somebody was to call you names
 3 twice a day for nearly two years, you would be drained.
 4 Nowhere else in this country -- if that was your
 5 workplace or in a school, it certainly wouldn't be
 6 tolerated.
 7 Q. But I am asking you to bear in mind where you work --
 8 did we talk about the Daily Mirror with you yet?
 9 A. Yes.
 10 Q. You're aware that there's a -- are you aware that
 11 there's a Daily Mirror -- another Daily Mirror story out
 12 today?
 13 A. No, I've already said that I wasn't aware of it.
 14 Q. Would you take it from me -- and the judge can
 15 confirm -- that there was a story relatively along the
 16 side of the -- it's about MBR -- no, sorry, it's about
 17 Marshalls importing dogs into this country to
 18 laboratories, flown in from the US via Denmark. Could
 19 you accept that I'm not lying to you?
 20 A. Okay, if you say that. I mean, if it's in the papers --
 21 I've not seen it.
 22 Q. You work in a very, very, very, very controversial
 23 place, don't you?
 24 A. Well, if you say that -- obviously some people find it
 25 controversial, yes.

1 Q. It's not a school. It's not just another place. It's
 2 a place that, as each day goes by, becomes more
 3 notorious. You work in a controversial place. Let's
 4 just leave it at that.
 5 A. Well, I would like to answer that. I won't leave it at
 6 that. I would say, yes, it is controversial, but that
 7 is certainly no way to treat a human being, from being
 8 abused, shouted at and harassed and bullied twice a day
 9 for nearly two years.
 10 Q. I'm not here to defend people harassing you or alarming
 11 you or --
 12 A. Well, I'm stating a fact. That is what you said.
 13 Q. Again -- okay, I think you make an interesting point
 14 there, at the end of 39, the last paragraph, about how
 15 there are no bruises but you're still hurt.
 16 A. Well, yes, it's not a physical attack, is it? It's an
 17 abusive attack, yes.
 18 Q. Apart from all the trouble that you say the camp has
 19 brought you in terms of your stress -- scrap what I've
 20 just said. I apologise if I say the odd irrelevant
 21 thing.
 22 Again, chapter [sic] 40:
 23 "Seeing other employees being targeted away from the
 24 Wyton Site makes me feel very scared, as I am worried
 25 I will be targeted too."

1 Understandable, and this is your case; yes?
 2 A. Yes.
 3 Q. And you've talked about your family --
 4 A. Yes.
 5 Q. -- and how, in the scheme of things, if there were
 6 scales, this one thing, driving in and out of work and,
 7 as you put it, receiving this abuse, it would be another
 8 world, another ball game, if that was to arrive outside
 9 your front door at 10 o'clock at night, wouldn't it?
 10 A. It certainly would.
 11 Q. 41 -- paragraph 41:
 12 "These protests always put me on edge."
 13 It's your wording and you're entitled to feel that.
 14 Does that mean that all protests put you on edge always?
 15 A. Well, ever since the protests, I must admit I do get
 16 slight PTSD with the sort of drumbeat and things like
 17 that, so (inaudible -- overspeaking)
 18 Q. You get slightly what? Sorry, I interrupted you.
 19 A. PTSD, post traumatic stress disorder.
 20 MR JUSTICE NICKLIN: Is that a medical diagnosis that you've
 21 received?
 22 A. No. No, no, I'm just --
 23 MR JUSTICE NICKLIN: You're just using it descriptively?
 24 A. As a -- yes, as a ...
 25 MR CURTIN: I absolutely do not want to pry into your

1 personal life. Have you had -- and I would not ask you
 2 any details -- in your life have you had extreme --
 3 nothing -- say -- if we can keep it outside of the
 4 protesting, have you had extreme traumatic events happen
 5 to you?
 6 A. No.
 7 Q. Now, we're coming to the end. Paragraph 42:
 8 "Some of the protestors are worse than others, and
 9 I sometimes dream about them because of the anxiety they
 10 cause me; for example ... (John Curtin) ..."
 11 And you've mentioned Michael Maher.
 12 A. Yes.
 13 Q. I have in front of me your witness statement which is
 14 being used against me and it doesn't actually give
 15 a single bit of evidence -- apart from your knowledge or
 16 what you think is knowledge about me, there is nothing
 17 in this statement to back that up.
 18 A. Well, it's the way that you speak and you're extreme in
 19 your actions or have been, so again I can't help how my
 20 mind works. People have dreams about Freddy Krueger and
 21 he's fictional.
 22 Q. I'm not here to question -- I'm not saying you don't
 23 feel like this. I'm just challenging it, that's all.
 24 That's what I've got to do here.
 25 So you talked about Freddy Krueger. That's funny

1 because I'd written "bogeyman". I put it to you that
 2 me, Mr John Curtin, has become a bit of a bogeyman
 3 figure amongst the MBR Acres employees.
 4 A. I don't know about anybody else. All I'm saying is my
 5 point of view. I mean, obviously I don't know you as
 6 a personal person; I just know from your actions and how
 7 you shout at me and all the abuse that you give me.
 8 Q. But that's not true, is it? I know you can't -- I'm not
 9 asking you to speak for other people, but we already
 10 know that I'm the source of -- I've called it "canteen
 11 gossip". Forget about the canteen. I am spoken about
 12 by workers. You look at the Connie Jurtin site, seeing
 13 all these things, that I steal things, I'm a thief, that
 14 I steal from the campaign, I'm a bully, and yet you
 15 can't speak on behalf of others. I put it to you again
 16 that John Curtin has become a bit of a bogeyman amongst
 17 the MBR Acres employees.
 18 A. Well, you would have to ask them that.
 19 Q. What about for you? You've said here -- again I'm not
 20 here to dismiss how you feel as such but I do challenge
 21 it. It's up -- you have the feelings you have. You
 22 talked about dreaming about them --
 23 A. Yes, sorry --
 24 Q. Does that -- have you had dreams about me, unsettle --
 25 well, have you had dreams about me?

1 A. Not individually, but as the whole protestors and
 2 breaking in and that sort of scenario.
 3 Q. Okay, but if you read the paragraph, you could read it
 4 to -- I read it that you'd had dreams about me and
 5 Mr Maher. Do you want to kind of change that and it's
 6 more of a generic dream about protestors? Which one?
 7 Paragraph 42, the same paragraph. Because I'm here to
 8 defend myself and that's why I asked have you dreamt
 9 about me.
 10 A. That's fair enough. Yes, well, I -- yes, obviously
 11 I used you and Mr Maher because you're the most -- ones
 12 that bring out when I am travelling in and the ones that
 13 particularly cause me distress. So, yes, you are very
 14 loud and abusive so that's why you are in my dreams,
 15 nightmares.
 16 Q. Would it be -- I don't think it's too contentious
 17 a point. I would accept that I'm one of the most
 18 regular people and that I think the same would be for
 19 Mr Maher, so the fact that perhaps you see us more
 20 often, that will -- is that another explanation why you
 21 associate your dreams with me and Mr Maher, just that
 22 you see us more, shouting?
 23 A. Well, yes, you are there shouting a lot so obviously
 24 I can't deny that one.
 25 Q. You know, no one is getting you to deny anything.

1 You talked about Mr Curtin in jail for stealing
 2 dogs. You finish that sentence:
 3 " ... I know that he can be quite extreme in his
 4 actions ... "
 5 A. Well, yes, that is quite extreme.
 6 Q. But you're also aware of the massive time gap -- I'm
 7 asking you -- I would invite you that your fear doesn't
 8 seem to register the massive time gap. It's up to you
 9 how you feel and the fact that I did things in the past.
 10 I'm suggesting that you haven't put the decades and
 11 decades and decades of a time gap in between your
 12 assessment of me.
 13 A. Well, trauma is trauma. It comes in at different times.
 14 I mean, it's -- like childhood traumas can come back
 15 years later. I can't say why. It is obviously -- from
 16 when that happened, it wasn't very nice when the dogs
 17 were taken and you broke in and obviously you're back
 18 and it brings it back to my memory.
 19 Q. Okay. Paragraph 43. We're nearly there now, you'll be
 20 glad to know.
 21 "They sometimes get prosecuted for their actions ...
 22 and they get away with things."
 23 Again, "they", it's very, very, very generic,
 24 isn't it, "they" meaning the --
 25 A. Protestors I don't know, as in "protestors".

1 Q. "But I feel like they have nothing to lose, because
 2 I assume most of them have no jobs, since they are
 3 protesting at the ... Site ... "
 4 Do you mean to say by that that -- does that make --
 5 well, what do you mean by that?
 6 A. Well, obviously, if you've got a criminal record and you
 7 haven't got a job, it doesn't matter so much, but
 8 obviously, if you have a criminal record, it could
 9 affect your job, affect your future.
 10 Q. But you don't know -- you don't suggest to know anything
 11 about how I get my livelihood, do you? You're assuming
 12 that I've got no job?
 13 A. Well, I'm pretty sure you haven't. I'm pretty sure
 14 Mr Maher hasn't. I'm pretty sure that one or two others
 15 that are there day in day out haven't.
 16 Q. Is this based on canteen conversations?
 17 A. No, based on observation.
 18 Q. Okay. Ah, I need to ask you a question that I haven't
 19 done so far. I'll tell you what I'll do -- no, I'll
 20 leave it to the end.
 21 Paragraph 44:
 22 "They also need to be careful, as some of the
 23 protestors are local to us."
 24 A. Yes.
 25 Q. I just ask you to -- one minute, can you accept -- if we

1 can move away from the protestors. It's very difficult
 2 to identify who is a protestor, who is not a protestor.
 3 It's impossible by looking at people, unless you're able
 4 to speak to people for any length of time --
 5 A. People at camp --
 6 Q. These protestors have to live somewhere -- hello,
 7 I haven't asked you anything yet. I'm just asking you
 8 to accept that -- yes, I'm agreeing with you, some of
 9 these protestors will be local to you. Protestors,
 10 they're not -- there's no geographical area or type of
 11 person that they belong to, is there?
 12 A. Well, no. I'm just saying that I have to be careful.
 13 Q. So, for example, some neighbour could read the news
 14 report today, there could be local knowledge of you,
 15 some gossip, and that's the kind of thing that could
 16 upset you, to thinking how far that neighbour might go
 17 in showing their displeasure if they'd read the
 18 Daily Mirror and thought, "That's terrible". It's the
 19 sort of thing that worries you, isn't it?
 20 A. Not so much that. More the family.
 21 Q. Yes, and you've made it clear enough that top of your --
 22 top, top, top of your priorities would be family and
 23 your home. I understand that.
 24 A. Good.
 25 Q. Right. Last paragraph. You've said that everything

1 that has happened in Camp Beagle has led you to doubt
 2 whether you should be working at MBR. By "everything",
 3 I think that's everything that's happened to you,
 4 isn't it, not everything within the camp? It's
 5 everything that's happened to you in relation to you;
 6 yes?
 7 A. Well, into relation to me, into relation to the protest
 8 outside, yes.
 9 Q. It's just that within Camp Beagle we have parliamentary
 10 petitions, we have petitions in Parliament, we do
 11 outreach, we -- there's so many things we do. Are all
 12 of those things --
 13 A. And totally within your rights.
 14 Q. Pardon?
 15 A. And totally within your rights.
 16 Q. Excellent.
 17 What about me telling you I've got a right to be
 18 outside of your workplace and, as you drive in, shout at
 19 you, "Shame on you, you puppy killer"? What do you say
 20 about that?
 21 A. I say that you're wrong. I find that abusive.
 22 Q. Really nearly there.
 23 45, that you "care about what happens and the
 24 animals that I look after". I'm not going to go into
 25 detail, but just again similar -- are you aware that

1 there's a sector of the population that would take issue
 2 with that? Forget -- try and get out of the fact that
 3 you do believe this. I'm just asking you to accept that
 4 there's other people -- is it your understanding there's
 5 other people who would take issue with that?
 6 A. They would probably take issue because they don't
 7 understand.
 8 Q. Last few sentences:
 9 "People leaving brings team morale down ..."
 10 Is it your case here --
 11 A. No -- yes, it's sad --
 12 Q. Sorry, if I can take you to the sentence:
 13 "We have had several ... people leave because of the
 14 protests, but if many more people leave, that will not
 15 help those left behind."
 16 So is it your case that people have left because of
 17 the protests?
 18 A. A couple of them have, yes.
 19 Q. In your time at MBR, have you known people to leave for
 20 other reasons besides being worried about protestors?
 21 A. Possibly one.
 22 Q. One. One person in all the decades that you've --
 23 A. Oh, sorry, you said within the time of MBR.
 24 Q. No, that was my fault. No, throughout the whole time of
 25 you working at MBR, have you known people to leave for

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1 other reasons other than having some concerns about
 2 demonstrators?
 3 A. There's been one or two people, yes, that have left for
 4 other reasons --
 5 Q. One or two people in all the decades?
 6 MS BOLTON: Let her finish.
 7 A. Well, because the protests weren't out there, obviously
 8 people move on.
 9 Q. Can I give you one example? It's going to be one
 10 example. Have you ever come across anyone that just
 11 says, "I can't do this anymore. I can't send these
 12 puppies off to the labs"?
 13 A. No.
 14 Q. Have you ever met anyone -- no?
 15 A. No.
 16 Q. No. Okay. Are you sure about that?
 17 A. Positive.
 18 Q. Again, the same thing for the -- "We are here for the
 19 dogs", (inaudible) is there, and the acknowledgement
 20 that some people would take issue with that, that some
 21 people -- you say because they don't understand -- some
 22 people would take issue with that, someone working from
 23 MBR, saying that you're there for the dogs. I'm trying
 24 not to get into the rights and wrongs of it because
 25 I can't go into that, but I'm just trying to get you to

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1 accept that you know there's people that would disagree
 2 with that.
 3 A. They would disagree but it doesn't mean to say that
 4 I don't -- that I'm not a caring person.
 5 Q. You talked about people leaving and that leaves a higher
 6 workload for everyone else. Have you known times at MBR
 7 when that's happened, when you've all had to do a lot
 8 more work?
 9 A. Not as much as this, no. Well, from -- we're okay, but
 10 a few months ago.
 11 Q. "... and it feels like the protestors are winning."
 12 A. Sometimes, when you feel low, you feel like that. But
 13 we -- you know, you have to pick yourself up and be
 14 a better person.
 15 Q. Again I would -- this is my last question to you.
 16 Are you aware that there's a sector of people in society
 17 that would be utterly delighted if MBR Acres were to
 18 shut down? Do you understand that there are people who
 19 hold that point of view?
 20 A. It's like the same question you asked me before about
 21 people that disagree and whatever. Obviously, if they
 22 disagree, they'll be delighted that they were shut down.
 23 Q. My last question: So, Employee H, I've gone through your
 24 entire statement and there's no actual evidence
 25 submitted except this feeling you have about me. Would

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1 that be correct?
 2 A. What feeling about -- what evidence?
 3 Q. This feeling that I'm one of the worst, this feeling
 4 that I may do something extreme, I may do something
 5 illegal. There's no actual evidence in your statement
 6 against me, but you do have feelings about me and it's
 7 based on your feelings; would that be correct?
 8 A. Feelings and facts, what you have done in the past.
 9 MR CURTIN: Okay, no more questions.
 10 A. Thank you.
 11 Thank you, your Honour.
 12 MR JUSTICE NICKLIN: Ms Bolton, any questions?
 13 MS BOLTON: No re-examination, my Lord.
 14 MR JUSTICE NICKLIN: Right. Thank you very much,
 15 Employee H, for coming to give your evidence.
 16 I apologise again that I have to use that "Employee H"
 17 rather than your name but you'll understand that we're
 18 sitting in public now.
 19 A. Of course. Thank you very much.
 20 MR JUSTICE NICKLIN: Thank you. Right, we'll take our break
 21 now. We'll come back at 3.05; all right? Thank you
 22 very much.
 23 (2.51 pm)
 24 (A short break)
 25 (3.06 pm)

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1 MR JUSTICE NICKLIN: Right, next.
 2 MS BOLTON: My Lord, the next witness is Ian Jacklin. He
 3 was originally Employee L and you'll find his witness
 4 statement starts at page 1651.
 5 MR JUSTICE NICKLIN: Yes. So is he ---
 6 MS BOLTON: He doesn't have anonymity, my Lord.
 7 MR JUSTICE NICKLIN: Right. But is he being screened or
 8 not?
 9 MS BOLTON: No, he should be on the video screen.
 10 MR JUSTICE NICKLIN: That's fine. Okay. Right. We need
 11 the witness to be sworn then, please.
 12 MR IAN JACKLIN (sworn)
 13 Examination--in--chief by MS BOLTON
 14 MS BOLTON: Mr Jacklin, good afternoon. There should be
 15 a witness statement in front of you. It's page 1651 in
 16 the bundle.
 17 A. Yes.
 18 Q. It should say "First Witness Statement of Employee L".
 19 A. Yes, that's correct.
 20 Q. If you can turn through to page 1633, please, is that
 21 your witness statement?
 22 A. Yes, it is.
 23 Q. Did you sign this statement?
 24 A. I did.
 25 Q. If you could turn to pages 1666 to 1670, is that the

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1 exhibit to your witness statement?
 2 A. Yes, that is.
 3 Q. Is that statement still true to the best of your
 4 knowledge and belief?
 5 A. It is.
 6 MS BOLTON: Mr Jacklin, if you could remain there, there may
 7 be some further questions for you.
 8 Cross--examination by MR CURTIN
 9 MR CURTIN: Good afternoon. I'm going to run you through
 10 your statement chronologically, as it comes; okay?
 11 A. Okay.
 12 Q. Just to remind you, my name is John Curtin and I'm
 13 defending myself. The reason I'll be asking you
 14 questions is in defence of myself. Do you understand
 15 that?
 16 A. Yes, I do.
 17 Q. Paragraph 5 you talked about:
 18 "... in the spring of 2021 protests outside the
 19 Wyton Site started to escalate ..."
 20 Yes?
 21 A. Yes.
 22 Q. Are you aware of previously secret cameras being found
 23 along the perimeter fence and, as a result of the
 24 footage gained from that, there was national news
 25 coverage? This is prior to the camp. Do you remember

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1 that?
 2 A. I was aware, yes.
 3 Q. So the camp didn't spring from any --- didn't spring from
 4 nowhere. There was a bit of a build-up; yes?
 5 A. Correct, yes.
 6 Q. Paragraph 6 --- I've asked this of a number of witnesses.
 7 First of all, did you make this statement of your own
 8 volition, of your own free will?
 9 A. Well, I had some support by the claimant solicitors but
 10 this is my statement, yes.
 11 Q. Did they guide you in some point? Nothing too
 12 controversial here. For example, this first sentence,
 13 I've seen it before, I've seen it word for word in other
 14 people's statements. Is this the sort of sentence that
 15 they guided you in or did you write that sentence from
 16 a blank page?
 17 A. Well, it was guidance, but it's my words that I've said.
 18 Q. It's just that it's identical to what many other
 19 witnesses have said. Do you think that's a coincidence?
 20 A. Well, I don't know because I haven't seen anyone ...
 21 Q. Okay, it's a minor point. Well, I don't know if it is.
 22 The next few paragraphs --- next paragraph at
 23 least --- you talk in terms of --- after what you say, the
 24 escalating protests, that it was agreed that the staff
 25 would go in and out of the Wyton site in a convoy;

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1 correct?
 2 A. Yes.
 3 Q. I put it to you that that was something that was an
 4 internal decision from MBR and its workers. You chose
 5 to go in convoy?
 6 A. Yes, because of the amount of protestors harassing us,
 7 coming up to our cars and blocking the entrance to the
 8 Wyton site.
 9 Q. Would you be aware --- would it be your case, because
 10 it's certainly my case, that every single day, right
 11 from the beginning of Camp Beagle, there were police
 12 officers present at the gates every single time the
 13 workers would come in in the morning and every single
 14 time the workers would leave in the evening; is that
 15 correct?
 16 A. That's correct.
 17 Q. Paragraph 9, in the middle of the paragraph:
 18 "... in case the protestors managed to break into
 19 the cars and attack us."
 20 You talked about keeping your windows shut and stuff
 21 like that; yes? I draw your attention to that bit:
 22 "... in case the protestors managed to break into
 23 the cars and attack us."
 24 A. Yes.
 25 Q. Is that a fear you had?

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1 A. Well, it 's because there was such a big impact of
 2 protestors at the time, there was always a possibility
 3 that any of the protestors could like attempt to try the
 4 door handles, to bang on the window, as we was trying to
 5 enter onto the Wyton site.
 6 Q. Okay, but say in terms of actually breaking into the
 7 cars, to your knowledge, did that happen or was it more
 8 rather a fear that it might happen?
 9 A. Well, it could have happened. That's what I'm saying,
 10 it could have happened. We don't know the protestors
 11 and what they're capable of doing.
 12 Q. That's right. The next sentence:
 13 "Given that the protestors had been growing more
 14 violent in nature from June ..."
 15 Why do you choose the word "violence"?
 16 A. Because that's the way the protestors come across,
 17 violent .
 18 Q. Can I put to you that there are a significant section of
 19 people in this country who vehemently are opposed to
 20 animal experiments and they exercise their freedom to
 21 protest in a passionate way?
 22 A. Can you be a little bit more --
 23 Q. Yes, I'm asking you to first of all accept that there
 24 are a large section of people in this country that are
 25 bitterly opposed to animal experiments. Do you accept

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1 that?
 2 A. Yes, I understand there's --
 3 Q. And --
 4 MS BOLTON: Let him finish.
 5 A. I understand there's a minority of people that don't
 6 agree with animal testing. I understand that
 7 completely.
 8 MR CURTIN: At some point the judge will shut us up, but
 9 I challenge -- why did you use the term "minority"?
 10 Do you base this on any poll or -- I put to you the
 11 opposite, the majority of people. I don't know where
 12 we're going to go with this, but why did you say
 13 "minority"?
 14 A. I disagree.
 15 Q. Let's just leave it at that, that we disagree. You talk
 16 about spitting at vehicles and banging on windows and
 17 doors.
 18 A. Yes, that is correct. That has happened.
 19 Q. Did you report these actions to the police at the time?
 20 A. Well, I didn't as I wasn't the driver, but the driver
 21 did.
 22 Q. Anyway, is it your case that I acted violently? This is
 23 me defending myself. Does any of your evidence point to
 24 the fact that I acted violently?
 25 A. It 's the whole of the protests outside of Wyton.

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1 Q. Okay. So again many witnesses talk of this and you're
 2 the same, that there's -- "The protestors this, the
 3 protestors that". Do you cast one big net over all the
 4 protestors and that's what you're referring to in this
 5 statement?
 6 A. Yes.
 7 Q. Okay.
 8 "I did very much fear that the protestors could
 9 violently attack us."
 10 That's the second--last paragraph [sic]. Again,
 11 I put to you that's based on a fear but not on reality .
 12 Ah -- well, do you mean beyond spitting -- you've
 13 already said that you'd seen some people spitting, which
 14 would -- you could have reported to the police for and
 15 people throwing. Do you mean an escalation here or
 16 do you mean to carry on spitting and throwing things or
 17 do you mean it could get a lot worse, like you talked
 18 before about people getting in? I remind you of the
 19 sentence:
 20 "I did very much fear that the protestors could ..."
 21 Maybe you're not including spitting and banging.
 22 "... could violently attack us."
 23 Do you mean that in its worst--case scenario,
 24 a physical attack?
 25 A. Like I said, it could have happened. The spitting, that

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1 all happened, that did, but we didn't know how the
 2 protestors would act --
 3 Q. That's right.
 4 A. -- by the numbers increasing.
 5 Q. Paragraph 10, you were really scared about the
 6 protestors taking pictures of you "... in case they
 7 uploaded my picture onto social media and I was then
 8 recognised or identified"; yes?
 9 A. Yes, which it did happen.
 10 Q. Okay. Now, I'm defending myself. There's nowhere in
 11 this witness statement where you're accusing me of
 12 publishing your picture on the internet, is there?
 13 A. No, I haven't specified that it was you, but it was part
 14 of the protest that's done it.
 15 Q. This big wide protest. For you it's one -- it's the
 16 protestors, isn't it? Some of the protestors did, you
 17 say, identify you?
 18 A. Sorry, can you repeat that?
 19 Q. I'm saying that it's your case that some of the
 20 protestors -- because we're like one big gang -- some of
 21 the protestors did identify you is your case, isn't it?
 22 A. Yes.
 23 Q. We'll talk in a minute about what you know from the
 24 internet, but I just want to talk about the Camp Beagle
 25 social media site. There's a Facebook one and an

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1 Instagram one. Are you aware of those?
 2 A. I'm aware of the Facebook Camp Beagle.
 3 Q. Do you look at it?
 4 A. Sometimes I do, yes.
 5 Q. It's understandable why you would. It's more I want to
 6 point your attention to what's not on the Camp Beagle
 7 website. I would put it --- would you accept that on the
 8 Camp Beagle website, there's no such thing as a rogues'
 9 gallery or that there's never been a post with your
 10 picture, "Who is this man? Get this man". Think about
 11 it carefully. I'm talking about Camp Beagle, so I'm
 12 putting to you that on the Camp Beagle site there ---
 13 that's what's missing is a targeting of individual
 14 employees. Would you accept that?
 15 A. Well, it's come --- the photos that have been uploaded on
 16 Camp Beagle have come from the protestors.
 17 Q. But nowhere in your witness bundle are you --- is there
 18 included any identification of you from Camp Beagle,
 19 that's all, and I know for a fact that --- it's my case
 20 that Camp Beagle go out of our way not to make it
 21 personal. I was just asking you if you could accept
 22 that. Other sites may have identified you. On
 23 Camp Beagle, I put it to you that you have never been
 24 identified or targeted. In fact no worker has been
 25 identified or targeted. Would you accept that?

1 A. No.
 2 Q. Well, you would have to show evidence to the contrary,
 3 wouldn't you, which you haven't done?
 4 MS BOLTON: That's not fair. It's Mr Curtin putting these
 5 points. As he said, it wasn't in the witness'
 6 statement. He's asked the question. He's just got an
 7 answer he doesn't like.
 8 MR CURTIN: Okay, correct.
 9 MR JUSTICE NICKLIN: Well, if you want, Mr Curtin, the
 10 question you ask then, in light of Ms Bolton's
 11 objection, is, "What are you referring to that
 12 Camp Beagle posted that identified you?".
 13 MR CURTIN: Yes. Did you hear the judge then? He wants you
 14 to give some details now of a Camp Beagle post that
 15 actually identified you and targeted you personally.
 16 Are you able to do it here and now?
 17 A. Well, the only thing I have is my house getting
 18 targeted ---
 19 Q. We'll come to that. We'll come to that.
 20 Well, let's take that example as a good example,
 21 thank you.
 22 MR JUSTICE NICKLIN: Well, hang on a minute. Are you
 23 actually able --- thinking back in your memory, you may
 24 only have a vague recollection now of looking at
 25 Camp Beagle and thinking, "Good heavens, that's me on

1 that site". Do you have a recollection of an incident
 2 in which you looked at Camp Beagle and thought, "That's
 3 Camp Beagle targeting me"?
 4 A. I --- it was some of the protestors that are not --- not
 5 then present now, which they shared it off their --- on
 6 their social media platform, like Facebook, Instagram.
 7 MR JUSTICE NICKLIN: Okay. That would be other websites or
 8 other parts of Facebook not relevant to the Camp Beagle
 9 site?
 10 A. Correct.
 11 MR JUSTICE NICKLIN: Right.
 12 MR CURTIN: You brought up the example of the attack on your
 13 house, which we'll come to. I put it to you that there
 14 was a distinct lack of any mention on Camp Beagle about
 15 the attack on your house, neither to praise it nor to
 16 denounce it. It actually didn't feature in any way,
 17 shape or form. Could you accept that in relation to the
 18 attack on your house, if you're able to?
 19 A. Sorry, can you repeat that, please?
 20 Q. I put it to you --- you brought it up --- the attack on
 21 your house ---
 22 A. Correct.
 23 Q. --- that may have entered the social media somewhere.
 24 I'm inviting you to agree with me, if you can, that the
 25 attack on your house did not feature in any way, shape

1 or form, either to praise it or to be neutral or to
 2 denounce it, on Camp Beagle. Could you agree with that?
 3 A. Well, I feel like if the protestors weren't outside
 4 Wyton, this was --- this attack on my property wouldn't
 5 have happened.
 6 Q. That's possible. It's not the question I asked.
 7 MR JUSTICE NICKLIN: Okay. You're not allowed to assist him
 8 when he's asking his questions; all right?
 9 No, Mr Curtin is simply asking you whether you are
 10 aware yourself, from looking at Camp Beagle's Facebook
 11 pages, whether they featured in any way the attack on
 12 your home.
 13 A. I'm not really getting the question. Sorry, my Lord.
 14 MR JUSTICE NICKLIN: Okay. You've already told us that you
 15 occasionally look at the Camp Beagle Facebook page.
 16 A. Yes.
 17 MR JUSTICE NICKLIN: Mr Curtin is putting to you that the
 18 attack on your home was not something that was featured
 19 on Camp Beagle's website. They could, for example, have
 20 said, "Great news, one of the employees' houses was
 21 attacked last night". Mr Curtin is saying that no such
 22 article even referring to the fact of the attack on your
 23 home was featured on the Camp Beagle website.
 24 A. Correct. Sorry.
 25 MR CURTIN: No problem. Last sentence in paragraph 10,

1 you've talked about disguising yourself with a hooded
 2 jumper, sunglasses, face mask. The last paragraph [sic]
 3 is:
 4 "I still disguise my appearance in this way today."
 5 A. Correct, I do sometimes, yes.
 6 Q. Are you changing it then so it's now "sometimes"?
 7 A. Well, I try -- yes, I try the best as I can, as the
 8 protestors know who I already am, but I try to disguise
 9 so that my face don't get put on social media anymore.
 10 Q. It's just you know how often I'm at the site, very
 11 often, and I recognise your face from passing me in the
 12 car. Is that possible that I actually recognise you
 13 from the frequency in which I've seen your face? Is
 14 that possible?
 15 A. I don't know.
 16 Q. Not only do I remember your face, I can remember you
 17 smiling and waving. Would that be possible at any
 18 point, that I have some memories of you smiling and
 19 waving?
 20 A. I have waved a few times, I will admit that, but that's
 21 people dealing with different emotions. When you get
 22 intimidated and harassed on a daily basis, I don't want
 23 to show my fear all the time to the protestors, but
 24 sometimes people show emotion differently.
 25 Q. Yes, I would accept that because I've actually -- and

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1 I haven't introduced it, but I've seen it and I was
 2 going to introduce it, one of those pictures of you
 3 waving -- but I haven't introduced it because I kind of
 4 agree with you that that's not necessarily proof that
 5 you're not bothered. But I have seen you waving and
 6 smiling, but you've established that; yes?
 7 A. Yes.
 8 Q. Paragraph 12, you've talked about anticipating the abuse
 9 as you're going to work, but you've put it in terms of
 10 terror and anxiety about the abuse. So you have
 11 protestors, you have police, you're becoming accustomed
 12 to it. Do you stick by those words of "terror" and
 13 "anxiety" when it comes to being shouted -- when it
 14 comes to being in the vicinity of protestors who are
 15 shouting? Do you want to hang on to the terror aspect?
 16 A. Yes.
 17 Q. Let's deal with this now, the abuse. So one of the
 18 things that I may have shouted at you -- well, I will
 19 have shouted at you because I shout at every MBR
 20 worker -- I will have called you, it would be my
 21 admission, as you go in and out of work, "Puppy killer".
 22 A. Correct.
 23 Q. How does that make you feel?
 24 A. Well, I find it very intimidating, upsetting, as I'm not
 25 a puppy killer.

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1 Q. Sorry to waste time, but you do work in MBR Acres; yes?
 2 A. Correct.
 3 Q. Most of the other witnesses have given some real cursory
 4 background. What's your job at MBR Acres?
 5 A. I'll find -- if you turn to paragraph, I believe --
 6 sorry, paragraph 1.
 7 Q. Ah, you're right, "senior animal technician". So that
 8 would involve you in a variety of tasks at MBR Acres;
 9 yes?
 10 A. Correct.
 11 Q. Does that involve being involved in -- I'll put it this
 12 way -- euthanasia of puppies?
 13 A. That's not in my job role.
 14 Q. Are dogs euthanised -- I'll put it that way -- use that
 15 term for it to be easier to you -- are dogs euthanised
 16 at MBR Acres?
 17 A. On welfare grounds, yes.
 18 Q. Only on welfare grounds?
 19 A. Yes.
 20 Q. Are you aware -- how long have you worked there?
 21 A. Several years.
 22 Q. Are you aware of the bleeding licence?
 23 A. I am.
 24 Q. Are you aware of the terminal bleeding procedure?
 25 A. Yes, and that's not in my job role.

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1 Q. It's not in your job role but you work for that company.
 2 A. Yes.
 3 Q. So now I know that, now you've told me that, I would --
 4 do you understand that I would feel justified next time
 5 I have -- not if I was to see you, but next time you
 6 were going to MBR and I'm still there and you've told me
 7 that you don't kill puppies, I would feel justified in
 8 still saying "Puppy killer". Can you understand how
 9 I could correlate the two?
 10 A. No, not really because, as I said, that's not in my job
 11 role. I don't euthanise dogs at Wyton.
 12 Q. But then you kind of say -- I don't know what example.
 13 Let me do it because I'm asking the questions -- the
 14 first thing that come into my head was -- because as you
 15 know, we feel differently. This might not be helpful.
 16 I was going to say a bank robbery. No, we don't need to
 17 do the bank ...
 18 To do any job -- to produce some potatoes, if it was
 19 a potato factory, you have security guards, you have the
 20 potato pickers, you have the people putting it in the
 21 packages. You have a whole variety of people and they
 22 produce potatoes; yes?
 23 A. Yes.
 24 Q. For me, it would be you have MBR Acres, they breed dogs
 25 that will go to experiments and then be killed, you have

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1 the terminal bleeding licence, I've heard from other
 2 witnesses that dogs are euthanised in there, I feel
 3 satisfied that you're all equally responsible. Can you
 4 understand how another person could come to such a point
 5 of view? You may disagree with it but could you
 6 understand my rationale?
 7 A. No, but I'm not involved in any of that so I can't
 8 comment on that.
 9 Q. But it wasn't --- it wouldn't be a defence --- I will say
 10 it, you know. In the Nuremberg Trials, it wasn't
 11 defence that I didn't ---
 12 MS BOLTON: This witness isn't on trial. Can we not use the
 13 word "defence". It's a question to him.
 14 MR CURTIN: You're equally culpable. Just because you
 15 haven't got the blood on your hands --- if you took out
 16 a contract to kill someone and there were a lot of
 17 people in the stages, lots of people who hid the gun,
 18 you're all responsible. That's my case. Do you
 19 understand that? I'm just asking: do you understand
 20 my ---
 21 A. No, I don't.
 22 Q. --- how I could come to that? You've got no idea how
 23 I could come to that?
 24 A. No, I don't. Sorry.
 25 Q. In order for me to call someone a puppy killer, I have

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1 to see blood on their hands, do I?
 2 A. No, but I don't think it's a (inaudible) view as a puppy
 3 killer.
 4 Q. Okay, that's for you personally. What about the boss of
 5 the company, Scott Marshall? If I ever saw him, I would
 6 be content to call him a puppy killer. I'm just asking
 7 can you see into my kind of rationale --- not to agree
 8 with it, but can you see how another person might come
 9 to a different opinion? That's all.
 10 MR JUSTICE NICKLIN: I think, Mr Jacklin, what Mr Curtin is
 11 asking you to accept is that the protest message that is
 12 shouted, "Puppy killer", is the strongly held belief of
 13 those who shout it, that everybody who is employed by
 14 MBR Acres is in part responsible for the deaths of the
 15 dogs and that is why they choose the message they do,
 16 even though, when it's shouted at some of the employees,
 17 they may not personally be involved in that process.
 18 A. My Lord, I feel like the dogs obviously at Wyton are
 19 like well cared for and --- sorry, my Lord. Sorry, can
 20 you repeat that, my Lord?
 21 MR JUSTICE NICKLIN: Mr Curtin's probing really is designed
 22 to see whether you accept that, from other people's
 23 points of view and the reason that they protest is that
 24 they are opposed to the procedures that lead to the
 25 deaths of dogs at the Wyton site, and although, as

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1 you've made clear in your evidence, you are not
 2 personally involved in those procedures, Mr Curtin says
 3 that from his point of view and other protestors who are
 4 at the Wyton site, they hold everybody who works at the
 5 Wyton site responsible and they believe that they are
 6 the target --- should be the target of their protest
 7 activities. So that is why they shout the message that
 8 they shout. You may disagree with it, but he's asking
 9 you to accept that other people may have a different
 10 point of view.
 11 A. Okay. I accept.
 12 MR CURTIN: What was the answer?
 13 MR JUSTICE NICKLIN: I think he said "I accept that".
 14 A. I accept.
 15 MR CURTIN: Okay. Paragraph 12, this is about your terror
 16 and your anxiety ---
 17 MS BOLTON: My Lord, can the witness have a minute, please?
 18 I think the witness might need a minute.
 19 MR JUSTICE NICKLIN: Do you need a break, Mr Jacklin?
 20 A. My Lord, yes, please.
 21 MR JUSTICE NICKLIN: Okay. We'll come back at 3.45.
 22 (3.36 pm)
 23 (A short break)
 24 (3.46 pm)
 25 MR JUSTICE NICKLIN: Right. Okay, Mr Curtin.

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1 MR CURTIN: And the fact that you needed a break would point
 2 towards --- I would accept that we are dealing --- with
 3 this particular issue, there's high emotion involved
 4 sometimes, isn't there? Yes?
 5 A. Yes.
 6 Q. We're talking about the word "abuse". It's correct ---
 7 would it be correct to say that you've given some abuse
 8 out to protestors?
 9 A. I have.
 10 Q. And as a result of which, you were --- one particular
 11 incident, you were invited to go to a police station for
 12 alleged offences of homophobia towards a particular
 13 protestor and is it correct that you were referred to
 14 a hate --- an online hate course; is that correct?
 15 A. Yes, and that matter has been dealt with.
 16 Q. Correct. Right. Let's move on to the --- we've talked
 17 about some of your feelings about me. Now we'll move on
 18 to the evidence. Paragraphs 14, 15, 16, 17, 18, the
 19 whole of that page, up to paragraph 23 --- so
 20 paragraphs 14 and 23 relate to one particular day,
 21 14 August 2021; yes?
 22 A. Sorry, what day?
 23 Q. 15 August 2021, paragraph 14.
 24 A. Yes, correct.
 25 Q. Is it right that that related to one of the days when

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1 there was a demonstration planned for that day and there
 2 was extra people there than you would normally ...?
 3 A. Correct, yes.
 4 Q. Perhaps 100 or even 200 perhaps?
 5 A. Yes, over 100 protestors.
 6 Q. I've already gone through this video with a number of
 7 witnesses. I think we're going to have to watch just
 8 a few bits of the video because otherwise you won't know
 9 what I'm talking about. Would you care to watch these
 10 small, small sections of video, please, about that
 11 incident? So it's 205. Could you play it from, say,
 12 two minutes? We're going to watch -- just about one
 13 minute or so -- one and a half minutes should do us.
 14 (Video played)
 15 Stop there. So you don't know this is going on.
 16 You're down the road in a convoy. If you look at
 17 paragraph 16, you've got:
 18 "... it is only because of the police ... that we
 19 were able to get anywhere [onto] the Wyton site."
 20 I invite you to watch this video and invite you to
 21 look at those -- there's another process going on, is
 22 that some of the -- I can call them "Camp Beagle core
 23 people" were actually -- because there was so many
 24 people that day taking some responsibility to make sure
 25 that you did get in and out of work. I just ask you to

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1 bear that in mind as you watch the video and I may stop
 2 the video at some point. You can stop the video as well
 3 if you want but also I can. So we'll just play the
 4 video.
 5 (Video played)
 6 Could we -- I find that very distracting. Could we
 7 have the sound down of one? There's double ... it's not
 8 that distracting. If it's not simple, then carry on.
 9 (Video played)
 10 Okay, can you stop there? I do find the sound
 11 completely off-putting, but if you could -- this wasn't
 12 challenged so much the other day. There's the sound
 13 there, "The vans are coming", and then the next thing
 14 you're going to hear is things like, "We're clearing the
 15 way".
 16 MS BOLTON: We need to play it for the witness.
 17 MR CURTIN: Okay, yes. We'll play it.
 18 (Video played)
 19 Can we stop there? This is me -- that's me on the
 20 megaphone; yes?
 21 A. Correct, yes.
 22 Q. And I think I might use a little f-word, but you'll hear
 23 what I say is, "Let these workers in". Okay, we'll
 24 watch.
 25 (Video played)

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1 Stop there.
 2 MR JUSTICE NICKLIN: Okay. Just on the audio, we're out of
 3 sync -- it's out of sync now and that's making it very
 4 difficult to listen to. I don't know why the audio is
 5 out of sync.
 6 MR CURTIN: If I may address the witness while we wait.
 7 MR JUSTICE NICKLIN: Wait a minute. Can I just ask you,
 8 Mr Jacklin, at your end, are you getting a clean audio
 9 commentary or are you hearing this echo?
 10 A. My Lord, I'm hearing it clear.
 11 MR JUSTICE NICKLIN: Okay, that's fine. That's good for
 12 you. We're having some difficulties our end so bear
 13 with us for a minute.
 14 MR CURTIN: Can I address the witness while you do that --
 15 MS BOLTON: My Lord, it might be that everybody needs to
 16 turn their sound down a little bit. It might be the
 17 feedback that's causing the problem.
 18 MR JUSTICE NICKLIN: Well, I don't know how to do that on
 19 mine.
 20 MS BOLTON: I think it's the big screens, my Lord.
 21 MR JUSTICE NICKLIN: Oh, okay.
 22 (Video played)
 23 MR CURTIN: If we can pause there, it hasn't been made
 24 clear, but you can take it from me that the words
 25 weren't so contested yesterday, that there was a drive

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1 within -- there were certain protestors there that were
 2 trying to facilitate the demonstrators getting out the
 3 way so that you could get to work safely. You'll hear
 4 this very clearly. There's one -- can you see a man
 5 standing in front of the van?
 6 A. Yes.
 7 MS BOLTON: I don't mind Mr Curtin taking the witness
 8 through all of this, but saying these words weren't
 9 contested yesterday isn't right and he should ask this
 10 witness what their account is.
 11 MR CURTIN: Okay.
 12 MS BOLTON: The witness didn't agree with Mr Curtin
 13 yesterday so it certainly was contested. I just think
 14 we need to be careful that we're not effectively trying
 15 to goad witnesses into an answer by saying, "Somebody
 16 else agreed to this", because that's happening quite
 17 a lot.
 18 MR CURTIN: There's a man in the road here and I would ask
 19 you to accept it's my voice and in no uncertain terms,
 20 with the f-word involved, "Get the F out the way".
 21 I ask you to watch this piece now.
 22 (Video played)
 23 Can we stop there? Very muffled still in here, but
 24 did you hear "Get the fuck out the way"? Did you hear
 25 that?

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1 A. Yes, I did, but before that, when you stated "Let these
 2 fuckers come in", I find that very intimidating.
 3 MR CURTIN: Okay.
 4 MR JUSTICE NICKLIN: Did you actually hear it on the day?
 5 A. I did.
 6 MR CURTIN: You heard — are you saying you heard? I was
 7 addressing the protestors. Are you telling me you now
 8 heard me say "Let these fuckers in"?
 9 A. Yes, as I was only probably about 70 metres away when
 10 you said that. You were shouting through the loud —
 11 Q. Okay.
 12 MS BOLTON: Let him finish his answer, please.
 13 Please finish your answer.
 14 MR JUSTICE NICKLIN: Okay, Ms Bolton, if you want to object,
 15 you object; okay? You don't give directions to
 16 Mr Curtin; all right?
 17 MS BOLTON: My Lord, I apologise. The witness hadn't
 18 finished his answer.
 19 MR JUSTICE NICKLIN: I know that, but I just want to
 20 establish that I'm in control of these proceedings. If
 21 you've got an objection, you make it to me. I will
 22 control the proceedings.
 23 MS BOLTON: My Lord.
 24 Can the witness finish his answer, though, please,
 25 my Lord, because he has not finished his answer?

1 A. Sorry. As I was saying, as you were shouting through
 2 the megaphone and obviously that's quite a loud
 3 megaphone as well.
 4 Q. If you did hear that, I dare say on this occasion anyway
 5 I was addressing — it was being addressed to other
 6 demonstrators and it was about you; it wasn't to you.
 7 Would you accept that?
 8 A. Sorry, can you repeat that?
 9 Q. If you did hear that, could you accept that it wasn't
 10 directed at you intentionally? I was directing my
 11 language to other protestors?
 12 A. Well, the second time you was but the first time you
 13 wasn't.
 14 Q. Okay. Now, you can see the police around your car.
 15 You're now going to see the car. It's coming through.
 16 I put to you that what you're not driving through is an
 17 unruly mob of people who are going to have a riot. You
 18 are looking at protestors who are being marshalled, as
 19 described by one of your own work colleagues, and it
 20 actually facilitates — yes, it's noisy, yes there are
 21 lots of people there, but, because of my actions, I put
 22 it to you that you were able to go to work that morning
 23 and not end up in a full-scale riot.
 24 Can we watch the rest of the video, please?
 25 (Video played)

1 Stop there. Now, the cars have arrived and, for
 2 whatever reason, the gate is shut. So I put to you that
 3 any further shouting you hear could have been avoided by
 4 a better convoy plan. It's not your fault, but I just
 5 draw your attention to the fact that the doors are shut
 6 and soon you'll see them open and the vehicles drive in.
 7 (Video played)
 8 Can you point out your car, if you know which one it
 9 is?
 10 A. It's the silver Honda.
 11 (Video played)
 12 Q. Okay. So there's another — so in your statement that
 13 I've got in front of me, it just said you noticed me,
 14 I was on the megaphone, I appeared to be one of the
 15 ringleaders and I was actually the most — and I was
 16 some of the — me and Mel, Mel Broughton, were some of
 17 the most abusive protestors. That's what you've said
 18 about that incident, isn't it?
 19 A. Correct.
 20 Q. Would you change your mind after watching that video or
 21 would you still stick with that statement?
 22 A. I would still stick with that statement.
 23 Q. Okay. Paragraph 23, you end:
 24 "No one should have to suffer the abuse we suffered
 25 during the summer of 2021, and it made my job a living

1 hell."
 2 Yes?
 3 A. Yes, correct.
 4 Q. It's just that I've seen — and this may be
 5 a coincidence — that term, "It made my job a living
 6 hell", was that your words or were you guided in those
 7 words?
 8 A. No, that's my words. I felt like I didn't want to carry
 9 on working at Marshalls due to the impact of the
 10 protestors during that time.
 11 Q. Yes, we'll go back to the point — I would always ask
 12 you for this point, that you're aware that there's other
 13 people who feel very differently to you about the nature
 14 of your work and that, by working at MBR Acres, it's
 15 kind of inevitable that you will have to face such
 16 protests; do you accept that?
 17 A. I — yes.
 18 Q. Good. At 26 you talk about — 25 and 26, you talk about
 19 the idea that you're not going to go in the convoy
 20 anymore. I just want to draw your attention to the
 21 first sentence of that paragraph 26. One of the reasons
 22 to remove the convoy is to show that you weren't
 23 "putting on a show". Can you see that?
 24 A. Yes.
 25 Q. I've seen that identical words in another witness

1 statement. Again, I would ask you, did that come
 2 spontaneously from your own head or were you guided in
 3 that sentence?
 4 A. That was my own words.
 5 Q. Okay. Paragraph 27, which we're going to come to now,
 6 how it finished :
 7 " ... I was the victim of an attack on my home which
 8 has caused me a tremendous amount of anxiety and had
 9 a real impact on my mental health."
 10 A. Correct.
 11 Q. Then on the following pages you talk about that attack.
 12 Now, having been attacked in my own home myself, I can
 13 understand -- I can empathise with the distress and the
 14 anxiety and all the fears that you could have about
 15 being attacked in your own home or an attack on your
 16 home -- sorry, you weren't personally attacked, but
 17 there was some form of attack on your house; yes? I can
 18 understand that; yes?
 19 A. Yes.
 20 Q. In a way, that's one of your worst fears, that these
 21 things should start to happen; yes?
 22 A. Yes.
 23 Q. There's nowhere in the evidence -- and I'm defending
 24 myself -- that you're suggesting that I was in any way
 25 connected with the attack on your house, is there?

1 A. Sorry, can you repeat that?
 2 Q. It's not your case -- it's not your evidence that I'm
 3 responsible in any way for that attack on your house?
 4 A. I haven't, in my statement, said Camp Beagle has done
 5 this criminal activity on my property, but I feel like
 6 if the protestors weren't outside Wyton, this probably
 7 wouldn't have happened to my property.
 8 Q. Yes, I can sort of kind of understand that train of
 9 thought, "If this or if that hadn't happened ...", but
 10 there's no direct correlation or connection. The fact
 11 that Camp Beagle was there brought in attention and
 12 whoever attacked your house ... we just don't know if
 13 that would have happened with or without Camp Beagle,
 14 but the camp being there, bringing it into the focus --
 15 just the fact that it brings to the focus I accept some
 16 sort of tenuous connection -- yes? -- the fact that it's
 17 now brought it to the surface, your house gets attacked
 18 about the same area, but, please, I'm asking you to --
 19 I'm here as a defendant. Number one, you're not
 20 suggesting that I am responsible for that attack; is
 21 that correct?
 22 A. Correct.
 23 Q. And there's nothing -- you're not -- for whatever we
 24 call Camp Beagle such as exhibited on the social medias,
 25 it's not Camp Beagle that's responsible for that attack.

1 It's some unknown individuals in this case, I do
 2 believe, because I don't think there were arrests.
 3 A. If I can remember, there was two other employees' houses
 4 got targeted --
 5 Q. That's correct.
 6 A. -- on the same night/morning of 4 to 5 May, and with no
 7 evidence that anyone had done it to my property, but on
 8 another employee's property, I believe one of the
 9 protestors got arrested outside the Wyton site as there
 10 was CCTV caught on theirs --
 11 Q. Yes, I believe you are correct.
 12 A. -- and that goes back to my point where I feel like, if
 13 the protestors weren't present, my house wouldn't result
 14 in -- to getting attacked.
 15 Q. Yes, I can kind of understand -- yes, well, I do
 16 understand, but there's -- that's very different to
 17 accusing me of responsibility for that attack on your
 18 house, isn't it?
 19 A. But I haven't --
 20 Q. No.
 21 A. I haven't --
 22 Q. Or you've not seen anything on the Camp Beagle website
 23 that talks about targeting you and celebrates targeting
 24 you?
 25 A. No, I haven't.

1 Q. As the judge, his Lordship, said to you, you didn't see
 2 anything on Camp Beagle, "Oh, great news" or "Ha ha" or
 3 celebrating? That's not been seen on Camp Beagle's
 4 site? What's on other people's sites is another matter.
 5 A. Correct.
 6 Q. Good.
 7 Paragraph 42, the graffiti attack on your house.
 8 You were off work for a week --
 9 A. Correct.
 10 Q. -- so it had quite a traumatic effect on you; yes?
 11 A. Correct, and I didn't leave my property for that whole
 12 week. I was too scared to leave my home in case
 13 anything else happened to me while I was out.
 14 Q. Yes.
 15 A. It's just not affected myself. It's affected my
 16 partner, my whole family, my child. I don't see --
 17 I don't get to see my child for over a month because
 18 I didn't want them to come to my property while all this
 19 was going on.
 20 Q. I'm listening to you and I'm fully accepting what you're
 21 saying.
 22 If we go to paragraph 43, about you noticing some
 23 stickers around your area.
 24 A. Correct.
 25 Q. You live in the Huntingdon area, don't you? Let's just

1 call it that.
 2 A. Correct.
 3 Q. I'm not trying to -- I'm trying to conceal where you
 4 live. You live within ten miles of MBR Acres; yes?
 5 A. Correct.
 6 Q. And you've seen stickers round your house which you
 7 began to take perhaps personally?
 8 A. I just find it very bizarre, like -- where I live,
 9 I live in a cul-de-sac and these stickers started
 10 appearing on my street name, where I get picked up from,
 11 where I get my lifts from -- and all of a sudden these
 12 stickers just appeared. I just find it a bit odd
 13 that -- there's clearly someone that's followed me home
 14 that I didn't know and I don't know who it was.
 15 Q. Okay, I just want to make a point -- and it may help to
 16 allay some of those fears -- because the case against me
 17 isn't that I put any stickers up outside your house, but
 18 there's stickers all over the area, so it may be because
 19 of your fear and anxiety of what happened to your house,
 20 you may be perceiving that these stickers were put up
 21 there to attract your attention. There could be other
 22 reasons. I'm asking, do you accept there could be other
 23 reasons?
 24 A. No, I disagree.
 25 Q. Okay. Well, have you seen stickers anywhere else other

1 than near your house?
 2 A. I haven't, no.
 3 Q. What about if I was to put to you that I spent a lot of
 4 time within ten miles of MBR Acres and I've seen lots of
 5 stickers all over that area?
 6 A. I haven't -- because I don't tend to go out -- I don't
 7 tend to go out much -- out in the town, Huntingdon town,
 8 anymore because fear of the protestors, and even a year
 9 on it still worries me to this day who is about, who is
 10 going to recognise me.
 11 Q. Yes, I understand that. The attack on the house
 12 massively aggravated that, didn't it?
 13 A. Yes.
 14 Q. Okay. We're nearly getting there. Paragraph 44, you
 15 talk about loving your job. Again, I just want to go to
 16 the point of do you accept there are -- me being one of
 17 them -- and other people who would find that
 18 astonishing, who would be surprised at that?
 19 A. Well, the people that don't agree with it, yes.
 20 Q. Okay, good. Yes, that's all.
 21 Paragraph 49:
 22 "Having been victim to numerous attacks
 23 and obstructions by the protestors, I am terrified of
 24 them ..."
 25 Again, time and time again in these witness

1 statements from MBR workers, it's always this general
 2 generic term of "protestors". You cast a big wide net,
 3 don't you? As far as you're concerned, I and the person
 4 or persons who attack your home come into the same
 5 category as protestors; would that be correct?
 6 A. Sorry, can you repeat that? Sorry.
 7 Q. You seem to cast a big wide net in this term "the
 8 protestors" then, so that would mean that me, John
 9 Curtin, someone you regularly see protesting and
 10 shouting, however you might not like that -- but you
 11 would link me as a protestor in the same terms as
 12 whoever it was, people or peoples -- persons that
 13 attacked your house? We're the protestors, aren't we?
 14 A. Correct.
 15 Q. And do you remember the police coming -- have you ever
 16 been briefed on site at MBR Acres in a meeting by police
 17 officers? Other witnesses from MBR Acres have talked of
 18 this. Do you remember being addressed by police
 19 officers?
 20 A. Not off my memory. I might have been on annual leave on
 21 the day that happened.
 22 Q. Do you remember -- like maybe even the anti-terrorist
 23 squad came in to give a talk. Does that ring any bells,
 24 even though you might not have been there?
 25 A. As I said, I think something got mentioned but I wasn't

1 present in that meeting.
 2 Q. It was put -- I ask you to take it from me. You don't
 3 have to -- that we've heard that the anti-terrorist
 4 squad came to give a presentation --
 5 MR JUSTICE NICKLIN: Mr Curtin, if a witness doesn't know
 6 about it, they don't know about it.
 7 MR CURTIN: Have you discussed at work previous militant
 8 extreme activities that have taken place in the course
 9 of the history of the Animal Rights Movement, such as
 10 bomb threats and damaging houses and attacking workers,
 11 physically attacking? Have you heard of such stories?
 12 A. I've read it on the public domain, yes.
 13 Q. On paragraph 49 there's a fear of what the protestors
 14 will do next, which is understandable.
 15 A. Correct.
 16 Q. But it's just that, isn't it? It's fear. In the
 17 particular term of Camp Beagle, you have suffered the
 18 worst such that you've actually had an attack on your
 19 house, but even then it could even, I suppose, get
 20 worse, couldn't it? It could become physical?
 21 A. Correct.
 22 Q. On the subject of social media, do you -- you do
 23 watch -- you have looked at Camp Beagle in the past?
 24 A. Yes.
 25 Q. It's understandable. But what about other social media

1 sites relating to -- have you seen any information about
 2 me on social media sites?
 3 A. No.
 4 Q. Have you talked -- so you haven't. Have you talked
 5 about me, Mr Curtin, with other workers? I've called it
 6 to other workers a kind of canteen culture. Have I ever
 7 been a topic of conversation with other workers?
 8 A. No.
 9 Q. No? Are you sure about that?
 10 A. Yes. I have searched your name on the public domain and
 11 that's where I've got my information from.
 12 Q. And what sort of things did you read? What do you
 13 remember reading about -- in your research on me?
 14 A. Well, I remember -- I think it was back in the 1990s you
 15 stole dogs from the Wyton site.
 16 Q. Yes. I would say "liberated", but let's not go there.
 17 Carry on. Any more?
 18 A. I think a few years before that, I think you desecrated
 19 some graves or that's what I've read.
 20 Q. Okay. Any more?
 21 A. That's all I've seen on the public domain.
 22 Q. Are you aware of, I could put it this way, troll sites?
 23 There's actually one dedicated to me, "Connie Jurkin",
 24 that was maybe set up by people that split away from the
 25 camp. Are you aware of such phenomena?

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1 A. No.
 2 Q. Okay. Let's move on.
 3 Paragraph 52:
 4 "The protestors seem to have no care whatsoever for
 5 the safety of my colleagues and I ..."
 6 Yes?
 7 A. Yes.
 8 Q. You just watched the video where, yes, you were -- you
 9 heard the workers and yourself being described as
 10 "fuckers", but the idea was to -- there were people who
 11 had concerns to get the workers inside. Would you
 12 accept that?
 13 A. Yes, but I think that was just due to the police
 14 presence. I think -- I feel if we didn't have police
 15 present, we would have never got in. We would have had
 16 to wait for the reinforcements(?) of the police to guide
 17 us in.
 18 MR CURTIN: Okay. No further questions.
 19 MR JUSTICE NICKLIN: Right, thank you very much.
 20 Ms Bolton?
 21 MS BOLTON: No re-examination, my Lord.
 22 MR JUSTICE NICKLIN: Right. Mr Jacklin, thank you very much
 23 for making yourself available to give evidence. That
 24 completes your evidence in the process. Thank you.
 25 A. My Lord, thank you.

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1 MR JUSTICE NICKLIN: Right. I think that's it for today
 2 then.
 3 Housekeeping
 4 MR JUSTICE NICKLIN: Areas where there is -- I'll put it in
 5 this way -- commonality in the phrasing of witnesses.
 6 It's up to you whether you choose to file any further
 7 evidence that might shed any light on that, but
 8 otherwise it will be for me to make an assessment of
 9 what that means.
 10 MS BOLTON: My Lord, I'll speak with my client about it.
 11 MR JUSTICE NICKLIN: Okay. I'm not suggesting there's
 12 necessarily anything sinister about it. It happens
 13 occasionally in the process of taking witness statements
 14 that the lawyers can introduce phrases which then appear
 15 in multiple statements.
 16 Because the witnesses don't see -- because it's
 17 a legitimate process -- the process of taking a witness
 18 statement, everybody understands, involves discussing
 19 matters with the witness, taking a note, then the
 20 legally trained person prepares the witness statement,
 21 gives it to the witness and the witness approves it.
 22 Now, occasionally commonality between phrasing can
 23 be an inadvertent by-product of the lawyer involvement
 24 in the process. It doesn't necessarily reflect any
 25 effort to reflect or shape the witness' evidence, but it

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1 just happens to be that, because one person or a team of
 2 people are responsible for finalising the witness
 3 statement of the witness, that that produces,
 4 unfortunately, some common words and phrases that are
 5 used in witness statements.
 6 MS BOLTON: Yes.
 7 MR JUSTICE NICKLIN: Now, Mr Curtin is suspicious about that
 8 and his mind may be put at rest if somebody explains the
 9 process of taking the witness statements in order to
 10 make that clear.
 11 MS BOLTON: Yes, my Lord, to a degree I've already had that
 12 discussion with Mr Curtin because, whilst I've not been
 13 involved in the witness statement process at all,
 14 obviously what the witness statements are following is
 15 what is pleaded because that's how this case is to be
 16 presented, and that's why you've got the commonality in
 17 dates and the way things are broken up and when things
 18 happened. So there is going to be a lot of things --
 19 MR JUSTICE NICKLIN: Yes, I'm not referring to that. I'm
 20 referring to -- there are particular stock phrases that,
 21 although there is minor variation, they almost track
 22 word for word. I don't really want to spend a lot of
 23 time doing it -- I can do it -- but those are -- if the
 24 witness statement was in the witness' own words, that
 25 sort of duplication of phraseology wouldn't occur.

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1 Now, I know from experience there are perfectly
 2 innocent reasons why that happens -- okay? -- and it
 3 doesn't indicate that all the witnesses have huddled
 4 together and prepared their story in a way that would
 5 suggest they were in some way trying to put forward
 6 a single unified front, so that's -- but you understand
 7 that Mr Curtin, not being a lawyer, doesn't necessarily
 8 understand fully the process by which witness statements
 9 are prepared and how sometimes, particularly in cases as
 10 large as this, with the number of witnesses that there
 11 are, that there can be perfectly innocent reasons why
 12 phrases in witness statements can appear repeatedly in
 13 the way that Mr Curtin has identified.
 14 MS BOLTON: Yes.
 15 MR JUSTICE NICKLIN: Just that.
 16 MS BOLTON: My Lord, I'm sure that can be dealt with very
 17 easily.
 18 My Lord, a couple of points. First of all, there is
 19 the witness statement of Catherine Noble which deals
 20 with the witnesses giving evidence by videolink --
 21 MR JUSTICE NICKLIN: Thank you for that.
 22 MS BOLTON: -- and how that's been dealt with. If I can
 23 hand that up --
 24 MR JUSTICE NICKLIN: Thank you. (Handed)
 25 MS BOLTON: The other thing is -- and there are some

1 differences on this one and I'll explain -- is the
 2 amended timetable.
 3 Now, I had a conversation with Mr Curtin yesterday
 4 and we've had to move witnesses around. Mr Curtin had
 5 said to me he needed to re--arrange an appointment and
 6 I did ask him if he could wait until we could find out
 7 when employees being rejigged around could be available
 8 and also we propose Wednesday be the non--sitting day for
 9 that because it should be the end of the employees'
 10 evidence.
 11 My Lord, there's a number of things coming out in
 12 cross--examination which are Mr Curtin advancing a case
 13 that's not in writing anywhere so we need time to deal
 14 with all of that before we ask him any questions, so we
 15 thought Wednesday would be the appropriate day.
 16 Mr Curtin is now telling me today that, despite that
 17 conversation last night, he's arranged an appointment
 18 for Tuesday. I'm going to suggest that's not helpful
 19 because, one, we don't know if the employees can attend;
 20 two, the natural break is when we finish the claimants'
 21 evidence. I know that he can re--arrange this
 22 appointment so I'd ask that he does because that does
 23 seem like the most sensible time for it. It means that
 24 I don't have to ask for any more time to deal with any
 25 evidence that's being advanced on the hoof before

1 I cross--examine. It gives a natural break and we know
 2 the employees are available.
 3 MR JUSTICE NICKLIN: Mr Curtin, are you able to -- I don't
 4 want to cause you any embarrassment. I don't
 5 necessarily need to know the nature of the appointment
 6 that you've got, but is it right that it could be moved
 7 to a different day?
 8 MR CURTIN: That could be difficult and I have a different
 9 version of events. I did suggest the Tuesday, and
 10 yesterday, when I got back after here, I did arrange an
 11 appointment in the hope that there was no agreement that
 12 it was going to be Wednesday, that we have -- if you
 13 wanted to sit Monday morning. It's not going to be --
 14 it's not impossible that I can do it if you -- but I've
 15 already -- and I haven't brought it up before --
 16 postponed this appointment twice. It's the third time
 17 and I did it on -- for 4.30 on Tuesday, in case you
 18 wanted to sit Tuesday morning. I'm happy to sit on
 19 Wednesday. It was my suggestion that we perhaps not sit
 20 on Tuesday because there's the King's Coronation the day
 21 before. But I repeat I've really tried to assimilate --
 22 MR JUSTICE NICKLIN: Would it be possible for you to make
 23 enquiries and let me know tomorrow whether you could
 24 move the appointment to Wednesday?
 25 MR CURTIN: Yes, and I may not be able to give you the

1 answer until this time tomorrow.
 2 MR JUSTICE NICKLIN: That's all right. We can --
 3 MR CURTIN: I'll endeavour to ...
 4 Ah, other housekeeping. For example -- but this may
 5 take a little while -- Jane Read, I did not put in my
 6 statement that I challenge her evidence. The reason
 7 I didn't do this, because I know she's very, very sick
 8 with cancer. I haven't got the legal training. That is
 9 the reason. She makes a very strong statement towards
 10 the end where she finds me utterly intimidating -- she
 11 makes a very negative comment towards me at the end of
 12 her statement and I'm aware I didn't challenge it, but
 13 I didn't challenge it on the basis of a humane reason,
 14 which is maybe --
 15 MR JUSTICE NICKLIN: I don't think there's any prospect of
 16 her being called to give evidence.
 17 MS BOLTON: My Lord, there's no prospect of her being called
 18 and she's covered by hearsay. Your Lordship asked for
 19 us to serve those at the time of the witness evidence.
 20 We did. Everyone has had plenty of time.
 21 MR JUSTICE NICKLIN: Yes.
 22 Mr Curtin, generally the position is that Ms Read's
 23 statement has gone in as hearsay evidence. The
 24 claimants can rely upon it. You are entitled to make
 25 points about it that you want and to say why I shouldn't

1 attach much weight to the evidence that she gives. You
2 might be able to rely upon other evidence that's been
3 obtained from your cross-examination of other witnesses
4 to say, "You should treat her evidence in the way of
5 other witnesses", in the sense that you don't doubt the
6 sincerity of how she expresses her feelings but that you
7 question whether they can be really attributed to your
8 actions.

9 MR CURTIN: The same counts for P and C. I did ask for P
10 and C. They were in my list and there's a technical
11 reason --

12 MS BOLTON: No -- sorry, my Lord, I need to correct one
13 thing. Jane Read is the later hearsay notice because
14 that's when it became clear how ill she was, so we
15 brought that to the court's attention.

16 Employee C has had a hearsay notice from the start.
17 Employee P is signed off of work for medical reasons.
18 There is nothing we can do about that. As your Lordship
19 indicates, Mr Curtin can make comments on all of those,
20 but they have properly been dealt with. The only one
21 that isn't covered by hearsay notice is Employee P and
22 obviously the court's position is it can put what weight
23 it wants to on that statement having heard Mr Curtin.

24 MR CURTIN: Can I put it this way? I have a high level in
25 trust in you that I won't feel like I'm being stitched

1 up and I made a technical error --
2 MR JUSTICE NICKLIN: No, you don't need to worry, Mr Curtin,
3 broadly speaking because it's ultimately for me to make
4 the assessment of the evidence. A lot of the evidence
5 has common themes and therefore your cross-examination
6 of witnesses -- it's not difficult for me to imagine how
7 you would have cross-examined the witnesses --

8 MR CURTIN: Perfect.

9 MR JUSTICE NICKLIN: -- and I make my own assessment of
10 what -- of the likely response of the witness in all the
11 circumstances or whether actually the witness statement
12 as a whole broadly -- in relation to the case against
13 you, what they -- the hearsay statements may not take
14 that case very much further. All right?

15 But what we'll do is, over the weekend, when you're
16 not celebrating the Coronation, you can spend a little
17 bit of time just identifying some of the themes, and if
18 you want to say, "I would have asked this witness the
19 same questions that I asked these other witnesses", you
20 can do that and that helps me understand. If there were
21 particular points that were specific to any particular
22 witness, then write those down and say, "This witness is
23 unusual because this witness, unlike the others, says
24 this. I would have liked to have asked this witness
25 these questions", and then you can suggest to me what

1 you would have suggested to those witnesses and I can
2 take that into account when I'm making my assessment of
3 the witness evidence, bearing in mind you've not had the
4 opportunity to ask the witnesses the questions you
5 wanted to; all right?

6 MR CURTIN: Perfect, thank you.

7 MR JUSTICE NICKLIN: Right. Now, one thing on timetable,
8 Ms Bolton. Because Mr Curtin is last man standing,
9 I was wondering whether it might be fairer on him to
10 enable him a period -- instead of making him do his
11 closing submissions or the arguments on essentially the
12 end of next week, that we could move him back in the
13 timetable to give him more time to prepare what he wants
14 to submit to me so that he -- because it doesn't matter
15 because it's only him that's going to be making the
16 submissions so we can detach him from the persons
17 unknown.

18 MS BOLTON: Yes.

19 MR JUSTICE NICKLIN: You and I can get on with the persons
20 unknown litigation. I don't know whether, Mr Curtin,
21 you want to be here for all of that. You don't have to
22 be. And if you wanted to spend the time -- what I'm
23 proposing is -- one of the most important phases of the
24 trial is enabling you the time to go through the
25 transcripts for you to knit together the argument that

1 you want to present to me at the end of the trial. Now,
2 at the moment the timetable is having you doing that
3 towards the end of next week. It may be fairer on you
4 to give you more time, an extra week, for example, for
5 you to put the threads together and assemble your
6 argument. Now, would you like that opportunity?

7 MR CURTIN: Yes, I definitely would because I'm learning on
8 my feet and I did apologise that for my lack of work in
9 this case before -- but I'm making up for it as each day
10 goes by.

11 MR JUSTICE NICKLIN: That's all right. I just wanted to be
12 clear because, you know, I know that you are very
13 interested in the case as a whole, including the case
14 against persons unknown, and you'll have to make an
15 assessment of whether you would better spend your time
16 away from court working on your submissions, in the
17 meantime Ms Bolton and I will get on with the persons
18 unknown aspect of the litigation and we'll get -- we'll
19 timetable you back in later in May so that you've got
20 that time to prepare your final submissions.

21 MR CURTIN: Okay. It's just that my application will be to
22 you to take -- to strike my name off this injunction at
23 some point and at which case the persons unknown --
24 that's my case, that I've always said that I will come
25 under the persons unknown. My plan at the minute is to

1 perhaps monitor it by --- if I could monitor it by remote
 2 feed so I can listen .
 3 MR JUSTICE NICKLIN: Oh, yes, you can do that ---
 4 MR CURTIN: Yes, then that's the case.
 5 MR JUSTICE NICKLIN: --- and you'll get the transcript, so ---
 6 MR CURTIN: You did suggest I might be able to make some ---
 7 I don't know if I'd be validating the process that
 8 I seem --- to me it's not ---
 9 MR JUSTICE NICKLIN: Mr Curtin, I think your best submission
 10 is, "I'm not a person unknown. I'm a known person.
 11 Whatever the court grants by way of injunction, if
 12 anything, against me is what I am subject to. If the
 13 court refuses to grant an injunction against me, then
 14 I am not subject to any restriction under persons
 15 unknown because I am a known person". So I'll hear what
 16 Ms Bolton says about that, but I can't think that it
 17 will --- well, it makes the whole process completely
 18 meaningless if we have a trial with you and then I make
 19 findings and conclusions and then whatever --- if
 20 I decided to grant the injunction against you, I would
 21 then decide what was the right injunction against you.
 22 For Ms Bolton then to turn around and say, "Well, never
 23 mind about that. He's still a person unknown so he's
 24 caught by all the rest of the injunctions", that would
 25 make something of a mockery of the process that we're

1 going through so I don't think that's the position .
 2 MS BOLTON: My Lord, it hasn't, but it has become the
 3 position in the recent Cuciurean judgment from
 4 Lord Justice Coulson.
 5 MR JUSTICE NICKLIN: Right.
 6 MS BOLTON: He has decided that you can be both and you can
 7 be discontinued against and still be a person unknown,
 8 so we are in ---
 9 MR JUSTICE NICKLIN: Well how does that even work?
 10 MS BOLTON: I'll take your Lordship through it in
 11 submissions but that has become the position now. It's
 12 not a case I was involved in but it's one of the
 13 Cuciurean cases.
 14 MR JUSTICE NICKLIN: Okay. Discontinuance is one thing.
 15 For a court to go through the process of an inter partes
 16 trial, make a decision on the merits of an individual's
 17 case and then only to turn round and say, "Oh, well,
 18 never mind about that. We'll subject you to the person
 19 unknown injunction anyway" ...
 20 MS BOLTON: The decision was if the person then came back
 21 and entered the area and did the acts that are
 22 prohibited, they would then be caught by the persons
 23 unknown injunction. That was the court's determination.
 24 MR JUSTICE NICKLIN: Well, just when you think the area
 25 can't get any more absurd.

1 MS BOLTON: Well, that case also was before the
 2 Supreme Court so they may have something to say about
 3 all of that.
 4 MR JUSTICE NICKLIN: Well, it's expecting a lot of the
 5 Supreme Court to fix all of these points.
 6 MS BOLTON: It became quite unwieldy and quite a lot was
 7 said ---
 8 MR JUSTICE NICKLIN: I'll bet.
 9 MS BOLTON: --- and I think they indicated that they were
 10 going --- there was a lot of intervention so there was
 11 quite a lot for them to take on board and I think that
 12 they indicated that that might have even meant it wasn't
 13 coming as quickly as everybody expected because at the
 14 end it was suggested that they would do it as quickly as
 15 they could but there were other things that would have
 16 to come first. So I think ---
 17 MR JUSTICE NICKLIN: Well, it's entirely up to what their
 18 Lordships consider is appropriate ---
 19 MS BOLTON: It might get dealt with. It might get dealt
 20 with.
 21 MR JUSTICE NICKLIN: We'll wait and see. On one view --- on
 22 one weird view of orthodoxy, you decide the point that's
 23 in front of you rather than have a rambling enquiry and
 24 decide various points that are not in front of you.
 25 MS BOLTON: I do accept that and usually, as your Lordship

1 will be aware, the Supreme Court's decisions are quite
 2 narrow on the point before them. I'm not entirely sure
 3 how that's going to operate on this occasion.
 4 MR JUSTICE NICKLIN: Right. Okay, well, I'll need to look
 5 at Cuciurean then because that makes --- why even bother
 6 doing the trial of individual litigants ?
 7 MS BOLTON: Well, there's a number of things said in that
 8 judgment which appears unusual given a previous judgment
 9 by the same court, but it's there and --- so, my Lord,
 10 I'll make submissions on it. I'm of the view that
 11 hopefully some of these matters might have been cleared
 12 up by then. That's --- as I say, it was brought before
 13 the --- that particular point was before ---
 14 MR JUSTICE NICKLIN: Ultimately it's for me to decide what
 15 injunctions I'm willing to grant against individual
 16 people and if I say Mr Curtin is not included in the
 17 persons unknown injunction, he's not.
 18 MS BOLTON: My Lord, I only make the point --- you were
 19 asking me what the position is. It does appear to have
 20 changed again so I simply make that point.
 21 My Lord, on the point of when Mr Curtin can
 22 potentially do closings, just from a timetabling point
 23 of view, Friday, 19 May would probably be quite a good
 24 day.
 25 MR JUSTICE NICKLIN: Okay. Does that work for you,

1 Mr Curtin?
 2 MR CURTIN: Yes, thank you.
 3 MR JUSTICE NICKLIN: All right then.
 4 MR CURTIN: It's very helpful.
 5 MR JUSTICE NICKLIN: Can we rejig the timetable to do that?
 6 MS BOLTON: We will.
 7 MR JUSTICE NICKLIN: Right. Thank you very much. See you
 8 all tomorrow.
 9 (4.37 pm)

10 (The hearing adjourned until
 11 Friday, 5 May 2023 at 10.30 am)
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