

OPUS2

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

Day 9

May 9, 2023

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Tuesday, 9 May 2023

(10.30 am)

MR JUSTICE NICKLIN: There's a problem with that screen apparently, but I think we can manage without that, probably. We'll try to get it fixed at some point during this morning.

Right. So are we ready -- we need to clear the court?

MS BOLTON: My Lord, we do.

MR JUSTICE NICKLIN: Can I ask those members of the public who are present, please, you'll need to step outside just for a few moments because we're about to swear a witness, which has to be done in private, and then we go into the public session.

MS BOLTON: My Lord, I'm being told there's no sound in the witness room.

MR JUSTICE NICKLIN: There's a red microphone thing up there flashing which I've not seen before.

MS BOLTON: It has a line through it. Yes, it appears to be on mute I think.

(Hearing in private)

Is that any better? Can you hear us now?

THE WITNESS: Yes, I can hear you.

MR JUSTICE NICKLIN: Okay. Good. We can activate the screen, please. Thank you very much.

1

MS BOLTON: My Lord, the next witness is Employee A and that's [redacted], and her statement can be found at pages 1251 to 1281 with the exhibits at 1282 to 1289.

MR JUSTICE NICKLIN: Right. Can we swear the witness, please?

EMPLOYEE A (sworn)

MR JUSTICE NICKLIN: Right. So you can cut the feed to the screen now and we'll get the public back in, please.

(Hearing in public)

Yes, Ms Bolton.

Examination--in--chief by MS BOLTON

MS BOLTON: Employee A, good morning. Employee A, there should be a witness statement in front of you starting at page 1251. Do you see that?

A. Yes, I do.

Q. It should say "First witness statement of Employee A".

A. Yes, it does.

Q. If you could please turn through to page 1281 --

A. Yes.

Q. -- is that your signature or is that you that has signed it off as Employee A on that last page there?

A. Yes, it is.

Q. If you could turn to pages 1282 through to 1289, please --

A. Yes.

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Q. -- is that the exhibit to your witness statement?

A. Yes, it is.

Q. Is that witness statement still true to the best of your knowledge and belief?

A. Yes, it is.

MS BOLTON: Thank you, Employee A. There may be some further questions for you.

A. Thank you.

MR JUSTICE NICKLIN: All right, Mr Curtin.

Cross--examination by MR CURTIN

MR CURTIN: Good morning.

A. Good morning.

Q. I'm going to run through your statement and just so you understand, I'm defending myself so I have in front of me your witness statement and I'm going to go through it chronologically with a view to defending myself because this is your evidence against me; okay?

A. Yes.

Q. Paragraph 1 -- and I just made some marks across various comments and we'll go through it.

THE EPE OPERATOR: Sorry to interrupt. Which bundle are you in, just so I can put it on screen?

MR CURTIN: There might be some difference. I'm in my bundle, D11, page 591. Do you have that in front of you?

3

A. Yes, I have.

Q. And second sentence:

"I have worked at the Wyton Site for 34 years (except for a break of 18 months), including when it was owned and operated by different companies."

Yes?

A. Yes.

Q. So we'll go into -- I think you mention it again straightaway afterwards and I just want to establish that that's 34 years working -- MBR Acres I think took over in -- is it 2016/2017? Before then it was owned by Envigo, which had previously been known as "Harlan Interfauna" and previously that had been known as "Interfauna". But of all the witnesses that have come before me, you've perhaps been one of the longest; yes? You don't know that. I'm telling you now. Of the witnesses before me, you're perhaps the most senior -- one of the most senior. Do you accept that? Hello? Can you hear me? Hello?

MR JUSTICE NICKLIN: Wait a minute, Mr Curtin.

THE CLERK OF THE COURT: There's an issue on her side.

MS BOLTON: Can the witness hear me? No, it's not working. (Pause)

They can hear us but we can't hear them.

MR JUSTICE NICKLIN: It's a receiving issue at our end.

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1 We're not receiving their response. So at the remote
 2 side, can you check you haven't muted the microphones?
 3 Has anybody changed any of the settings while we were in
 4 that process? I just don't understand why it would
 5 suddenly stop working.
 6 MS BOLTON: No, my Lord.
 7 MR JUSTICE NICKLIN: Right. I'll rise then and we'll try to
 8 get it fixed.
 9 (10.40 am)
 10 (A short break)
 11 (10.43 am)
 12 MR JUSTICE NICKLIN: Right, Employee A, can you hear us?
 13 A. Yes, I can.
 14 MR JUSTICE NICKLIN: Mr Curtin, start again.
 15 MR CURTIN: Right then. Let's try again.
 16 So the first paragraph, you talk of your work there
 17 for 34 years. Now, what's not on trial here -- and
 18 I wish it was but I've been forbidden by the judge -- is
 19 the rights and wrongs of animal experiments. I just
 20 want to see where we can agree that those 34 years of
 21 experience -- you're aware of how controversial this
 22 topic is, aren't you?
 23 A. Yes, I am.
 24 Q. And we'll come to the evidence in a while, but in those
 25 34 years I would put to you you've seen different waves

1 of the anti--vivisection movement. At times it was
 2 stronger, at times it was weaker. It's gone up and down
 3 in that 34 years, but it's always been there as
 4 a controversial issue. Would you accept that?
 5 A. Yes, I do.
 6 Q. When I talk about controversial, I mean controversial.
 7 There was a friend of mine, a man called Barry Horne,
 8 who died in prison on a hunger strike over animal
 9 experiments. Do you remember such strong actions as
 10 that, a man dying on hunger strike?
 11 A. Vaguely, yes.
 12 Q. Like I said, things come in waves, but there's been
 13 times -- on World Day for Laboratory Animals in this
 14 country, time and time, year after year, in those
 15 34 years, where there have been not just thousands but
 16 tens of thousands of people demonstrating. Would you
 17 accept that?
 18 A. To be honest with you, I don't know. I don't pay much
 19 attention to the public or the media.
 20 Q. Okay. Let's work through your statement. Paragraph 7,
 21 you talked of perhaps what you saw as the beginning of
 22 the camp and that Amanda James and Bethany Mayflower
 23 "would hold up a piece of paper to the ... traffic ...
 24 to raise awareness of what she thought was going on at
 25 the ... Site". Do you see that? Paragraph 7.

1 A. Yes, that's what I've put in my statement, yes.
 2 Q. In the rest of your statement I put to you that -- in
 3 the rest of this statement I would put to you that it
 4 creates something of a nostalgic golden age of how quiet
 5 the protests used to be and you're exaggerating -- there
 6 is an exaggeration when it comes to the Camp Beagle
 7 demonstrations.
 8 For example, I put to you that your memories of
 9 Amanda James holding up a piece of paper -- I put to
 10 you, yes, and protesting and shouting, and shouting
 11 things like "Shame on you" and "Puppy killer". It's not
 12 in your statement, but is that possible, that that sort
 13 of thing was at that demonstration you talk about here
 14 between Amanda James and Bethany? It was a bit more
 15 than someone standing there with a piece of paper.
 16 That's the thing I'm trying to get at. Do you
 17 understand my point?
 18 A. From what I can recollect of when Amanda James was at
 19 the gate on her own and with Bethany, all I recall is
 20 her shouting "Shame on you".
 21 Q. Okay. And how did that make you feel?
 22 A. Annoyed. Intimidated. Scared.
 23 Q. So two protestors, two women, one holding a piece of
 24 paper, saying "Shame on you", made you annoyed,
 25 intimidated and scared; yes?

1 A. Yes, and threatened.
 2 Q. Okay. Just a simple point, but I have to go through
 3 this point. Paragraph 8, you talk about blocking staff
 4 from accessing the Wyton site by car. We'll talk about
 5 some of the obstructions that took place but it's not
 6 your case, is it, that you were actually prevented from
 7 ever entering the site or leaving the site? Prevented
 8 from entering so the fact that you had to double-back
 9 and go home and prevented from leaving the site, in fact
 10 that you stayed there all night? There were
 11 obstructions, but it wasn't a blockade to actually stop
 12 you getting in and out. I'm accepting there were
 13 obstructions. Would you accept that?
 14 A. Just -- sorry, just give me a moment, please.
 15 Yes, as my statement says, protestors were standing
 16 in the road and blocking staff from accessing the Wyton
 17 site by car.
 18 Q. Yes, but I'm asking you -- we're going to talk about it.
 19 I'm not doubting there are obstructions, demonstrators,
 20 by standing in the pathway. I just wanted to say --
 21 I just wanted to ask you, were you ever actually
 22 prevented from entering the site, for example -- from
 23 entering? Were you ever prevented from going to work in
 24 the day?
 25 A. No.

1 Q. Okay.
 2 MR JUSTICE NICKLIN: Employee A, can I just make something
 3 clear, please? When you're giving evidence, you may be
 4 asked to look at your witness statement by the person
 5 asking you the questions, but unless you're asked to do
 6 that, please can you not, as it were, look yourself at
 7 the witness statement? If you want to, you must ask,
 8 please.
 9 A. Okay. Thank you.
 10 MR CURTIN: Paragraph 9, the first sentence:
 11 "As a result of the escalating intensity of the
 12 protests, from around 28 June 2021 onwards it was not
 13 possible to enter or exit the Wyton Site safely."
 14 I just want to ask you first of all a few simple
 15 little questions. Did you write this statement of your
 16 own free will and are they your words that you chose?
 17 A. Yes, these are my words.
 18 Q. Were you guided in any way by anyone as you made the
 19 statement?
 20 A. No.
 21 Q. Would it be a surprise to you if I was tell you that
 22 I keep seeing this sentence time after time in other
 23 people's statements and it's word perfect, it's the
 24 exact words? Would that be a surprise to you?
 25 A. Not really, no, because all my colleagues and all the

1 staff went through the same thing, so.
 2 Q. Ah -- sorry, I interrupted you. I apologise. I should
 3 not have interrupted you. You were saying?
 4 A. No, I said no, it doesn't surprise me that most of the
 5 statements are the same because we're all together and
 6 we all went through the same thing when it comes to
 7 entering and exiting the site.
 8 Q. But this is your statement or is it a collective
 9 statement? This is your statement?
 10 A. This is my statement.
 11 Q. I put it to you that in fact it's virtually impossible
 12 for so many people to get the words exactly like this
 13 and I put it to you that you were guided. That's all.
 14 A. No, I was not guided. These are my words.
 15 Q. Okay. Further on down that paragraph:
 16 "... the ... Site [was] frequently obstructed and
 17 surrounded by large groups of protestors, and a heavy
 18 police presence was often required to enter and exit the
 19 Site."
 20 Wasn't it the case from late June/early July onwards
 21 there was -- as workers came in and out of site, there
 22 was always a police presence. It wasn't like one was
 23 required because of a certain -- that may happen because
 24 of a certain incident, but it was standard for police to
 25 be there in the morning and at 4 o'clock -- or

1 3/4 o'clock when you were leaving. Would you accept
 2 that?
 3 A. Sorry, could you repeat the question?
 4 Q. I'm putting it to you that, once the camp was
 5 established, it was routine, absolutely routine, for the
 6 police to be at the gates of the Wyton site when workers
 7 came in and when workers left; would you accept that?
 8 A. Yes.
 9 Q. The next few paragraphs, 12 and 13, and the remaining
 10 couple of consequent -- whatever the word is. The next
 11 few paragraphs deals with the convoy, the convoy
 12 situation that was arranged; yes?
 13 A. Yes.
 14 Q. Just a simple question about that. The convoy, is it
 15 right that it was a joint enterprise between the
 16 workers, the management, the security and the police?
 17 You chose -- there was a choice by all these combined
 18 parties to form this convoy; yes?
 19 A. Yes.
 20 Q. Now, paragraph 12, the last sentence:
 21 "We were concerned that being noticed might lead to
 22 protestors finding out where we were meeting and them
 23 abusing us there also."
 24 I would just like to draw your attention to "might",
 25 that word. "We were concerned ...", it's

1 understandable -- I understand it, but I'm going to come
 2 across -- in this statement, it would be my case that
 3 you did indeed have a lot of fears of bad things
 4 happening to you and there's a lot of "mights" and
 5 "shoulds" and "maybes" in this statement. So I'm
 6 accepting that you did have fear and, as we go through
 7 this statement, hopefully you'll understand why I came
 8 to this first "might". It's the case that you -- with
 9 34 years of experience in the profession and knowing
 10 what you do, the level of controversy, you vaguely
 11 remember a man dying on hunger strike and thousands of
 12 people and God knows all the events, there was a level
 13 of fear -- you have a level of fear of people who
 14 protest about animal experiments; would that be correct?
 15 A. Yes.
 16 Q. Very good. Point number 13:
 17 "We would sometimes wait for a long time due to the
 18 number of protestors ... at the Wyton Site, and the
 19 police or security not being confident that we could
 20 enter safely."
 21 Yes?
 22 A. Yes.
 23 Q. So the convoy waited to go in. You don't know what's
 24 happening at site, do you? You're dependent on the
 25 choice of either the management or the police to say

1 it's okay; yes?
 2 A. Yes, we were waiting for the police to say it's clear
 3 for us to come to work.
 4 Q. Paragraph 18, you talked about -- even once you got into
 5 the convoy, you talked about it being "scary and
 6 intimidating and harassing". So you're in the convoy,
 7 you've got the police, you've been told to come in, but
 8 you still found it scary, intimidating and harassing;
 9 yes? This is your evidence?
 10 A. Yes, I did.
 11 Q. That's -- it's like a generic sentence, that one.
 12 That's how I read it. Would you agree that when you're
 13 in the convoy, it's arranged that you can go in, people
 14 are shouting "Shame on you", "Puppy killers", and this
 15 you find scary, intimidating and harassing; correct?
 16 A. Yes.
 17 Q. "I felt nervous and bullied."
 18 Now, is this a collective bullying -- for example,
 19 let me put a word, "Leave us alone. You lot don't
 20 understand. This is a good place to work", et cetera,
 21 or is it personal bullying? You felt targeted?
 22 A. I felt targeted, yes.
 23 Q. Is that because people shouted your name?
 24 A. No, I just felt nervous and intimidated by what was
 25 going on around.

1 Q. Yes, it's your -- this is your evidence. I'm not
 2 dismissing or taking away your feelings. I'm just
 3 enquiring about them. It's what I've got to do because
 4 it's here in front of me. But I would question -- as
 5 we'll come to later, I put to you, throughout the
 6 evidence against me, at no point is there any concept
 7 from my behalf of targeting you personally and I would
 8 say on behalf of the behaviour of the protestors -- and
 9 you tell me otherwise -- you -- if I can put it this
 10 way, you get the same as the car in front and the car
 11 behind; would you accept that? You get the same as the
 12 car in front and the car behind or do you think in your
 13 case it would get louder and more aggressive as you
 14 passed into the gates?
 15 A. No, it was the same as the car in front and the car
 16 behind. It's just the way I felt. I felt bullied,
 17 intimidated and harassed, the same as everybody else.
 18 Q. Is there an element of collective bullying there? You
 19 just said "same as everyone else". Is it your case that
 20 you all get bullied then?
 21 A. I don't know. You'd have to ask them. But we all went
 22 through the same thing. We all went through the same
 23 thing, so ...
 24 Q. Okay. Let's carry on. Last sentence. Again, you know,
 25 before I drew attention to what might happen -- and I'm

1 not taking away your fears. I'm here to talk about
 2 them -- you were scared that protestors might smash the
 3 windows, that they might slash the tyres. Is that based
 4 on 34 years of some experience of reading the headlines
 5 and maybe having some personal experience of what
 6 militant campaigners could do?
 7 A. I don't quite understand the question. Could you
 8 repeat, please?
 9 Q. You're worried about your car getting -- the windows
 10 getting smashed and the tyres getting slashed, but
 11 nowhere -- certainly not -- my witness bundle, there are
 12 no incidents like that happening to you. I'm just
 13 asking about these fears of things that might happen.
 14 Are they -- I'm putting to you they're based on 34 years
 15 of knowing about the headlines -- of reading the
 16 headlines in papers and of knowing the exploits of
 17 animal rights campaigners, militant animal rights
 18 campaigners. So this is a fear based on -- it's fear
 19 based on fear really. Not fear based on what's
 20 happening in front of you but fear based on some --
 21 I wouldn't say "imaginary thoughts" because that would
 22 be to dismiss it, but fears based on some presumption of
 23 what might happen, not what was actually happening in
 24 front of you. Do you understand my long question?
 25 A. I do in a way, yes, but, no, that's how I felt. I felt

1 that that could happen -- not necessarily with what's
 2 been going on before, 34 years of experience. It's just
 3 the way I felt at the time.
 4 MR JUSTICE NICKLIN: Can I ask whether you still feel like
 5 that when you arrive in the site in the last few weeks,
 6 for example?
 7 A. Not so much the thought of they can slash the tyres, but
 8 I still feel scared and intimidated when I come into
 9 site and when I leave site. It's the same every day.
 10 MR JUSTICE NICKLIN: Is that a fear borne of uncertainty
 11 about what they might be capable of doing or what they
 12 are actually doing?
 13 A. It's a bit of both. I mean, they have a barrier to
 14 stand behind, but they -- some people still do try and
 15 come into the middle of the road and you just don't know
 16 what they're going to do and it scares me.
 17 MR CURTIN: If we go through, paragraph 20, you talk about:
 18 "I do not feel safe risking the protestors
 19 discovering my identity and targeting me in my life
 20 outside work."
 21 Yes?
 22 A. Yes.
 23 Q. I can understand that fear. Has your identity been
 24 discovered whilst working at MBR? Have you been
 25 personally outed?

1 A. No, I haven't.
 2 Q. Have you been personally targeted?
 3 A. No, I haven't.
 4 Q. Okay. And there's an incidence here of
 5 Bethany Mayflower and David Manning having some sort of
 6 encounter in Huntingdon town centre; yes?
 7 A. Yes.
 8 Q. Can I put it to you that this was -- when it happened --
 9 perhaps it was spoken about in work and this added to
 10 your fear -- there was a fear here that workers had
 11 begun to be targeted. I can imagine that was going on.
 12 Once you heard that David Manning -- something had
 13 happened to him in the town centre, this would raise
 14 your fears, "Oh, no, they're following us from work",
 15 for example?
 16 A. Sorry, I didn't mean to interrupt. Yes, it did raise my
 17 fears.
 18 Q. But this particular incident, there's the possibility,
 19 isn't there, it was a total accident? The camp is near
 20 Huntingdon town centre, it's in the local area, so
 21 rather than it being a targeted encounter, I ask you
 22 to -- could you accept that as a possibility it could be
 23 a purely accidental occasion, and, yes, it may have --
 24 I'm not disputing the evidence, Bethany Mayflower may
 25 have started heckling him, but what was a chance --

1 would you accept there was a possibility at least that
 2 this was a chance happening, but this chance happening,
 3 perhaps it heightened your level of fear, thinking maybe
 4 it's not a chance happening but it's actually been
 5 targeted? I'm sorry, I'll try and speed my questions
 6 up.
 7 My question to you is: would you accept that wasn't
 8 necessarily -- even though it's caused you fear -- an
 9 intentional act on behalf of Bethany Mayflower? It
 10 wasn't outside Mr Manning's house, for example.
 11 A chance encounter, I put to you, in a town centre,
 12 which has happened once in 22 months, has caused
 13 a lot -- especially at the time it caused a lot of fear
 14 and tension amongst the workers; would that be correct?
 15 A. Yes, it did cause fear and tension between the workers
 16 because, like I said in my statement, it could happen to
 17 anybody. It could happen to me. It could happen to one
 18 of my other colleagues.
 19 Q. Okay. When driving -- paragraph 22 -- you'd been told
 20 by your management and police that you shouldn't make
 21 eye contact or gesticulate at the protestors; yes?
 22 A. Yes.
 23 Q. In the past -- in your 34 years in the past, have you
 24 ever been given guidelines -- when it was Interfauna,
 25 did they give you guidelines, when it was

1 Harlan Interfauna, did they give you guidelines, when it
 2 was Envigo, did the management give you guidelines of
 3 how to protect your identity within this controversial
 4 area?
 5 A. We have been told never to make eye contact with the
 6 protestors, to never gesticulate to the protestors.
 7 Q. Does this go back? Is this 30 years ago pretty similar?
 8 You were told never to have anything to do with the
 9 protestors? 20 years ago? 10 years ago? Would that be
 10 correct?
 11 A. Yes, we've always been told to maintain -- you know,
 12 never make eye contact, never gesticulate to them.
 13 Q. That what you've done throughout the 34 years?
 14 A. Yes.
 15 Q. Okay. Right. Paragraph 23 -- yes?
 16 A. Yes.
 17 Q. -- it's about the identity of the protestors; yes?
 18 A. Sorry, what are you asking me?
 19 Q. I just want to point you first to paragraph 23. I'll be
 20 putting to you by the end of my [sic] evidence, I think,
 21 that me, Mr Curtin -- even one of your witnesses came up
 22 with the name -- I was about to say "bogeyman" and they
 23 said "Freddy Krueger". Let me just (inaudible). I've
 24 become a bit of a bogeyman for the MBR workers.
 25 Would you understand why I should say that?

1 A. I can understand why you've said it, yes, but I've never
 2 called any of the protestors any names other than their
 3 names they were born with.
 4 Q. And you don't have any social media accounts?
 5 A. No, I don't.
 6 Q. If I can ask, then, is that because you deliberately
 7 don't -- is it to do with your identity and security?
 8 Is it you just don't like social media?
 9 A. I just don't like social media. I never have had
 10 a media account.
 11 Q. Okay. I can understand that. So your information
 12 then -- what about -- do you know your way around
 13 a computer, like to search for things on Google,
 14 et cetera?
 15 A. I do, yes.
 16 Q. It's just that you've said the most of -- perhaps the
 17 majority -- let me see:
 18 "... am only engaged with the protestors' ..."
 19 Ah, so you've gained your knowledge -- some of your
 20 knowledge about me -- that's all I'll be talking about
 21 really, me -- through being informed by other work
 22 colleagues who do watch the social media; yes?
 23 A. Yes, they do, but I do remember you from a few years
 24 ago. But when your name came up at this protest,
 25 I thought, "Oh, yes, I remember him". Sorry --

1 Q. And what do you remember from those few years ago? How
 2 many years ago do you remember -- how long do me and you
 3 go back?
 4 A. I don't recall. I have heard of you in the past.
 5 Q. You were there when it was Interfauna. I was arrested
 6 and convicted for what I would say is not a crime but of
 7 liberating 82 beagles. Do you remember -- are you aware
 8 of that, that I have a previous past with the Wyton site
 9 in the fact that I broke in and took dogs away? Are you
 10 aware of that?
 11 A. Yes, I am.
 12 Q. And are you aware of that -- at what point -- do you
 13 remember at what point, once Camp Beagle started, the
 14 penny dropped and it was like, "Aha, I remember him"?
 15 Do you remember -- you don't have to tell me the time or
 16 the date, but roughly when? Was there a moment when you
 17 put two and two together and an old familiar name came
 18 back?
 19 A. I don't recall the exact -- but, yes, I remember, as
 20 soon as the names of protestors were being looked at,
 21 "I thought, yes, I remember".
 22 Q. So you were able to piece me together and link me to
 23 a previous action at Wyton many, many years ago, and had
 24 you perhaps seen me on television and the media, talking
 25 about animal experiments in the intervening time,

1 between then and Camp Beagle, or was Camp Beagle the
 2 first time that my name had come back up?
 3 A. As far as I can recall, this was the first time your
 4 name had come back up, at Camp Beagle.
 5 Q. Were you able to share your information with the other
 6 workers, what you knew?
 7 A. Sorry, say again.
 8 Q. Were you able to share -- let's start with what you
 9 shared with the other workers and then we'll come to
 10 what this worker -- were you able to share the
 11 information you knew about me with the other workers?
 12 A. I was, but I didn't because most of the time they were
 13 sharing information to me.
 14 Q. Okay. It's just that -- it would be my case -- it would
 15 be my case that I've been turned into a bogeyman. It's
 16 absolutely -- it's human behaviour to talk and gossip.
 17 You're not on trial here for gossip.
 18 I put to you that you got protestors outside. Once
 19 you discovered that's Mr Curtin, you would have involved
 20 yourself with conversations about your knowledge of
 21 Mr Curtin doing what you would say were militant actions
 22 back in the past; would that be correct?
 23 A. No.
 24 Q. Why not?
 25 A. Because when your name came up, it was those people --

1 it was other people informing me that Mr Curtin was the
 2 one that stole the beagles. I went, "Oh, yes,
 3 I remember now". So it wasn't me giving any information
 4 to my colleagues; it was my colleagues telling me.
 5 Q. Now, what else -- and remember you're on oath -- what
 6 else do you remember now, sitting here today, that
 7 you've been told by your work colleagues about
 8 Mr Curtin? A number of witnesses have come already and
 9 we've heard many things about Mr Curtin. What do you
 10 remember about what you've been told based on social
 11 media sites about Mr Curtin?
 12 A. I don't remember much. I mean, like I say, they told --
 13 they reminded me that Mr Curtin was the one that stole
 14 the puppies.
 15 Q. Does that --
 16 A. Because I'm not on social media, I don't --
 17 Q. Okay, yes. What about if I -- by the end of my [sic]
 18 statement I'm going to put to you I've become a bit of
 19 a bogeyman and, because of what people have heard about
 20 me, it's affected people's view of me. Have you ever
 21 heard, for example, that Mr Curtin, in his actions at
 22 the camp -- from the other people who have looked on
 23 social media sites, that Mr Curtin is, say -- "he's
 24 a bully". Have you heard that?
 25 A. That is in my statement but that is what I perceive from

1 my own view, from what I've --
 2 Q. But have you ever heard or read Mr Curtin described by
 3 someone else, not even a worker from MBR, as a "bully"?
 4 A. I've never heard anybody else say that. That's how
 5 I perceive it.
 6 Q. Okay.
 7 A. Nobody else has said to me that you're a bully.
 8 Q. Okay. What about things like stealing money from the
 9 campaign? Have you ever heard such things as that,
 10 ever?
 11 A. No, because I'm not on social media and not all the time
 12 do I hear stuff, so I've never heard that.
 13 Q. Okay. So if there was gossip going on about me, you've
 14 hardly participated in it at all? That's your evidence
 15 here, then; yes?
 16 A. Yes. I just listen and ...
 17 Q. Okay. So let me take you to paragraph 25 and, again,
 18 I'm just going through your evidence chronologically.
 19 Yet you "find ... (John Curtin) in particular to be the
 20 most frightening". When we go on to see the reasons
 21 why: he "uses the loudhailer". In itself -- I'm not
 22 here to belittle you; I'm here to go through it. In
 23 itself using a loudhailer shouldn't necessarily be
 24 terrifying, should it?
 25 A. It is. When you're shouting through a loudhailer, it

1 comes across very intimidating, scary, frightening,
 2 aggressive. It's not nice.
 3 Q. No, not nice. It's -- that's something that's come out
 4 from other witnesses, that same thing, it's not nice.
 5 So the fact that I use a loudhailer:
 6 "He seems ... a bit of a bully ... when he is using
 7 the [megaphone] ..."
 8 So you think I use the megaphone as, I don't know,
 9 a kind of weapon?
 10 A. Yes, I do.
 11 Q. And:
 12 "It seems ... that he would rather convince another
 13 protestor to do the 'dirty work' and get arrested, while
 14 he takes a step back."
 15 Can I put to you that's absolutely wild speculation
 16 about me or -- it's my case -- tell the court what that
 17 sentence is based on.
 18 A. That sentence is based on how I perceive the actions.
 19 Q. Okay. Right. Historic protests. Remember at the
 20 start, with your 34 years of experience, I said then --
 21 I put to you that maybe you've created a bit of
 22 a nostalgic period about the past, that you've --
 23 because you talk in terms of how Camp Beagle has
 24 affected you so strongly that -- I'm here to remind you
 25 of the fact that, in those 34 years, there's been a lot

1 of incidences that perhaps you've forgotten.
 2 A. Can I just point out at this stage that the 34 years
 3 that I have been in the industry, there is a slight --
 4 what's the word I'm looking for? -- it's slightly
 5 incorrect. I have been at the Wyton site since 1997,
 6 which is 26 years. The eight years previous to that,
 7 I was at the Stukeley Meadows site in Huntingdon.
 8 Q. Okay. Yes. That was a place, Stukeley Meadows, which
 9 we don't -- we won't be allowed to go into anyway -- but
 10 it was a large industrial unit that bred -- is it
 11 correct it bred rodents there?
 12 A. Yes.
 13 Q. And if my memory serves me correctly, there were many
 14 different kinds of rodents bred there -- would that be
 15 correct? -- like rodents with certain abnormalities,
 16 with certain --
 17 MR JUSTICE NICKLIN: Okay, Mr Curtin, we're not going into
 18 this.
 19 MR CURTIN: Okay. So when it was owned by Harlan, from 1997
 20 onwards -- I just want to take you to:
 21 "The protestors from then (around 1997) were mostly
 22 young teenagers who were a bit naive."
 23 Yes?
 24 A. Yes.
 25 Q. I talked to you before about an actual friend of mine

1 who died in prison on hunger strike. I put it to you
 2 that that was around that time, 1997 -- it was around
 3 the end of the 1990s and it was a time when you had --
 4 let me ask you about -- have you ever heard of a group
 5 called "SHAC", Stop Huntingdon Animal Cruelty?
 6 A. Yes, I have.
 7 Q. So there was a group and, even though they were
 8 a campaigning group, the leaders of that campaign
 9 eventually went to prison for -- lengthy prison
 10 sentences and I would say the nature of that campaign
 11 was very militant in its nature. It set out to target
 12 workers, to use illegal direct action -- an extremely
 13 militant campaign, I think to the point of there were
 14 even some uses of physical violence in that campaign.
 15 Do you remember that?
 16 A. I don't remember all of it, but I do remember SHAC, yes.
 17 I don't know the ins and outs of ...
 18 Q. So this line, "The current protestors are more
 19 aggressive and threatening in terms of how close they
 20 get to the cars ...", there has always been this
 21 controversy, hasn't there? It's just that you --
 22 would it be correct to say that this is the first direct
 23 experiences, close-up experiences, that you're actually
 24 having with the protestors? Even though you've been
 25 involved for 34 years, you've experienced, yes, sporadic

1 protests, but the Camp Beagle situation put you into
 2 a situation where this was happening daily, and these
 3 things had happened before across the industry, but now
 4 it was happening here at the place you work -- is that
 5 correct? -- on a regular basis.
 6 A. Yes.
 7 MR JUSTICE NICKLIN: Can I just ask, when you say they were
 8 "mostly young teenagers who were a bit naive", what
 9 do you mean by they were a bit naive?
 10 A. I think at the time, from what I can recall, they
 11 weren't very organised. They would just show up every
 12 now and then and then disappear. I just don't think
 13 they were very organised.
 14 MR CURTIN: The last sentence:
 15 "I still felt scared at the time, but not as much as
 16 I do from the current protestors."
 17 So there's a bit of a paradox there, that on one
 18 degree you create a golden age where these young
 19 teenagers were a bit naive, but even that, you do have
 20 some memory of -- you do have some residual memory of
 21 having some fear, just of protestors?
 22 A. Yes, they were scary at the time because I was younger
 23 then, but now it's just persistent and it is more scary.
 24 Q. Okay, so paragraph 28:
 25 "The current protestors are also a lot more

1 persistent."

2 It would be my case to you that it's this

3 persistence that -- is it the persistence that has

4 perhaps most got to you? It's one thing going into work

5 and getting shouted at, "Puppy killer", "Shame on you",

6 people say stronger things than that. It's when it

7 happens every day that this has had this kind of effect

8 on you -- the fact there are protests every day, this

9 has had this cumulative effect on you?

10 A. Yes, when it happens every day, it wears you down.

11 I mean, I'm going into work to do my job and to face

12 that every single day, in the mornings and in the

13 evenings. It does wear you down.

14 Q. It's -- no, it's not even ... I was going -- there's

15 a bit here:

16 "They did not camp outside the site like the current

17 protestors have done."

18 Do you remember any camps over the years, even if

19 they just lasted a weekend? Just I have in my head at

20 least one camp that lasted for a short period outside of

21 the Wyton site. Would you be able to help me there or

22 not?

23 A. I only recall the tents there at the weekend, but not

24 full term like the camp is now.

25 Q. Yes. Paragraph 29, again I think there's a theme here

29

1 that -- you talk of:

2 "It was a terrifying experience to enter and exit

3 the Wyton Site between June and November 2021 ...

4 because I know how they can behave (and did behave

5 during that period)."

6 So you talk of frustrating and annoying and -- but

7 in terms of terror, I mean, you have to -- it's my case

8 that the police were there throughout the whole period.

9 You can still be -- this is your feelings and this is

10 what you've written down. I'm just trying to get

11 a sense of scale, that for you, going in and out the

12 Wyton site, and having protestors every day, even though

13 there were police around -- for you this created a level

14 of terror?

15 A. Yes, it has.

16 Q. Again, 32:

17 "... overwhelming feeling of dread and fear ..."

18 Because you said it's not nice to go past

19 protestors, being called "Puppy killer", is it?

20 A. No, it's not.

21 Q. It would be my job here to defend myself, but I can

22 imagine dreading the demonstration that perhaps I would

23 be on, but when it comes -- the word "terror", we'll

24 have to come to that. To have terror of protestors,

25 I would --

30

1 A. Can you show me my statement where it says "terror"?

2 Q. Yes, paragraph 29, the first sentence:

3 "It was a terrifying experience to enter and exit

4 ..."

5 It's a like a generic terror. Every day there was

6 terror.

7 A. I find it terrifying to come into site every day.

8 Q. Okay. Let me take you to paragraph 32, where I'm saying

9 your terror -- which I'm not taking away from you. It's

10 not my job to:

11 "... I am afraid of the protestors attacking us and

12 damaging our cars ..."

13 So again the terror is going to come from this fear

14 of things like that happening. It's perfectly

15 understandable; yes?

16 A. Yes.

17 Q. "... because I am aware of the lengths that protestors

18 will go to in order to stop or cause us harm, especially

19 because of the hatred and anger they protest with."

20 Again, you can hear them shouting, they're near your

21 car and it's this element of, like, "What are they going

22 to do next?". That's where -- if we're going to use

23 words like "fear" or "terror", it's what might happen,

24 isn't it? Understandable.

25 A. Yes, it is -- I do fear it and there is dread.

31

1 Q. Yes, because it's not your evidence in this statement

2 that indeed your car was surrounded, had its windows

3 smashed, kicked, people entering the car. It's the

4 fear, isn't it?

5 A. It's the fear of what could happen, yes.

6 Q. If I may point you to the -- you know what level the

7 protestors will go to, you say "especially because of

8 the hatred and anger they protest with". Those are your

9 words. Another word I would use would be "love and

10 compassion". Would you disagree with that?

11 A. In what context? You certainly don't show us love and

12 compassion.

13 Q. There's the protestors outside the gates, "Shame on

14 you", "Puppy killers". That's generated not necessarily

15 from hate and anger but there's love behind it too and

16 there's compassion and a belief in the protestors'

17 feelings that would generate them. Not just negative

18 hatred and anger. Do you see a positive side to why

19 people would be demonstrating?

20 A. All I see are protestors shouting, swearing, calling us

21 "Puppy killers".

22 Q. The last sentence of that:

23 "It makes me very angry when they behave like this

24 ..."

25 Ah, okay, this is people -- this is like people

32

1 going in front of the cars.
 2 " ... because it appears that their intention is to
 3 cause an accident (or even if they do not intend it, it
 4 is likely that they will)."
 5 Yes? We'll come to that in a minute.
 6 Have you ever had -- I'll tell you what, we'll come
 7 to that a bit later. I've made a note. It's about --
 8 anyway we'll come to it later.
 9 Shall we have a break at all?
 10 MR JUSTICE NICKLIN: It's 11.30. If you'd like a break --
 11 would you like a break?
 12 MR CURTIN: No.
 13 MR JUSTICE NICKLIN: We'll take it normally at 11.45.
 14 MR CURTIN: Yes, well, let's deal with it here. It's
 15 actually here. Paragraph 34, even protestors standing
 16 at the side of the road, they worry you, because:
 17 " ... I have been informed by the police and other
 18 staff at MBR that it is a protestor tactic to be hit by
 19 a car on purpose, and then claim it was the fault of the
 20 driver that they were hit."
 21 Yes?
 22 A. That's what I was told, yes.
 23 Q. I actually find that offensive, especially with me,
 24 seeing as one of my best friends was actually killed
 25 whilst protesting. So I find it offensive and I want to

1 know, is that a common story, accusation, amongst the
 2 MBR workers, that the protestors actually want to get
 3 hit by a car?
 4 A. I don't know if -- a common story, I wouldn't call it
 5 that, but if that's what we were told by the police, we
 6 need to be careful when driving out, because they --
 7 some of the protestors would stand in front of the car.
 8 Q. Yes. You've seen me -- we're going to watch a video in
 9 a minute. I'm standing near your car. So when did the
 10 police tell -- did the police tell you this?
 11 A. They were -- yes, they did.
 12 Q. When?
 13 A. Not personally but we were informed of the tactics.
 14 I don't recall exactly when.
 15 Q. Do you remember a seminar called by the police where
 16 they came to address MBR workers? Do you remember that?
 17 It's been spoken of by someone. This is actually
 18 a seminar when the police came in.
 19 A. I vaguely remember it. I don't recall when it was.
 20 Q. Did you attend that meeting as a senior member of staff?
 21 A. I probably did. I don't recall. It was a long time
 22 ago.
 23 Q. Is there any point asking you any more questions about
 24 that meeting, in relation to -- is it just a vague
 25 memory you've got that that idea -- that that came from

1 the police and you're not going to be able to help us
 2 much more than that? Is that your case?
 3 A. All I can say is I was -- we were informed by the police
 4 but I don't recall when.
 5 Q. More than once or -- just this vague idea you've got of
 6 the police meeting, was that it or do you think you've
 7 been told that a number of times by the police?
 8 A. As far as I'm aware, it was just the once.
 9 Q. With your vague recollections of that -- other witnesses
 10 have said that MBR workers were able to ask them
 11 questions. Do you remember that in the police seminar?
 12 A. Vaguely, yes. I wouldn't call it a "police seminar",
 13 though.
 14 Q. Okay. Just other workers have described it as that.
 15 That's why I call it that.
 16 A. Oh, okay.
 17 Q. What would you describe it as?
 18 A. Well, it was just -- it was just a meeting with the
 19 police, as far as I was -- as I can remember.
 20 Q. Do you remember the police being asked any questions
 21 about myself -- any workers asking the police, "What
 22 about Mr Curtin? We've got some information, for
 23 example, that he broke in here before. What can you
 24 tell us?". Do you remember anything like that?
 25 A. No, I don't.

1 Q. A simple point, paragraph 34:
 2 "I believe the protestors want to cause me as much
 3 distress as possible at work and at home to force me to
 4 leave my job."
 5 A. That's how I feel, yes.
 6 Q. Is it a generic they want you to leave or they want all
 7 the workers to leave or do you feel it's towards you
 8 particularly?
 9 A. No, I think it's to all of us. Not just me
 10 individually; us as a group.
 11 Q. Again --
 12 MR JUSTICE NICKLIN: Well, before we leave this paragraph,
 13 can I just ask about the suggestion that the protestors
 14 had a tactic of being hit by a car on purpose in order
 15 to get the details of the person who was driving? In
 16 the 22 months that's taken place of the protests, has
 17 there been an incident like that?
 18 A. There have been a couple of incidents -- instances where
 19 people have just stepped out in front of my car.
 20 MR JUSTICE NICKLIN: How fast were you going when they
 21 stepped out in front of you?
 22 A. I was probably doing 30 miles an hour because I'd just
 23 left site and, because there's now speed limits along
 24 that road, it goes -- from site it goes from 30 miles
 25 an hour to 40 miles an hour.

1 MR JUSTICE NICKLIN: Did that cause you to have to do an
 2 emergency stop?
 3 A. Not an emergency stop as such but I had to brake pretty
 4 quickly because they just appeared from behind a car.
 5 MR CURTIN: As we'll see in the video that we'll quickly run
 6 through in a moment, indeed there's evidence that the
 7 protestors do sometimes go in front of the car and there
 8 seems to be a drive amongst the protestors to slow the
 9 cars down. I put it to you that that could be just in
 10 terms of the fact that you see their banners that the
 11 protestors held, so it would be my defence that there
 12 was some obstruction of the workers but it was of
 13 a temporary nature, as in temporary, and it was there to
 14 facilitate a protest. So would you just accept that
 15 there are perhaps other reasons why people might go in
 16 front of your car other than they want to be hit?
 17 A. I think -- to me, I think they want to cause as much
 18 disruption as possible and, if it means getting hit by
 19 a car, that's disruption.
 20 Q. Okay.
 21 MR JUSTICE NICKLIN: And in relation to these incidents that
 22 you've told me about, is it your impression that the
 23 person was intending to be hit by your car?
 24 A. It certainly looked that way to me. This lady just
 25 stepped out from behind the car, out of nowhere.

1 I couldn't see her. All I could see was the parked car
 2 because it was the big car and she was just there in
 3 front of me.
 4 MR JUSTICE NICKLIN: And what was it about the incident that
 5 made you think that she was deliberately putting herself
 6 in harm's way to be hit by your car?
 7 A. Sorry, could you repeat the question?
 8 MR JUSTICE NICKLIN: What part of what she did made you
 9 think that she was stepping out deliberately to be hit
 10 by your car?
 11 A. Because she was that close to me. I mean literally she
 12 pulled out -- she walked out and I was -- she walked out
 13 when I was that close to her. I could have --
 14 MR JUSTICE NICKLIN: Did she walk out looking at you --
 15 looking at you and your vehicle?
 16 A. Yes, she did. And she stood there swearing and
 17 shouting, calling me names, calling my passengers names.
 18 I perceive it that they're doing it to make an accident
 19 happen, whether it be for them to be hit or whether to
 20 make us swerve into oncoming traffic. It's just scary
 21 because you never know what's going to happen.
 22 MR JUSTICE NICKLIN: Did you report these incidents?
 23 A. I reported them to security who reported them to the
 24 police.
 25 MR JUSTICE NICKLIN: Thank you.

1 MR CURTIN: Paragraph 40:
 2 "The protestors often shout at us that we are puppy
 3 killers, puppy abusers and liars and we should be
 4 ashamed ..."
 5 Yes?
 6 A. Yes.
 7 Q. I think we'll deal with this when it comes to the next
 8 bit -- after the break, we'll watch a video. Perhaps
 9 I'll come to a particular element of that and we can
 10 break that down.
 11 Sorry. It carries on:
 12 "As well as being hurtful and dispiriting ..."
 13 I just want to accept that that's -- I can
 14 understand you using those terms. The terror, I don't
 15 take it away from you but I challenge it. But hurtful,
 16 dispiriting -- the next paragraph talks of your
 17 frustration, 41.
 18 In paragraph 39, if you go to that:
 19 "As a result of how nerve-racking it is to drive
 20 [through protestors] ..."
 21 I'd say that these are much more terms that I can
 22 reconcile with the evidence, that it wasn't pleasant, it
 23 was annoying, dispiriting, hurtful and indeed could be
 24 nerve-racking. Of course it's going to be
 25 nerve-racking driving through protestors. So we are

1 agreeing that -- I'm agreeing with you that it's an
 2 unpleasant situation to be in. Would you accept that?
 3 A. Yes, it is terrifying.
 4 Q. But because you know the controversial nature of your
 5 work, I put it to you that demonstrations are in one
 6 respect inevitable and in fact they're understandable,
 7 and people will demonstrate at this Wyton site and they
 8 have done and there's nothing wrong with that. If they
 9 break the law, they'll be arrested. What have you got
 10 to say to that?
 11 A. Peaceful protesting I have nothing against. When you
 12 have people shouting at you, calling you "Fucking scum",
 13 "Puppy killers", every single morning and every day,
 14 when you go home, it's not nice, it's not peaceful.
 15 MR CURTIN: Okay. I think this would be a good place to
 16 break.
 17 MR JUSTICE NICKLIN: Okay. Right, Employee A, we're going
 18 to have our mid-morning break now so we're going to
 19 reconvene at midday. Please don't discuss your evidence
 20 while on that break. That's nothing specific to you.
 21 It's a warning I give to all witnesses. All right?
 22 A. Okay. Thank you.
 23 MR JUSTICE NICKLIN: Thank you very much. Right. We'll
 24 come back at midday.
 25 (11.43 am)

1 (A short break)
 2 (12.01 pm)
 3 MR JUSTICE NICKLIN: Yes, Mr Curtin.
 4 MR CURTIN: Hello, are you there, witness?
 5 A. Yes, I'm here.
 6 Q. So there's a number of remarks in paragraph 40 about how
 7 you get hurt when you get called, for example, "Puppy
 8 killer " and it's not true and you have a dog at home and
 9 you love animals. I want to sort of jointly deal with
 10 that as we go through. I just want to show you a small
 11 section of the video. It's in your evidence bundle --
 12 well, the MBR solicitors have this incident. There's
 13 one more incident of a video that's in your bundle but
 14 this is evidence that has been introduced to me as
 15 evidence against me and I'm going to -- you specified
 16 a time on the video 301 and I'm just going to play
 17 a little section of it and it will indeed show -- I'm
 18 not disputing it -- that a person -- hopefully we can
 19 come to some agreement -- one of the people shouting
 20 things like "Shame on you" is indeed myself. Let's
 21 watch a bit of the video, an example, and I might say
 22 "Stop" at some point. Before we start, can you see the
 23 video in front of you?
 24 A. Yes, I can.
 25 Q. And can you see the police officer standing there?

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1 A. Yes, I can.
 2 Q. I put it to you that this is on September so the camp
 3 has been going for some three months. I put it to you
 4 that what we're about to observe here is something
 5 of a -- I call it a ritual, a daily ritual, where the
 6 protestors -- they may protest to your dissatisfaction
 7 but the protestors are protesting. The police are
 8 there, obviously watching people slow the traffic down,
 9 sometimes even stopping the traffic for brief moments.
 10 Would you accept that it's what looks like -- and it's
 11 three months in and it's been daily, so by this time
 12 people seem to be, I would say, participating in
 13 a ritual. What would you have to say about that, that
 14 word "ritual"?
 15 A. Not a lot really. It's not -- sorry. Yes, I suppose it
 16 is a ritual but it's still a disruption.
 17 Q. Yes, yes. Say the policeman even -- he seems -- I would
 18 say, as we watch it, there seems to be -- everybody kind
 19 of knows what's roughly going on. Obviously you can
 20 have a level of fear, that you've got this fear that it
 21 might get worse, but when I talk in terms of this
 22 ritual, this is something that happened the day before
 23 that and the day before that and the day before that.
 24 There were protestors, maybe different ones; there were
 25 police officers. Yes, you've kind of accepted the

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1 ritual. It's just a word I've used to try and help the
 2 court along.
 3 But let's watch the video and then I'll say "Stop"
 4 at some point.
 5 (Video played)
 6 Can we stop there? Are you able to help the
 7 court -- I don't know -- is that your vehicle?
 8 A. Yes, it is.
 9 Q. Okay. Well, that's handy because I am -- I would say
 10 I'm at the side of the vehicle, but I'm not directly in
 11 front of the vehicle, but I've sort of kind of stepped
 12 out in the road and I've gone "Shame on you". But
 13 I would invite you to watch now -- even with me,
 14 there's, I'd say, ritualistic behaviour and I'd say
 15 let's -- I've pointed at you and said "Shame on you";
 16 yes? Did you hear that?
 17 A. Yes.
 18 Q. Are you the driver of the vehicle there; yes?
 19 A. Yes.
 20 Q. But I put to you a simple point, that, yes, I'm saying
 21 "Shame on you", but you'll have heard it -- a similar
 22 thing to the car, and you'll have heard it every day
 23 before then, "Shame on you". I ask you to accept that
 24 in that case it's "you" meaning the MBR workers, one of
 25 the MBR workers. Would you accept that?

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1 A. Yes, you're pointing at me, saying "Shame on you".
 2 Q. Okay. Now, that's all I want to show of the video
 3 actually.
 4 Let's go on to how it feels for someone to say
 5 "Shame on you" -- how it feels for you when someone says
 6 "Shame on you".
 7 A. It feels horrible. I don't know why people have --
 8 Q. You don't know why. Okay.
 9 A. I hadn't finished. I don't know why protestors have to
 10 say that. I have no shame for what I do.
 11 Q. Okay. There's certain rulings gone on here and we're
 12 not going to be able to go into the right and wrongs.
 13 Because of that, do you accept that there is a --
 14 I can't think of any other way -- a significant
 15 proportion of the British public, a sizeable number of
 16 people -- not a tiny minority of people -- that have
 17 really strong views about animal experiments and utterly
 18 condemn them? Would you accept that?
 19 A. Sorry, could you repeat that? I didn't quite hear.
 20 Q. Would you accept that there are a large number of
 21 people, very large -- extremely large people [sic] who
 22 hold the opinion that animal experiments are
 23 a modern-day horror story and they're scientifically and
 24 morally bankrupt? Are you aware that that point of view
 25 is one that's out there in the general public?

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1 A. I accept that some people don't like it , but I wouldn't
 2 accept the fact that a large majority of people don't
 3 like it .
 4 Q. It's going to be difficult to get into the numbers game.
 5 Why don't you think there are large --- people --- do you
 6 think it's a small minority point of view?
 7 A. No, but I don't think it's a large majority of people.
 8 There are people out there that don't like it . I accept
 9 that.
 10 Q. I think that's all I'm after at the minute. For
 11 example, there was a Daily Mirror article the other day.
 12 Are you aware of a recent Daily Mirror article of last
 13 week that talked about Marshalls flying dogs into this
 14 country that received the headlines? Are you aware of
 15 that?
 16 A. I don't read the papers. I don't read the papers.
 17 I wasn't aware of it .
 18 Q. No one told you at work. It's not important. Your
 19 company was --- normally if you work in a company and it
 20 appears in the headlines, it's going to get spoken
 21 about. Has that not been spoken about amongst you and
 22 your work colleagues?
 23 A. No.
 24 Q. I put it to you that that in itself is a bit odd. If
 25 I was working somewhere today and the next day it was in

1 the national newspapers, I think that would be a matter
 2 of interest . Is it because you're so used to being in
 3 the headlines, do you think, or what ---
 4 A. No, just that I don't think a lot of people read the
 5 newspapers at work.
 6 Q. Okay. So let's get on to the --- this is a question that
 7 I've posed to all the witnesses. So how does it feel to
 8 be called a puppy killer , for you to be called a puppy
 9 killer ?
 10 A. Horrible because I'm not a puppy killer .
 11 Q. So I take it , then, in your 34 years --- in this
 12 courtroom the witnesses seem to have sometimes a problem
 13 with the word "puppy killer". Euthanasia often gets
 14 mentioned. Has there been either killing or euthanasia
 15 in your 34 years that you've taken part in at the Wyton
 16 site --- either euthanasia or the killing of puppies at
 17 the Wyton site? Has that taken place?
 18 A. Not for me, no, because I work in the office .
 19 Q. All right. That's useful. So is that the entire ---
 20 this is useful for me to know, the entire --- virtually
 21 the entire time, office work. So there's no --- yes, so
 22 office ---based job; yes?
 23 A. Yes.
 24 Q. So I've put this to other witnesses, for example, the
 25 maintenance man. Are you aware that animals are either

1 killed or euthanised on the Wyton site? Have you an
 2 awareness of that with your paperwork?
 3 A. I don't deal with euthanasia paperwork either.
 4 Q. Ah, I didn't ask you that. I said are you aware ---
 5 remember you're under oath --- that at the Wyton site
 6 dogs are either euthanised/killed?
 7 A. I am aware of dogs being euthanised, yes.
 8 Q. I'm going to ask you a few questions on this subject
 9 because it's important. You were there in what's been
 10 referred to as the "transition period", when the company
 11 changed hands from ---
 12 A. Yes, I was.
 13 Q. And would you accept that, in that period of time, in
 14 that transition period, there were a number of dogs on
 15 site during the transition that were euthanised?
 16 Would you accept that from your knowledge?
 17 A. From my knowledge, I don't know because I work in the
 18 office . I don't have anything to do with the euthanasia
 19 side of it .
 20 Q. But are you sure you don't know? I put it to you ---
 21 sorry.
 22 A. I've always --- I'm not always given information
 23 regarding what goes on in the units.
 24 Q. Okay, I imagine that. But in this transition period
 25 I put it to you that there was an extensive operation ---

1 let's call it "euthanasia" --- to make way for the new
 2 stock. There's the Envigo dog and now there's a new
 3 dog. There was euthanasia on site, extensive euthanasia
 4 during that transition period. Have you any awareness
 5 of that?
 6 A. I have a vague recollection of it but I don't have full
 7 knowledge of what goes on ---
 8 Q. Okay. What about the ---
 9 A. --- or what went on at that time.
 10 Q. Any time I interrupt you, I do apologise.
 11 What about the --- are you aware of the bleeding
 12 licence that MBR holds?
 13 A. I'm aware of the licence, but, again, it's something
 14 that I don't deal with because I work in the office .
 15 Q. Yes, but if we're dealing with paperwork ---
 16 A. I don't deal with that sort of paperwork.
 17 Q. Okay.
 18 A. My role is to place purchase orders for goods.
 19 Q. Okay. What about the --- would it be the first time
 20 you've ever heard it in your life if I was to mention to
 21 you the terminal bleeding procedure?
 22 A. I've heard of it , but that's all .
 23 Q. Okay, so I'll give you the same line of questioning as
 24 I gave to the maintenance man. Do you understand --- we
 25 don't have to agree about this, but in this --- I would

1 say this sizeable -- however you want to quantify it --
 2 proportion of people out there who have these strongly
 3 held beliefs, they would -- do you accept there are
 4 people who would come to this conclusion: by working at
 5 MBR, by working for this company, it's not -- if
 6 a dog -- if a puppy had to go through the terminal
 7 bleeding procedure, there are people out there who would
 8 hold all the workers of MBR, that would include the
 9 office worker -- even if you told those people, "I'm
 10 just an office worker", would you accept that there is
 11 a point of view out there that all the workers are
 12 culpable, are in some way jointly responsible, not just
 13 the ones with the blood on their hands? How would you
 14 answer that?
 15 A. I don't really know.
 16 Q. Well, when I said "Shame on you", when I call MBR
 17 workers "Puppy killers", that's exactly what I have in
 18 my head. I don't care if you haven't got blood on your
 19 hands because your wages contains literally blood money.
 20 That's my point of view. But would you accept that that
 21 point of view could reasonably be held by a large
 22 majority of other people?
 23 A. It could be held by a majority of people, yes, I guess.
 24 Q. Okay. I've got one last question on that paragraph 40,
 25 and this is just ...

1 You talk about the trauma and the stress and being
 2 stressed when you arrive home. You talk about having
 3 a dog at home; yes?
 4 A. Yes, yes.
 5 Q. And you love animals?
 6 A. Yes, I do.
 7 Q. Do you accept that you're in a workplace -- MBR is
 8 a workplace --
 9 A. It is a workplace.
 10 Q. -- and the idea of that workplace is to raise dogs to be
 11 subjected to experiments, albeit licensed by the
 12 Home Office, and some of those experiments, because
 13 they're licensed, they're able to -- they would include
 14 some pain and suffering? Would you accept that?
 15 A. Well, I don't really know how to answer that one.
 16 I accept that medical research goes on.
 17 Q. Okay. And the dog you have at home, simple -- you treat
 18 that dog differently, I would suggest to you, than you
 19 do the beagles of MBR Acres.
 20 MR JUSTICE NICKLIN: Well, she doesn't have a role directly
 21 in relation to the dogs at MBR Acres.
 22 MR CURTIN: Pardon?
 23 MR JUSTICE NICKLIN: The question is not premised correctly
 24 because she's told you that she doesn't have an
 25 involvement with the dogs at the site.

1 MR CURTIN: Okay.
 2 MR JUSTICE NICKLIN: Let me ask a couple of questions,
 3 Mr Curtin, that arise from this paragraph.
 4 MR CURTIN: Thank you.
 5 MR JUSTICE NICKLIN: Employee A, you say in that paragraph:
 6 "As well as being hurtful and dispiriting [this is
 7 when people call you "Puppy killers"], the insults
 8 particularly confuse and frustrate me, as they are not
 9 true."
 10 Can I just be clear? Do you understand why the
 11 protest message that is shouted is "Puppy killers"?
 12 A. I understand why it's shouted but it confuses me because
 13 I don't have any involvement with the dogs.
 14 MR JUSTICE NICKLIN: So you know that when you are driving
 15 in and they shout that to you, you don't think that that
 16 label applies to you?
 17 A. It obviously -- they think it does apply to me but now
 18 they're aware that it shouldn't. But, as Mr Curtin
 19 said, it's all MBR staff that are targeted with the same
 20 label, if you like, of being a puppy killer.
 21 MR JUSTICE NICKLIN: Yes. Okay.
 22 MR CURTIN: I'm not being too clever. I'm just saying, did
 23 you say it amuses you, do you think, that people mistake
 24 you for an actual puppy killer?
 25 A. No, it doesn't amuse me.

1 Q. I thought you said that. Apologies if you didn't.
 2 MS BOLTON: If it helps Mr Curtin, I think the witness said
 3 "it confuses".
 4 MR CURTIN: I do apologise. I just asked that question.
 5 Right. Let's crack on. We're nearly there.
 6 So since -- paragraph 60:
 7 "The protestors [they] still shout at us and call us
 8 names ..."
 9 Yes?
 10 A. Yes.
 11 Q. Those names still hurt?
 12 A. Yes, they do.
 13 Q. Paragraph 61, there's an incident with a cracked
 14 windscreen; yes?
 15 A. Yes.
 16 Q. If you could accept it from me -- it's 61, 62 -- it's
 17 about that -- well, paragraph 61 is about the cracked
 18 mirror -- the cracked windscreen and I just want you to
 19 confirm that that's not an allegation against me. It's
 20 just it's in the bundle against me and you're not
 21 suggesting, are you, that I'm responsible for that
 22 cracked windscreen?
 23 A. No, I'm not suggesting you are. You were not involved
 24 in that incident.
 25 Q. Did you report it to the police?

1 A. I'm sorry, say again.
 2 Q. Did you report it to the police?
 3 A. Yes, I did.
 4 Q. Do you know of any action taken?
 5 A. No further action was taken because the person that did
 6 crack my windscreen emailed the police and admitted that
 7 she did it.
 8 Q. Okay. I'll tell you what, if you can -- okay. Let's go
 9 to paragraph 73, video 198, two minutes 13. Now, bear
 10 with me. We've nearly finished. I can't seem to find
 11 the quote, but I thought in your statement you described
 12 me as something like a boss, "Mr Curtin appears to be
 13 the boss of the protestors [as read]". Is that in your
 14 statement or am I getting mixed up with something else?
 15 Sorry if there's confusion.
 16 MR JUSTICE NICKLIN: Yes, it's paragraph 25.
 17 MR CURTIN: Ah, thank you.
 18 A. Yes, I think we'd already discussed this.
 19 Q. Yes.
 20 A. That's the way I perceived.
 21 Q. Okay. I'd just like you to watch this video and the
 22 scene I would invite you to, would you accept from me
 23 that -- this is at 3 o'clock and there's quite a large
 24 number of police officers there and I put to you,
 25 hopefully not too controversial, that there's

1 a particular -- I'd say a heightened state of animated
 2 behaviour from the protestors, as we'll see in a minute.
 3 It's the day of -- I would put to you it's the day when
 4 the workers are leaving on the day that there has been
 5 a dog van shipment. That means Impex vans have come and
 6 left and taken the dogs to the laboratory. And on those
 7 days, protestors, if they're angry already and
 8 passionate, that seems -- that's heightened on a day
 9 like this; would that be correct?
 10 A. Yes, they seem to be more agitated.
 11 Q. Yes. And I'm putting to you that, in terms of
 12 Mr Curtin, that we know he's a senior person who has
 13 been involved for decades -- I invite you to watch
 14 Mr Curtin's behaviour in this video, that all around him
 15 there is, I'd say, a scene of -- I wouldn't put it as
 16 "mayhem", but this is a heightened scene. This is
 17 a high energy, high atmosphere. But keep your eyes on
 18 Mr Curtin, as I say, and we'll point to him in a minute.
 19 Rather than Mr Curtin using his experience to ratchet up
 20 radical behaviour, I would just -- there could be
 21 another reading of that, by the time we watch it, as
 22 Mr Curtin actually dampening down energies. I just
 23 invite you to think of that as we're going along and
 24 I'll point you to particular bits. If we just play the
 25 video.

1 (Video played)
 2 Let's stop there. In fact -- oh, dear. Can we go
 3 back? How long is this whole video, do we know?
 4 MS BOLTON: I think it's three minutes.
 5 MR CURTIN: Let's watch the three minutes and I may ask
 6 you -- let's take it from the start.
 7 (Video played)
 8 So before we start -- so this is after the
 9 injunction, but because -- I think because of the --
 10 it's on a dog van day, I think there's a few extra
 11 police that are there than me and you would normally
 12 expect. The police have got a sight -- they have
 13 obviously got a heightened level of alertness; yes? I'm
 14 just saying, even for the Wyton site, the workers coming
 15 out -- there's quite a few police there; yes?
 16 A. Yes.
 17 Q. Okay, let's watch the video.
 18 A. I can see five.
 19 Q. Yes.
 20 (Video played)
 21 If we could stop there. It would be my case that,
 22 if you look for that banner, "Sick Industry", there's
 23 a person behind the red and white traffic cones and
 24 that's me, I would say -- I would invite you to look at.
 25 If we could just play the video.

1 (Video played)
 2 Okay, if we stop there. So it looked like all the
 3 other protestors are on this side of the carriageway,
 4 which is allowed under the injunction, but Mr Curtin was
 5 actually behind the banners -- the road barriers and
 6 he's come out and he's kind of dealt with a situation by
 7 pulling one woman to one side, who seemed to be having
 8 an altercation with the police. Could you accept that?
 9 I'm not expecting you to accept it, but "You could be
 10 right" or "That looks like that might be happening"
 11 would do for me.
 12 A. Yes, I see that, yes.
 13 Q. Okay. Let's carry on.
 14 (Video played)
 15 If we could stop there, I seem to be intervening
 16 again. There's a protestor there and, if you look, that
 17 woman has a dog and I would suggest to you maybe one of
 18 the scenarios here is Mr Curtin talking to another
 19 protestor and saying, "Come on, get your dog off the
 20 road, get your dog out the way". I'd ask you to have
 21 that in mind and watch and see if you can cope with
 22 that.
 23 Okay, play the video.
 24 (Video played)
 25 And then stop there. Now we've seen one of the

1 protestors throw a placard at the car; yes?
 2 A. Yes.
 3 Q. It doesn't really look like I'm having any interaction
 4 with this person, but I would ask you now -- I invite
 5 you to look at the fact that this person, he's thrown
 6 something and then the police do what -- the police
 7 actually then arrest -- they arrest the man. So let's
 8 watch the rest of the video.
 9 (Video played)
 10 Yes. So there's an example of, number one, when
 11 people -- there seemed to be -- even there in that
 12 heightened sense, people kind of sort of running on the
 13 road, the police officers are still -- there's still
 14 a form of ritual, but it's one with tension. Then when
 15 actually an illegal act, a clear illegal act, takes
 16 place, the police seem to have no problem in acting on
 17 it. Would you accept that?
 18 A. Yes.
 19 Q. And this is the evidence against me, and in that video,
 20 at least, Mr Curtin wouldn't give you any -- well, would
 21 Mr Curtin, as that group -- would that give you a level
 22 of terror if you were to look at me while you were
 23 driving out? Would that have added to your terror?
 24 A. When I was asked to review this video the first time,
 25 I was asked if I recognised any of the protestors

1 present. I recognised yourself. The lady with the pink
 2 hair I was informed of by the solicitors was
 3 Victoria Asplin. If I had seen yourself in the middle
 4 of the road, throwing banners and acting like the other
 5 protestors were, I would have mentioned your name again.
 6 Q. Okay, so -- because you remember me because we've kind
 7 of got a history, some sort of parallel history. That
 8 would go back to the case of -- I would say, because I'm
 9 so well known and I'm actually -- I'd use the word
 10 "notorious" amongst the MBR workers, so of course you
 11 would name me; is that correct?
 12 A. Not really. I just recognised you.
 13 MS BOLTON: My Lord, if it helps Mr Curtin, this incident
 14 isn't pleaded against him.
 15 MR CURTIN: Yes. Yes, it's not evidence against me, but I'm
 16 bringing it up and talking about it because it's in my
 17 bundle because it actually shows a role that I -- that
 18 it would be my defence that I was able to play that,
 19 rather than cranking the energy up, Mr Curtin would
 20 crank it down. Could you see anything, from watching
 21 that video, that that could be the case at least?
 22 A. I'm not disputing the fact that you were shepherding
 23 people off the road, especially the lady with the dog.
 24 I'm not disputing that fact. I was just asked if
 25 I recognised any of the protestors in that video and

1 I only recognised yourself.
 2 Q. Okay. Right. Last section now. It's paragraphs 89, 90
 3 and 91 and 92. They talk of your -- it's your words:
 4 "I am paranoid that other people I see in society
 5 are all potentially protestors ..."
 6 You talk of a constant anxiety; you talk of your
 7 stress; you talk about not wanting to go out of the
 8 house; you talk of not wanting to go for walks in the
 9 country because you wouldn't -- because you would be too
 10 secluded. These are high levels, aren't they, of
 11 stress?
 12 A. Yes, they are, because I don't want to go out and do
 13 things that I normally used to do just in case I'm
 14 spotted or my car is recognised. I'm just too scared to
 15 go out.
 16 Q. Okay. So you've definitely noticed -- what you're
 17 saying is an intensification in your paranoia since
 18 Camp Beagle?
 19 A. I wouldn't call it "paranoia". I'd call it "fear".
 20 Q. Sorry, paragraph 90 -- I wasn't being insulting --
 21 that's the word you used:
 22 "I am paranoid that other people I see in society
 23 ..."
 24 Yes?
 25 A. Yes. It's still more fear than paranoia.

1 Q. Okay. So in your 34 years and you're aware at the time
 2 of the SHAC campaign with all its militant behaviour
 3 that came with that, there's been a -- we haven't even
 4 talked about it, but at Harlan, when you were at Harlan,
 5 there was actually -- are you aware that while you
 6 worked at Harlan there was an injunction taken out
 7 against protestors?
 8 A. Yes, I was.
 9 Q. So you're aware of how sensitive animal experiments are.
 10 Is it the case, to some degree, perhaps based on some
 11 advice given by employers and security, the police in
 12 the past, that you don't advertise the fact to the world
 13 that you work in such a controversial place as MBR; yes?
 14 Let's take it from there, that you don't go out your way
 15 to advertise the fact that you work there and actually
 16 to -- perhaps apart from a circle of close friends and
 17 family, not to tell people that you work at MBR or
 18 Interfauna or Harlan, whatever it was called; is that
 19 correct? This is prior to Camp Beagle.
 20 A. My close family and friends know where I work. If
 21 people ask me where I work, I will tell them, and if
 22 they don't like it, then that's their problem.
 23 Q. That's in massive contradiction to what you've got here,
 24 that you've had to hide away. Now, when someone asks
 25 you, a stranger at a party, in a pub, "Where do you

1 work?", and you just -- what do you say? You don't know
 2 them. Is it your case --
 3 A. I'm sorry, which paragraph are you referring to?
 4 Q. All the paragraphs --
 5 MS BOLTON: There's two different questions being put to the
 6 witness. The witness was asked about what they did
 7 before the protests and now they're being challenged on
 8 what they've said at a different stage. So I think that
 9 there's been two different things put to the witness.
 10 They're not consistent.
 11 MR JUSTICE NICKLIN: Right.
 12 MR CURTIN: Okay, let's try and cut it down. Is it your
 13 evidence that if someone asks you today, "Where do you
 14 work?", you just tell them, "I work at MBR Acres"?
 15 A. Can you please tell me which paragraph you're referring
 16 to?
 17 Q. No, I'm asking you a question now. Paragraphs 89, 90,
 18 91 talk of your fears and your paranoia and your
 19 reclusiveness. I just want to get this straightened
 20 out. If someone asked you over the weekend, "Where
 21 do you work?", what would your answer be?
 22 A. I would just say I work in an office.
 23 Q. Okay. When you worked for Harlan Interfauna, at the
 24 time there was a man dying on hunger strike, there's
 25 10,000 people on the street marching against

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1 vivisection, when you were asked back then, "Where
 2 do you work?", what was the answer?
 3 A. I don't think I had many people ask me, but I would have
 4 said I work for a company that breeds animals for the
 5 medical research industry.
 6 Q. Okay. And when -- at what point did that change? At
 7 what point did you not -- a total stranger in a party
 8 asks you, this time three years ago, if that had
 9 happened, is it your case that you would have said
 10 "I work at ..." -- like you just told me. Before the
 11 camp, three years ago, someone asked you where you work,
 12 what would the answer be?
 13 A. What, now?
 14 Q. No, three years ago.
 15 A. Three years ago I would have said the same, "I work for
 16 a company that breeds animals for the medical research
 17 industry".
 18 Q. But now that's all changed; yes?
 19 A. Yes. I don't go out anymore so I don't go to parties,
 20 I don't socialise.
 21 Q. Okay. But with Camp Beagle, I put it to you -- and it's
 22 my last couple of points now -- so you've got more fear
 23 and more paranoia now but yet the actions of Camp Beagle
 24 are -- the evidence that's presented against me in this
 25 bundle is of shouting "Shame on you" and "Puppy killer".

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1 Yes, you've had fear of orchestrated direct action
 2 campaigns and illegal activities, but Camp Beagle, you
 3 could say it's hallmarked by its level of noisy
 4 passionate protests, so those -- your fear doesn't
 5 correlate with the actual actions on the ground;
 6 would you accept that? Compared to the fact that
 7 there's always been radical activities, why this level
 8 of fear now? What's changed for you?
 9 A. I don't quite understand the question. What is it
 10 exactly are you asking me?
 11 Q. That you didn't used to -- you say you didn't used to
 12 hide your identity at all, in your whole 34 years. Is
 13 that your case, that throughout the whole time, the
 14 whole period of 34 years of working in this extremely
 15 controversial place, it's only relatively recently that
 16 you began to not be forthcoming with the total truth
 17 when asked by anybody? This is a recent development
 18 because of Camp Beagle; is that correct?
 19 A. Yes, it is because I don't want to be seen. I don't
 20 want to be recognised.
 21 Q. Okay, is it --
 22 A. I don't --
 23 Q. Yes, sorry.
 24 A. I don't want to -- like I said, if I'm out in my car
 25 somewhere, I'm living in fear because I don't want to

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1 be -- or my car recognised by a protestor and get
 2 shouted at in the street and being accused of a puppy
 3 killer -- of being a puppy killer when I am not. That's
 4 why I hide away.
 5 Q. Okay, so have you been identified and targeted in the
 6 Camp Beagle campaign? Have you personally been
 7 targeted? I know that I've shouted at you myself,
 8 "Shame on you", but have you been targeted as in
 9 a picture of you, your name, a shadowy picture, "Where
 10 is this person? Do you know who ..." -- have you been
 11 targeted?
 12 A. No, I have not.
 13 Q. You said you haven't got social media. Have you
 14 regularly looked at Camp Beagle via your workmates since
 15 it began, the social media. Has the Facebook site --
 16 you're aware --
 17 A. I've seen the odd footage but that's it. I haven't --
 18 you know, because I don't really want to get involved
 19 with social media, so ...
 20 Q. Okay. Have you seen things like -- for example, the
 21 fact there are protests outside the gates, the fact that
 22 Camp Beagle have parliamentary petitions, the fact that
 23 Camp Beagle carry out outreach events, the fact that
 24 Camp Beagle do investigations into the international
 25 trade that MBR are involved with, have you seen things

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1 like that on Camp Beagle?
 2 A. No.
 3 Q. Have you seen like a rogues' gallery on Camp Beagle
 4 sites , like pictures of the workers and attempts to name
 5 and shame the workers? Have you seen that on
 6 Camp Beagle's social media?
 7 A. No, because I haven't got social media and I haven't
 8 seen it from any of my other colleagues' social media.
 9 Q. Okay.
 10 A. I am aware that there are pictures of drivers , of the
 11 staff driving out, but that's it .
 12 Q. Okay. Is it a relief to you that, so far -- you may
 13 have fears about Camp Beagle specifically targeting
 14 protestors. Is it a relief to you that so far there
 15 doesn't seem to be a drive from the Camp Beagle umbrella
 16 of protestors to make it personal, as a co-ordinated
 17 campaign? Are you relieved that that hasn't happened?
 18 A. I am relieved that I am not targeted personally, but
 19 we're all still targeted when we leave work, when we
 20 come into work.
 21 Q. Okay. Say, for example, 94:
 22 "I shop in a supermarket much further away from my
 23 house than the closest one, to lower the risk of being
 24 recognised by any protestors. When I go shopping on
 25 a high-street, I go to a different town so that I am

1 further away from Camp Beagle."
 2 Is it the case that you do -- and it's really
 3 understandable -- have a massive fear of one day being
 4 outed in your community and by the people that know you,
 5 "That's one of the MBR workers", and people would maybe
 6 call you a puppy killer on the streets? That's a big
 7 fear of yours, isn't it?
 8 A. I'm in fear of being recognised, my car being
 9 recognised.
 10 MR CURTIN: I think that's all the questions I have for you.
 11 Thank you.
 12 MS BOLTON: My Lord, a couple of very brief questions in
 13 re-examination.
 14 Re-examination by MS BOLTON
 15 MS BOLTON: Employee A, I think you may have clarified this
 16 but let's just be clear. You were asked by Mr Curtin
 17 earlier this morning whether there were any incidents
 18 that you were involved in where your car's windscreens
 19 were smashed or your car's tyres were slashed by
 20 protestors.
 21 Can I ask you to look at paragraph 75 of your
 22 witness statement, page 1276, please? Could you just
 23 read paragraph 75?
 24 MR CURTIN: Does it matter that it's not in my bundle?
 25 MS BOLTON: It is in your bundle. You took her to it.

1 MR CURTIN: I go from --
 2 MS BOLTON: You took her to it earlier.
 3 MR CURTIN: Ah, did I? Then I accept I did.
 4 MS BOLTON: Can you read that please?
 5 A. Yes.
 6 Q. Have you seen it?
 7 A. What now or --
 8 Q. No, have you read it?
 9 A. Not all of it , no, sorry .
 10 Q. Just read that and let me know when you've finished,
 11 please.
 12 MR CURTIN: My Lord, it's not in my bundle --
 13 MR JUSTICE NICKLIN: I know.
 14 MS BOLTON: My Lord, apologies. It managed to get touched
 15 upon, I think, somewhere else in this statement, then,
 16 so I'm just going to clarify this with the witness.
 17 Employee A, have you finished reading that paragraph
 18 yet?
 19 A. Yes, I have. I've just finished , sorry .
 20 Q. Have there been any incidents of your car windows being
 21 smashed by the protestors?
 22 A. Yes.
 23 Q. Can I ask you, please, to turn to your exhibit at
 24 page 1282, please? Let me know when you're there.
 25 A. 1282?

1 Q. Yes, please.
 2 A. 1282 is the High Court Justice page; is that correct?
 3 Q. Yes, that's the start of your exhibit. If you turn to
 4 page 1285, please --
 5 A. Okay, yes.
 6 Q. -- and if you look at the photographs on 1285, 1286,
 7 1287, please --
 8 A. Yes.
 9 Q. -- 1288 --
 10 A. Yes.
 11 Q. -- and 1289 --
 12 A. Yes.
 13 Q. -- what are those photographs are?
 14 A. That's of the damage to my windscreen when the object
 15 was thrown at my car.
 16 MS BOLTON: Thank you very much.
 17 My Lord, no further re-examination.
 18 MR JUSTICE NICKLIN: Can I ask you one question, Employee A,
 19 which is: what do you think that the protestors do now
 20 that they should be prevented from doing?
 21 A. I think they should not be allowed to camp. I know --
 22 I understand everybody has a right to peaceful
 23 protesting, but every morning when you come in, they're
 24 there, calling you names, every evening they're there,
 25 calling you names. I say everybody has a right to

1 peaceful protest. This is not a peaceful protest.
 2 MR JUSTICE NICKLIN: You mentioned camping, but if they were
 3 allowed — if they came every day, do you think they
 4 should be prevented from coming every day?
 5 A. It would be nice if they could be prevented from coming
 6 every day.
 7 MR JUSTICE NICKLIN: But you say they should be made to
 8 protest peacefully. Does that mean they have to stand
 9 in silence?
 10 A. Yes.
 11 MR JUSTICE NICKLIN: Right. Okay. Thank you very much.
 12 A. Thank you.
 13 MR JUSTICE NICKLIN: Right. That completes your evidence,
 14 Employee A. Thank you for giving it. I'm sorry I'm
 15 having to refer to you not using your name but you'll
 16 understand that we're in open court now. But thank you
 17 for your evidence.
 18 A. Thank you.
 19 MR JUSTICE NICKLIN: Right. We'll come back at 2 o'clock.
 20 Thank you very much.
 21 (12.51 pm)
 22 (The short adjournment)
 23 (2.01 pm)
 24 MR JUSTICE NICKLIN: Yes, Ms Bolton.
 25 MS BOLTON: My Lord, before I call the next witness, if

1 I may hand up — your Lordship asked for the exit
 2 interviews and I have a witness statement from
 3 Ms Pressick exhibiting the exit interviews. That
 4 witness statement, my Lord, also deals with Employee P,
 5 who has been signed off of work, and Employee AA, and
 6 why they are not prepared to come and give evidence, and
 7 it explains a little bit about their past in that
 8 respect, my Lord.
 9 MR JUSTICE NICKLIN: Okay.
 10 MS BOLTON: That exhibits two rather late in the day hearsay
 11 notices, but I appreciate the position is the court will
 12 put what weight it deems appropriate on those witness
 13 statements.
 14 MR JUSTICE NICKLIN: Yes. You've given a copy to Mr Curtin?
 15 MS BOLTON: A copy for Mr Curtin. (Handed)
 16 MR JUSTICE NICKLIN: Thank you very much. Right, okay. Are
 17 we ready for the next witness?
 18 MS BOLTON: My Lord, we are.
 19 MR JUSTICE NICKLIN: Okay. So I'm going to have to ask,
 20 members of the public, if you just step out for a short
 21 time while we get the witness sworn and then you'll be
 22 invited to come back in. Thank you very much.
 23 (Hearing in private)
 24 MS BOLTON: My Lord, we'll need the screen over here turned
 25 off.

1 MR JUSTICE NICKLIN: Oh, we're probably celebrating its
 2 working so — but we can turn it off temporarily.
 3 Hello, we've now gone into private so can you
 4 activate the camera at the remote site, please? Very
 5 good. Thank you very much. Can you hear us all right?
 6 THE WITNESS: Yes.
 7 MR JUSTICE NICKLIN: Good, thank you.
 8 MS BOLTON: My Lord, this is Employee B, who is [redacted].
 9 My Lord, the body of her witness statement starts at
 10 page 1359 in the persons unknown bundle.
 11 MR JUSTICE NICKLIN: Right. If we can have the witness
 12 sworn then, please. Thank you very much.
 13 EMPLOYEE B (sworn)
 14 MR JUSTICE NICKLIN: Thank you. We can deactivate the
 15 camera at the remote site now and we can get the public
 16 back in. We can turn that television back on.
 17 (Hearing in public)
 18 Right. Thank you, Ms Bolton.
 19 Examination—in—chief by MS BOLTON
 20 MS BOLTON: Employee B, good afternoon.
 21 A. Good afternoon.
 22 Q. There should be a bundle in front of you, and if I could
 23 ask you to turn to page 1359 of that bundle, please —
 24 A. Yes.
 25 Q. — it should say "First witness statement of

1 Employee B".
 2 A. Yes, it does.
 3 Q. If I could ask you to turn through to page 1388,
 4 please —
 5 A. Yes, I have that.
 6 Q. — did you sign that off as Employee B?
 7 A. Yes, I did.
 8 Q. Is that witness statement still true to the best of your
 9 knowledge and belief?
 10 A. It is.
 11 MS BOLTON: Thank you, Employee B. There may be some
 12 further questions for you.
 13 A. Okay.
 14 Cross—examination by MR CURTIN
 15 MR JUSTICE NICKLIN: Yes, Mr Curtin.
 16 MR CURTIN: Good afternoon.
 17 A. Good afternoon.
 18 Q. I'm going to run through your statement that you've
 19 made. I'm just going to do it in chronological order.
 20 A. Okay.
 21 Q. You're the last employee, MBR employee. I've had quite
 22 a number so you're the last one and I'm just going to go
 23 through your statement as I did against them. It will
 24 take — we'll be finished by the end of — my plan is to
 25 finished by 4 o'clock, so I'll just do what I do with

1 you what I've done with every witness so far.
 2 Paragraph 5, you've been employed since it was
 3 acquired by MBR and you've been working at the site for
 4 many years. So you were there when it was -- MBR took
 5 over from Envigo. Envigo were previously called,
 6 "Harlan Interfauna" and previously "Interfauna". Do
 7 those names mean anything to you, Interfauna,
 8 Harlan Interfauna and Envigo?
 9 A. Yes, I know of the names.
 10 Q. Were you working at MBR as far back as when it was run
 11 by Interfauna?
 12 A. No, I wasn't.
 13 Q. Harlan Interfauna?
 14 A. No.
 15 Q. Oh, right. So how many years have you been working
 16 there? I just want to know.
 17 A. 19.
 18 Q. 19. Sorry to correct you, but you were working there
 19 then at the time of Harlan Interfauna, I do believe.
 20 A. I was employed under Harlan UK which had changed from
 21 Harlan Interfauna.
 22 Q. Okay. I'll tell you what I'll do. I was going to raise
 23 another point but it will come up during the
 24 questioning, if I may.
 25 Paragraph 6 -- in fact the whole of the paragraph,

1 if I could summarise it the way I read it, it's the fact
 2 that there have been protests at the site before, but,
 3 according to you, the nature of the protests was
 4 different in that the previous protests had focused on
 5 what actually goes on at the site and beyond that to the
 6 laboratories it supplies. But is it your case that the
 7 Camp Beagle protests have been targeted at workers and
 8 you're one of those workers that are targeted -- is that
 9 correct? -- more so than previous campaigns? In fact
 10 the other campaigns targeted the animal issues whereas
 11 is it your case that Camp Beagle targets the people?
 12 A. Yes, the protests that I have witnessed myself at the
 13 Wyton site has been more a general protest into the
 14 vivisection industry, whereas the Camp Beagle protests,
 15 I feel it's targeted the individuals more.
 16 Q. Okay. Well, at any point during my evidence to you
 17 today, I'd like you to point out, "There's an example of
 18 when ..." -- because, remember, I'm here to defend
 19 myself and I have a witness bundle in front of me and
 20 I'm going to be defending myself. But at any point
 21 today, I would like you to tell the court, for example,
 22 "That's a classic example of why I felt personally
 23 targeted"; do you understand?
 24 A. Yes.
 25 Q. Because it's my case to you that at no point whatsoever

1 has Mr John Curtin targeted you individually. That will
 2 be my case.
 3 MR JUSTICE NICKLIN: Well, Employee B, would you accept that
 4 proposition from Mr Curtin?
 5 A. No, I would not.
 6 MR JUSTICE NICKLIN: Okay.
 7 MR CURTIN: You go on -- you start to talk about:
 8 "... I feel that the 'Camp Beagle' protest seems to
 9 be more personally targeted ..."
 10 That's rather vague, isn't it?
 11 A. Well, no, that's how I perceive it in my opinion.
 12 Q. Okay. As far as the protest goes -- because I gather
 13 away from the Wyton site there's been evidence submitted
 14 to here that there have been some targeted attacks on
 15 workers' homes. If you can for the moment -- we can
 16 come back to it -- put that to one side and think about
 17 the protests at the Wyton site itself as workers come in
 18 and out or as you go about your business. I've found no
 19 evidence at all in my witness bundle that would say
 20 either that I've targeted you -- I have targeted you
 21 personally and in fact that anyone has targeted you
 22 personally. What do you say about that?
 23 A. I disagree.
 24 Q. It would be my defence that any time -- and I think
 25 we're going to come to it -- where Mr Curtin addresses

1 you as you're leaving the site or entering the site,
 2 Mr Curtin addresses you as literally person X who works
 3 at MBR. There is -- on the contrary of it being
 4 personal -- it may feel personal to you, you can talk
 5 about that if you want, but there's actually never been
 6 targeting of you. Do you understand?
 7 A. No.
 8 Q. Okay. Let me give you an example of that. We'll come
 9 to it because we've met before, haven't we, in a court
 10 situation?
 11 A. Correct.
 12 Q. As a result of a statement that you gave to the police,
 13 I was arrested for public order offences and causing you
 14 I think alarm, harassment and distress. Is that your
 15 memory?
 16 A. Yes.
 17 Q. So during the course of this week I've been presented
 18 evidence of me as a named individual. I've seen names
 19 that I'd never seen before of workers and I've been able
 20 to see their faces, but, for example, your name, I know
 21 it, don't I, [redacted]?
 22 MR JUSTICE NICKLIN: Mr Curtin --
 23 MR CURTIN: I --
 24 MR JUSTICE NICKLIN: That's a mistake.
 25 A. So that's a mistake that now can't be rectified and that

1 is the reason I did not want to give evidence because
 2 you now have four members in the public gallery that
 3 have just heard that name.
 4 MR CURTIN: It is, and all I can do -- I apologise to you
 5 here and I will speak to -- I've got some -- there are
 6 people in the public gallery, some of my family, and
 7 I will speak --
 8 A. But that's the case here that I'm not willing to
 9 continue with this statement. I've said what I need to
 10 say in my statement. You've just used that opportunity
 11 to do that, which I feel you've done that on purpose
 12 today, knowing I'm the last person.
 13 Q. I absolutely reject that. The reason I said it is
 14 because I was on the subject of names. Did you say you
 15 don't want to carry on?
 16 MS BOLTON: My Lord, I wonder if it would be possible for
 17 your Lordship to rise for a minute because I do think
 18 that that's probably caused the witness quite some
 19 distress. This witness gave evidence behind a screen
 20 the last time she gave evidence.
 21 MR JUSTICE NICKLIN: Right.
 22 MS BOLTON: Now her identity has been further compromised
 23 and it has been very difficult to get these witnesses to
 24 give evidence for fear of these kind of incidents
 25 happening, and now it has --

1 MR JUSTICE NICKLIN: I appreciate that.
 2 MS BOLTON: -- so I think she might need some time. There
 3 is a court order in place. I would also ask
 4 your Lordship to remind everybody who is in the gallery
 5 of that court order because it would appear that some of
 6 them may not know that if they're Mr Curtin's family.
 7 MR JUSTICE NICKLIN: Yes. There is a court order that
 8 protects the identity of -- the fact that that name has
 9 been mentioned in court does not allow you to publish
 10 that or refer to it. It was a mistake and so the fact
 11 that -- it doesn't change the nature of the restriction
 12 that's imposed by that court order.
 13 Now, Employee B, can I just ask whether you do want
 14 a short break?
 15 A. Yes, please.
 16 MR JUSTICE NICKLIN: Right. How long? I mean -- sorry?
 17 A. Could I have just ten minutes, please?
 18 MR JUSTICE NICKLIN: Certainly. You can't discuss your
 19 evidence with anybody else, please, during that period,
 20 which is going to make what's said during that period --
 21 MS BOLTON: My Lord, I'm wondering if I can at least speak
 22 to Employee B about what has happened and how she would
 23 still be protected.
 24 MR JUSTICE NICKLIN: Yes. Well, I make the position so that
 25 it's clear to Employee B as well, she will have heard

1 what I've said to the members of the public who are
 2 present in court, which is the fact that there has been
 3 a slip and that their name has been mentioned doesn't
 4 alter the fact that there is still a restriction in
 5 place which means that nobody can report or disseminate
 6 that name and that continues to apply.
 7 MS BOLTON: My Lord.
 8 MR JUSTICE NICKLIN: Right. Okay. Well, I'll come back --
 9 I'll say 2.30.
 10 (2.17 pm)
 11 (A short break)
 12 (2.42 pm)
 13 MR JUSTICE NICKLIN: Yes.
 14 MS BOLTON: My Lord, I do need to make some submissions on
 15 this, but may I ask, is it possible for us to make those
 16 submissions in private? This is quite a delicate
 17 matter. I'm a bit concerned it might lead to further
 18 disclosure otherwise.
 19 MR JUSTICE NICKLIN: Right. Well, without going into too
 20 much detail, sketch out to me more broadly what you want
 21 to submit to me and what you want me to do.
 22 MS BOLTON: Well, my Lord, first of all, the witness has
 23 real concerns that her identity was revealed
 24 deliberately because of something that has happened in
 25 the past and that was to do with what was -- the

1 proceedings being discussed. So I am concerned it's
 2 going to lead to further disclosure. I have got
 3 a proposed way through it which I think should be
 4 sufficient.
 5 MR JUSTICE NICKLIN: Sorry, further disclosure. Now,
 6 I don't imagine that Mr Curtin -- it has escaped his
 7 knowledge that mentioning the witness' name in open
 8 court was a serious error. Are you suggesting that
 9 there's going to be a repetition of that?
 10 MS BOLTON: My Lord, no, but there were repercussions to the
 11 witness' name being known in the magistrates' courts and
 12 that is what I need to raise with your Lordship. I just
 13 feel that, in dealing with this issue, there is a risk
 14 of this happening again.
 15 MR JUSTICE NICKLIN: Why?
 16 MS BOLTON: Because it's happened once today, my Lord, and
 17 it's going to refer to those proceedings again.
 18 MR JUSTICE NICKLIN: Okay.
 19 MS BOLTON: It's a measure of precaution.
 20 MR JUSTICE NICKLIN: So just help me, in the magistrates'
 21 court proceedings, was the witness' name given?
 22 MS BOLTON: Yes.
 23 MR JUSTICE NICKLIN: Right. So there were no restrictions
 24 placed on the name in the magistrates' court?
 25 MS BOLTON: Yes, the witness gave evidence behind a screen.

1 MR JUSTICE NICKLIN: I appreciate that. That's special
 2 measures.
 3 MS BOLTON: Yes. As a result of the witness' name being
 4 known, following that, the witness was targeted on
 5 social media. The witness -- some of the witness'
 6 colleagues were within her social media group and that
 7 led to the identification and targeting of those
 8 employees, so she's struggling to accept today's
 9 disclosure was accidental and there were quite
 10 significant repercussions last time.
 11 MR JUSTICE NICKLIN: Right.
 12 MS BOLTON: There is also, I note, Ms Jaffray is online for
 13 the first time since her settlement. We don't know who
 14 is with her, we don't know who has heard that
 15 disclosure. There are people in the gallery today --
 16 one of the things I would suggest is that, first of all,
 17 we confirm who is with Ms Jaffray and, secondly, that
 18 perhaps the court permits the actual order to be served
 19 on those who have heard the disclosure today because it
 20 does appear -- and I appreciate it may very well not
 21 have been Mr Curtin -- but it does appear that this
 22 witness' name being known last time led to the targeting
 23 of the employees, so the witness is quite distressed and
 24 for good reason.
 25 MR JUSTICE NICKLIN: Right. Wait a minute, Mr Curtin.

1 Ms Jaffray, you're online. Is there anybody with
 2 you? You'll need to unmute yourself. (Pause)
 3 Well, can you confirm that, Ms Jaffray, by coming
 4 online, please?
 5 Ms Jaffray, I understand you can hear me but I need
 6 you to confirm. It's a matter of some importance,
 7 please.
 8 Nizana, will you email her and ask her why she's not
 9 responding.
 10 Ask her to log out and come back in, please.
 11 MR CURTIN: My Lord, can I give -- take one minute to give
 12 first of all an apology and if I could give the context
 13 and why that mistake happened.
 14 I do know -- I've got in big names [sic] here, "No
 15 names. Don't say certain names". I'm not going to do
 16 it again. I did it because -- the fact that I -- I've
 17 managed to scupper my own point very, very badly, that
 18 I have had this person's name for over a year and I did
 19 nothing with it and I had no desire to do anything with
 20 it, so it was actually to do the opposite, to set her
 21 mind at rest about me in an attempt, but I've -- by my
 22 mistake, I've dismantled that.
 23 I'm not aware -- it was my case. I may be mistaken
 24 and it's not in the evidence bundle -- because I knew
 25 her name from the magistrates', that she's had some

1 trouble because of that. I was not aware of that, it's
 2 not in my evidence bundle and I have no wish to cause
 3 this witness any particular harassment and it was
 4 a genuine mistake. It really was.
 5 MR JUSTICE NICKLIN: Okay.
 6 MR CURTIN: It's because I was about to talk and I wanted to
 7 say, "Your person's name, blah blah blah, has not been
 8 plastered around the town". It was genuine and
 9 I apologise to the witness and I ask her to -- as little
 10 trust as there is between us maybe, that it was
 11 a genuine mistake.
 12 MR JUSTICE NICKLIN: She can access the CVP by telephone so
 13 can you give her the number and ask her to dial in,
 14 please?
 15 Ms Jaffray says her microphone is broken.
 16 I just want to understand where we're going with
 17 this. I'm more than prepared to listen to submissions,
 18 but I want to know ultimately what they're leading to,
 19 what is the final submission you're going to be asking
 20 me or order you're going to be asking me to make.
 21 MS BOLTON: My Lord, it's not so much about an order I'm
 22 asking you to make. It's about asking for permission to
 23 serve the order you have made on those who have heard
 24 it. I appreciate Ms Jaffray has, but we don't know who
 25 is with her, if anybody, and there are members of the

1 public gallery and we should rightly ask your
 2 permission. Your Lordship has made it clear that an
 3 order has been made, but we would like those who are
 4 present and those who have heard that disclosure to have
 5 a copy of that order. I don't want there to be any
 6 doubt over what is prohibited.
 7 MR JUSTICE NICKLIN: Well, I can achieve that by reading it
 8 out.
 9 MS BOLTON: My Lord, I do think we need to know who is with
 10 Ms Jaffray because otherwise --
 11 MR JUSTICE NICKLIN: Well, you've heard what I'm trying to
 12 do to remedy that, Ms Bolton.
 13 MS BOLTON: But we have got copies on the way, my Lord, if
 14 we're permitted to serve them, but I appreciate I need
 15 your Lordship's permission to do that.
 16 MR JUSTICE NICKLIN: What date is the order?
 17 MS BOLTON: 20 and 21 March, my Lord, sealed on 3 April.
 18 It's the PTR order.
 19 MR JUSTICE NICKLIN: For all those people in the public
 20 gallery, the important thing for you to note is that
 21 I have made an order under the Contempt of Court Act,
 22 section 11, that there should be no publication in any
 23 report of or otherwise in connection with these
 24 proceedings of the identity of the anonymised witnesses,
 25 which includes the name that was read out by Mr Curtin

1 earlier on this afternoon. You mustn't publish that
2 name in any way whatsoever or in any way that would lead
3 to the identification of that witness in these
4 proceedings.

5 Does everybody understand the importance of that?
6 Right, thank you very much.

7 That's sufficient, Ms Bolton, for, if necessary, any
8 contempt of court proceedings because it's a mandatory
9 prohibition. It's not subject to requirements of
10 service.

11 MS BOLTON: My Lord, I'm grateful.

12 My Lord, that just leaves who is with Ms Jaffray.

13 MR JUSTICE NICKLIN: Well, I'm trying to work that out at
14 the moment, but she's -- I don't know whether you heard.
15 She emailed us to tell us that she's only there with her
16 dog. I would like to obtain that from her directly. So
17 leave that as a matter that we'll try to come back to,
18 but what then -- what next?

19 MS BOLTON: My Lord, that is the comfort that I've asked the
20 court to provide for the witness and the witness -- I've
21 spoken to her and agreed I would ask for some comfort
22 for her that everybody is clearly aware of the
23 requirements and she has agreed on that basis to give
24 evidence.

25 MR JUSTICE NICKLIN: Well, Ms Jaffray, I can see that you're

1 still online. You will appreciate immediately from
2 what's been discussed the importance of this and that it
3 is slightly frustrating that I'm unable to communicate
4 with you. I understand that a number has been provided
5 to you to enable you to dial in to the CVP which will
6 enable you to communicate with the court.

7 (Pause)

8 Has she communicated with anybody?

9 THE MR JUSTICE NICKLIN'S CLERK: She's trying to connect to
10 the number. (Pause)

11 MR JUSTICE NICKLIN: Right. I think we had better carry on
12 with the evidence and we'll get Ms Jaffray on the line.

13 MS BOLTON: My Lord, I'm looking at the time. Do we
14 need a -- Opus have been in court the whole time, so do
15 they need a break? They're indicating that they're
16 okay.

17 MR JUSTICE NICKLIN: Okay. Good.

18 Right. Mr Curtin -- sorry, Employee B, you've heard
19 what's happening. In relation to those people who are
20 in court physically, they've been reminded of the terms
21 of an order that I've made some time ago which protects
22 your identity in these proceedings, so even though your
23 name was mentioned in court, that doesn't enable anybody
24 to refer to that fact. Anybody who did so would be
25 acting in contempt of court. I'm ascertaining -- I'm

1 making efforts to confirm the position with Ms Jaffray,
2 who has been on the CVP link today, but I'm waiting to
3 get her connected up to the proceedings before I can
4 make the position clear to her as well. But we're going
5 to carry on in the meantime.

6 A. Okay, thank you.

7 MR JUSTICE NICKLIN: Right, Mr Curtin.

8 MR CURTIN: For what it's worth, if I may offer an apology
9 because I've kind of destroyed my own -- one of my own
10 lines of questioning, which was along the grounds. What
11 we've just seen in court perhaps exhibits that, that
12 Mr Curtin has had your identity and has met you before
13 in court --

14 MR JUSTICE NICKLIN: Okay, what have we done now?

15 MS BOLTON: I think that might be Ms Jaffray.

16 MR JUSTICE NICKLIN: Is that you, Ms Jaffray?

17 MS JAFFRAY: I'm so sorry. I've been waiting and waiting
18 for the number to come through. It's just come through
19 now.

20 MR JUSTICE NICKLIN: Okay. Please can you confirm whether
21 there's anybody with you that's been listening to the
22 link this afternoon?

23 MS JAFFRAY: No, it's just myself.

24 MR JUSTICE NICKLIN: You will have heard, I think, what
25 I said to the public who are present in court --

1 MS JAFFRAY: I did.

2 MR JUSTICE NICKLIN: -- about the Contempt of Court Act
3 order that I made. It applies to you as well, as it
4 would have done had you been in court physically, and it
5 means that you are not able to publish the name that was
6 mentioned by Mr Curtin, the name of the witness, in
7 relation to these proceedings or publish anything which
8 might lead to the identification of the witness. Do you
9 understand those restrictions?

10 MS JAFFRAY: Yes, of course.

11 MR JUSTICE NICKLIN: And you understand that it would be
12 a contempt of court punishable by all of the usual
13 penalties that would apply to a contempt of court
14 were you to breach that order?

15 MS JAFFRAY: Yes, I do.

16 MR JUSTICE NICKLIN: Okay. Thank you very much.

17 MS JAFFRAY: Thank you.

18 MR JUSTICE NICKLIN: You can go back to simply listening on
19 your computer device now, Ms Jaffray. You don't need to
20 remain on the telephone line.

21 MS JAFFRAY: Great. Thank you.

22 MR JUSTICE NICKLIN: All right. Thank you very much.
23 Right. Mr Curtin.

24 MR CURTIN: So the incident that's just happened here, this
25 court -- when your name was mentioned, it caused you

1 fear and I absolutely understand that fear and that's
 2 why I've apologised; yes?
 3 A. Okay.
 4 Q. And I've known your name for a long time, haven't I?
 5 A. Yes.
 6 Q. It would be my case, my defence case, that -- before we
 7 go on to the evidence, let's deal with this. Are you
 8 aware of Camp Beagle's social media pages, for example
 9 the Facebook page?
 10 A. Yes.
 11 Q. It's my defence that with any influence I was able to
 12 have on the protests, with all my experience -- it's
 13 part of my defence that, as much as I could, I have
 14 never had any form of sole control or full editorial
 15 control of social media but I have an influence -- it
 16 would be my defence that I don't -- it's not part of my
 17 campaign to shame any particular worker, say to have
 18 a rogues' gallery. After you gave evidence against me,
 19 was that a fear of you -- was it a fear that, "My name
 20 is now out there. It's now going to be plastered all
 21 over town"? Was that one of your fears?
 22 A. Yes, it was.
 23 Q. And that, in your case, didn't materialise. We've just
 24 heard some talk from the legal team representing MBR
 25 that in fact you did suffer from some consequences of

1 your name perhaps being released after the court case;
 2 is that true or have you had no impact from your name
 3 being released? Which one?
 4 A. Yes, it is true. As we went to court in the January, by
 5 the March the social medias of the people that had been
 6 in court were online, being shared.
 7 Q. Is it your evidence that your name was shared?
 8 A. Correct.
 9 Q. It's just that it's not in the bundle and I don't know
 10 if it ever was -- I'm not going to say that's not true.
 11 It's my case to you that there's no evidence whatsoever
 12 that Mr Curtin has attempted to name and shame you.
 13 I made a mistake in court just now and, if I was going
 14 to do it in an open court with lots of witnesses, it
 15 wouldn't be the best place to do it. I put to you
 16 again, Mr Curtin has played -- not only has he played no
 17 part in naming and shaming you; he seems to have -- on
 18 the surface he's actively disengaged from naming and
 19 shaming you. Could you accept that?
 20 A. No, it didn't mention it in my statement through the
 21 fact that I was trying to keep my anonymity as much as
 22 possible and with the statement I didn't want it to
 23 reflect some of the things that have happened in the
 24 fact of my name. However, I do believe that as
 25 a consequence from the magistrates' case that there was

1 links on -- the fact it came out about seven weeks
 2 later, that all of our names had then been released.
 3 Q. Apart from the illegal acts -- and I call that by the
 4 obvious -- if I can say that, the obvious illegal acts
 5 such as attacking workers in their houses, are you aware
 6 of any at least high public profile attempts to name and
 7 shame the workers?
 8 A. As far as plastering names on walls and posters, yes.
 9 Q. I put it to you that there may be some isolated
 10 incidents but that has not been a hallmark of the
 11 campaign. Could you accept that? The hallmark of the
 12 public campaign has not been to personalise it against
 13 you?
 14 A. I would say a part of the campaign has been targeting
 15 the staff, yes.
 16 Q. Okay. You talked about, in paragraph 6:
 17 " ... I feel that the 'Camp Beagle' protest seems to
 18 be more than personally targeted towards the individuals
 19 working for MBR ...
 20 Yes?
 21 A. Yes, what I see of it.
 22 Q. You feel it and -- I asked this of the previous
 23 witness -- what about, if you have looked at the
 24 websites, stuff like our parliamentary campaigns, the
 25 parliamentary petitions, the outreach campaigns in

1 different towns, investigations, political lobbying, the
 2 whole -- the social media is full of activities of
 3 Camp Beagle and they're not personal against individual
 4 workers and they do in fact focus on the issue at hand,
 5 which is animal experiments. I put that to you, that
 6 the social media campaigns are -- do everything they can
 7 not to make it personal. What do you say to that?
 8 A. I'd say that the Camp Beagle Facebook page is
 9 a smokescreen of what's going on. You only see a small
 10 snippet of that, probably one or two posts a day of what
 11 is wanting to be released, but what is actually seen at
 12 the camp site is a completely different matter.
 13 Q. Have you ever had, for example, people shouting your
 14 name?
 15 A. Yes.
 16 Q. You have? It's not in your witness statement.
 17 A. Again, I didn't want to refer to my name in my witness
 18 statement.
 19 Q. Okay. Let's move on. I'm going to have to move on
 20 because I've caused extensive delay by mistake. I'm not
 21 going to skim through the evidence. I'm just going to
 22 go through it as quickly as I can.
 23 Paragraph 7, the first sentence:
 24 "As the Court will by now be aware, in the spring of
 25 2021 protests outside the Wyton Site started to

1 escalate."
 2 Do you see that sentence?
 3 A. Yes.
 4 Q. Now, did you write this whole statement of your own free
 5 will and were the words of your choice?
 6 A. The words were of my choice.
 7 Q. Were you guided in the choice of your words?
 8 A. It was my words written with a solicitor, yes.
 9 Q. It's just that this same sentence, I've seen it repeated
 10 in one statement after another. Yours is perhaps the
 11 seventh or eighth time I've seen this exact wording.
 12 Could you explain that?
 13 MR JUSTICE NICKLIN: This isn't a very good example of that,
 14 Mr Curtin.
 15 MR CURTIN: Isn't it?
 16 MR JUSTICE NICKLIN: No. This is actually different.
 17 MR CURTIN: Okay. I'll retract that point. Oh, it's all
 18 going wrong. Sorry.
 19 Right. Let's move to paragraph 9. If we could just
 20 show a little bit of this video, please, 858. I ask you
 21 to cue it up. This is in April 2021. This is before
 22 Camp Beagle. I'm only going to show a few seconds of
 23 it, perhaps, but it shows ...
 24 THE EPE OPERATOR: (Inaudible).
 25 MR CURTIN: 859. Okay, I'll tell you what, I don't need to

1 rely on it except for if you take it from me, it shows
 2 a demonstration on 16 April and it shows people standing
 3 at the exit road, with banners, shouting. But this --
 4 you still find -- you found this unsettling; yes?
 5 A. Yes.
 6 Q. And you're feeling very scared --
 7 MR JUSTICE NICKLIN: Why haven't we got the video?
 8 MS BOLTON: Apparently they do have the video. You just
 9 have to press -- yes, I'm sorry. I'm remembering
 10 myself. You press "Load more". It's just when you get
 11 to the bottom, if it's not all of the videos showing,
 12 you have to click on "Load more" and then the further
 13 list will come up.
 14 MR CURTIN: 858.
 15 MS BOLTON: You've got them all there, I think, just
 16 scrolling along. It's on the share file.
 17 THE EPE OPERATOR: Which file? Sorry. Is that online?
 18 (Pause)
 19 MR CURTIN: So the video is just downloading. I'm just
 20 going to show you perhaps a small section of it. It
 21 would be my evidence that here's a demonstration before
 22 Camp Beagle, people would protest with banners, with
 23 placards, they're shouting what for you is abuse, for me
 24 would be they're shouting slogans, and in your statement
 25 you said you felt very intimidated and unsafe and you

1 made a report to the police because of what happened
 2 that day; is that correct?
 3 A. I made a report to the police as I felt it was unsafe as
 4 they were blocking vision for us to drive out onto
 5 a 60 mile an hour speed limit road, which it was at the
 6 time.
 7 (Video played)
 8 Q. And you're fully -- so the "intimidated" was the fact
 9 that it was a road safety issue; yes? I'm not
 10 belittling it in any way. I can understand the road
 11 safety issue there. But what about the intimidation?
 12 That wasn't a road safety issue, was it, or was it?
 13 A. So this was one of the first protests as in a larger
 14 group of people with the placards all around the gate,
 15 us trying to drive through, and that was the concern,
 16 that they were actually in the gateway, trying to block
 17 vision. So that is why it was put into my statement
 18 because that was the first time that I'd felt that it
 19 was slightly out of control with how the gateway had
 20 been used by the protestors.
 21 Q. Okay. And you've worked there for 19 years and in that
 22 year -- do you recall the name "SHAC", Stop Huntingdon
 23 Animal Concern [sic], that were focused on the
 24 laboratory up the road from you, the Huntingdon
 25 laboratory? Do you remember that?

1 A. Yes, I recall it but it was quite -- it started to
 2 settle down when I started there. There was no trouble
 3 for many years from them.
 4 Q. Yes, but there had been trouble, quite extensive amounts
 5 of -- we'll call it "trouble"?
 6 A. Not at the Wyton site in the years that I'd been ...
 7 Q. That's right, but at the Wyton site, that has a history
 8 of previous demonstrations, it had an injunction out by
 9 Harlan at one point, so this site does indeed have
 10 a history of protests and I put to you that these
 11 people, they are protesting yet you still found it
 12 intimidatory; would that be correct?
 13 A. Correct, because, as you said, we did have an injunction
 14 during the Harlan time which did prevent them being
 15 around the vehicles like they was here.
 16 Q. Okay. The next couple of paragraphs, 10, 11, 12, they
 17 talk of setting up a convoy in order to -- that was the
 18 way you were going to go to work, was the setting up of
 19 a convoy.
 20 A. Yes.
 21 Q. I haven't got much to say on it really except the
 22 convoys were a decision made by -- a joint decision by
 23 workers and management and I do believe the police were
 24 involved; yes?
 25 A. Yes.

1 Q. You talk in paragraph 16 of times when you would perhaps
 2 choose not to go out in the convoy because of the timing
 3 of — because you needed to leave perhaps early and
 4 there were times when you did leave early out of the
 5 convoy and you said:
 6 "It could also sometimes be scarier to leave without
 7 the main convoy ..."
 8 Yes?
 9 A. Yes, correct and at the time we still had(?) a police
 10 presence as well, (inaudible — overspeaking).
 11 Q. "... and I worried that the protestors would be more
 12 unpredictable without police presence."
 13 Again, the police were there routinely when the
 14 workers came in and when the workers left. You would
 15 expect the police there and on the occasion where you
 16 chose to go outside of the convoy, you had fears of what
 17 the protestors might do. Did you — did actually any —
 18 in reality, any incidences occur that were of a serious
 19 nature, that you perhaps reported to the management or
 20 the police outside — when you weren't with the convoy,
 21 did any incidents happen to you that you actually were
 22 forced to report or was it a fear?
 23 A. Yes, on the day of the — what went on in video 294,
 24 that was of a concern, yes.
 25 Q. Okay. We'll come to that. Okay, let's go on to watch

1 some videos then. 8 September, the morning, video 249.
 2 Have you got paragraph 29?
 3 A. Yes.
 4 Q. My case to you — let's watch a little bit of it.
 5 (Video played)
 6 Okay, let's stop there. So I talked before of
 7 a ritual. We've got police officers there. It's
 8 8 o'clock in the morning. It's September so it's
 9 a couple of months on. I would say rather than this
 10 being a scene of utter chaos, there's a kind of ritual
 11 happening. I suggest to you to have that in mind.
 12 That's what I'll be asking you questions about as we
 13 watch the video a bit further.
 14 A. Okay.
 15 MR JUSTICE NICKLIN: Do these videos have no sound?
 16 (Video played)
 17 Stop there. I suggest you talk of Amanda James and
 18 I'd suggest to you that's the figure on the first
 19 picture you can see and there's a figure just behind
 20 her. It's not a very good video to watch. There is
 21 another video with a better view but I put to you that
 22 Mr Curtin stands there the entire time next to Amanda
 23 and we are protesting, on the drive — yes — protesting
 24 whilst you're allowed to pass, virtually unobstructed.
 25 Would you accept that?

1 A. Yes, I never said we was actually completed obstructed.
 2 MR JUSTICE NICKLIN: Yes?
 3 MS BOLTON: My Lord, on the sound, the better video on sound
 4 is 924.
 5 MR JUSTICE NICKLIN: We might watch 924 in a minute — well,
 6 don't take it off yet. Did you want to look at anything
 7 more on this?
 8 MR CURTIN: No. A little snippet of 924.
 9 MR JUSTICE NICKLIN: 924. Thank you very much.
 10 MR CURTIN: Stop there first, before we show it. Can you
 11 see two police officers talking to a protestor? I put
 12 to you that that protestor is me.
 13 A. Yes.
 14 Q. Had you seen me talking to police officers before or had
 15 you noticed me — have you ever noticed me talking to
 16 police officers?
 17 A. I have.
 18 Q. You have. Regularly? More so than other protestors?
 19 A. No, not that I've noticed.
 20 Q. Okay, but you have noticed me talking — there we are.
 21 I'm talking to the police. It's my case that I'm
 22 facilitating what's about to be a ritual — that would
 23 be my case — and that the police roughly know what's
 24 going to go on, I hopefully have got some idea what's
 25 going to go on and even the workers have some degree.

1 But I don't take away that you can have fears about what
 2 might happen, but there's a ritual about to take place.
 3 Okay.
 4 And if you could go to 52 seconds, please.
 5 (Video played)
 6 Just something to note, the security guard is not
 7 coming over the line. He's not coming on to the drive.
 8 Do you see that?
 9 A. Yes.
 10 (Video played)
 11 Q. If we could stop there. So the cars are obstructed,
 12 they are not given absolute free passage, but there's
 13 a sense of slow crawling movement towards the gates.
 14 Would you accept that?
 15 A. I believe that first vehicle in the convoy did have to
 16 come to a complete stop.
 17 MR JUSTICE NICKLIN: What's happening with the sound?
 18 MS BOLTON: It is on. I can just about hear it, my Lord.
 19 I don't know if it can be turned up a bit.
 20 MR CURTIN: I'm not reliant on any sound in this.
 21 (Video played)
 22 MR JUSTICE NICKLIN: Okay, well if nobody is worried too
 23 much about the audio of this, then we don't need to
 24 worry but we do need to get it sorted. Okay, carry on.
 25 MR CURTIN: Play the video a bit more.

1 (Video played)
 2 Okay, if I could stop there. Just the fact that
 3 there's a few more cars and, as you said, it's not in
 4 your statement that I blocked the gate and that is my
 5 role in the ritual and I'm not actually obstructing the
 6 highway in this video, would you accept that?
 7 A. I'll accept that.
 8 Q. Okay. Let's go into the next video, please. 290. This
 9 is 13 September, and when I talked before about we've
 10 met before, haven't we -- and that led me to make that
 11 mistake, which again I actually do apologise for.
 12 I didn't mean it -- we have met before and, as a result
 13 of a statement that you made regarding this incident,
 14 I was arrested and taken to court, wasn't I?
 15 A. Yes.
 16 MR JUSTICE NICKLIN: Okay, can I ask, is the sound important
 17 on this one?
 18 MS BOLTON: There is no sound on this one, my Lord.
 19 MR JUSTICE NICKLIN: Right, okay. Is there sound of this
 20 incident?
 21 MR CURTIN: Yes, there is, and it's --
 22 MS BOLTON: There is, my Lord.
 23 MR CURTIN: 294. Let's watch 294.
 24 MR JUSTICE NICKLIN: Well, Mr Curtin, I don't want to take
 25 you off course if you want to look at that one because

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1 it shows something particular.
 2 MR CURTIN: There is a video, 290 actually -- 290 is the
 3 video I want. If I could take you to 290, to 03.05.
 4 (Video played)
 5 Is that 03.05?
 6 THE EPE OPERATOR: I believe it is.
 7 MR CURTIN: Ah. Can we take it back a little bit? Back
 8 a bit more, I apologise. Ah, that's perfect.
 9 If I could refresh you to the statement you made
 10 which led to my arrest -- whose is this car that's about
 11 to come out, do you know, that I'm in front of?
 12 A. My colleague.
 13 Q. If we could take it a little bit before then. If we
 14 could take it before, just to where we started there.
 15 MS BOLTON: It's three minutes and one second.
 16 MR CURTIN: Three minutes and one second?
 17 Okay, let's watch the video from there.
 18 (Video played)
 19 Stop there.
 20 Now, if you remember from our court case, there was
 21 evidence that I'd stopped your car and I stood in front
 22 of your car. It was my evidence in court, which was
 23 accepted, that the reason I'd stood in front of your car
 24 was to make sure that the little dog behind us wasn't
 25 going to get hit, which I imagine you might have been

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1 worried about. I was worried about.
 2 Do you remember that part of the court case, that it
 3 wasn't -- it was my evidence and it was accepted that
 4 I'm standing in front of your car because there's --
 5 basically I'm more worried about the dog at that point
 6 than I am your car. Do you remember that part of the
 7 evidence and do you accept it?
 8 A. No, I don't because you didn't remain with the dog
 9 throughout the rest of it. You then stayed in front of
 10 my colleague's car with the megaphone whilst the dog was
 11 down the side, near the tyres of the car.
 12 Q. There was also evidence in that trial that I'd banged on
 13 a car. Was that your car that I was meant to have
 14 banged on?
 15 A. With that court case, it was looking at the criminal
 16 activity of this, whereas this is more looking at the
 17 harassment, so this is why I have repeated this into my
 18 statement because, as a daily harassment, I do feel this
 19 is all relevant.
 20 Q. So you missed out deliberately in this statement what
 21 you'd put in your last statement, the fact that I'd
 22 banged the car? You felt that was unnecessary?
 23 A. It was not my vehicle that you banged. It was my
 24 colleague's vehicle that you banged. She had it in her
 25 statement. I didn't. I wasn't in that car and I did

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1 not witness it.
 2 Q. Okay. So you made this statement with the purpose about
 3 harassment, so did you tailor this statement to go
 4 a certain way as opposed to the statement you made on me
 5 in the court case at the magistrates'?
 6 MR JUSTICE NICKLIN: Mr Curtin, this isn't a fruitful line
 7 of cross-examination. If you have particular things
 8 from the statement that was given in the magistrates'
 9 court to which you attach importance and you want the
 10 witness to comment on the fact that she's not included
 11 that in this statement, then I'll let you explore that,
 12 but general questions like this aren't of assistance.
 13 MR CURTIN: Okay.
 14 I ask you now -- let's watch a little bit of this
 15 video then. So it's my case -- I put to you that the
 16 reason I'm standing there is I'm standing in front of
 17 a dog, and if you'd seen me have a -- I then turn around
 18 and have a word to the person, the person gets out the
 19 way of the dog and then I actually do continue to go in
 20 front of the cars, but at any time I'm in front of the
 21 cars, I would ask you to accept that there's a backward
 22 motion, there's a reversing motion -- there's
 23 a reversing energy. So if you want to, then you can
 24 tell the tech to stop when you don't think I'm -- I'm
 25 slightly obstructing the free passage of the vehicle but

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1 if at any time you think I'm actually blocking the road,
 2 then you say so; okay?
 3 A. Okay.
 4 (Video played)
 5 I wouldn't say that's giving somebody free access
 6 there, where there's (inaudible — overspeaking).
 7 Q. But the dog was there. Now the dog is out of the way.
 8 It would be my evidence — and we needn't go into it too
 9 much, but it will be my evidence that that particular
 10 bit was because there was a dog in the way. It was not
 11 your car anyway and — let's carry on and then you tell
 12 when to stop when there's not a backward energy from me.
 13 (Video played)
 14 Okay, then it goes out of shot. Let's stop there
 15 and let's go through to video 294.
 16 MS BOLTON: We haven't got to 3.01. You wanted to reach
 17 3.01.
 18 MR CURTIN: Why?
 19 MS BOLTON: That was the incident you were taking her to.
 20 MR CURTIN: No, no, that was already the incident.
 21 294 from 3.05.
 22 (Video played)
 23 Okay, stop there. Were you able to hear some of the
 24 words spoken?
 25 A. I was.

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1 Q. I put it to you that's my gravelly voice —
 2 A. Correct.
 3 Q. — and saying things like — along the lines of "You
 4 smell", which on the surface of it I could fully
 5 understand that that could be taken as a personal
 6 comment, but in this respect everyone gets the same.
 7 And if you heard, in this scenario, "You smell", I put
 8 it to you that I am not for one second suggesting you
 9 lack any sort of personal hygiene. It's a metaphorical
 10 smell and it's not actually aimed at individual workers,
 11 it's aimed at all the workers. I'm asking you to accept
 12 that. What would you say to that?
 13 A. I do not accept that because you were at my window of my
 14 vehicle — I was the only one in there — with
 15 a megaphone, telling me that I smell. You were calling
 16 us "shit shovelers" and stuff like that. That is
 17 individual targeting, which I mentioned earlier on.
 18 That is not commenting on MBR's — what they do.
 19 Q. But you're in a line of vehicles — isn't it the case —
 20 there's nothing particularly unusual about this case —
 21 there are cars in front of you and there are cars behind
 22 you. Why is it you —
 23 A. There's no cars behind me.
 24 Q. Pardon?
 25 A. There's no cars — there's only two vehicles in that

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1 convoy that day.
 2 Q. Okay. So both cars got it, didn't they? Both cars got,
 3 "Are you going to have a shower? You'll never be able
 4 to wash the stink". Both cars, I would put to you, got
 5 similar abuse of similar protesting lines —
 6 A. Similar inappropriate(?) but, yes, correct.
 7 Q. Both cars got similar things chanted towards them and
 8 there was no — absolutely no personal element to it
 9 whatsoever apart from the fact you're coming out of
 10 MBR Acres?
 11 A. Anything you aim at an individual is personal. A plural
 12 thing would be to a group of people. If there's only
 13 one person in a vehicle, you're shouting at the person
 14 in it.
 15 Q. What about if you were to go into work tomorrow morning
 16 and you're in line of cars, do you still — each time
 17 someone might say "Shame on you", "Puppy killer", do you
 18 always take the shouts of every protestor — when it's
 19 aimed in your vicinity, do you take it personally?
 20 A. Yes.
 21 Q. Paragraph 35:
 22 "I remember this incident as one of the days when
 23 I felt most vulnerable because there was no security or
 24 police present at the Gate ..."
 25 Yes?

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1 A. Yes.
 2 Q. But nothing did happen to you, did it, apart from
 3 getting shouted at?
 4 A. And being alarmed and distressed, no.
 5 Q. "I was worried that they might hurt me ..."
 6 And again, they're calling you a puppy killer and
 7 scum.
 8 "It feels like ..." —
 9 A. I think —
 10 Q. Yes, go on.
 11 A. I feel for any lone woman in a vehicle, having men
 12 aggressively shout through their window with
 13 a megaphone, might be made to feel vulnerable.
 14 Q. Okay, but this is three months into the campaign, into
 15 the Camp Beagle campaign —
 16 A. (Inaudible — overspeaking).
 17 Q. — you've worked there for 19 years, you know — let's
 18 talk about now you're aware of the massive sensitivity
 19 about this subject. It can be no surprise to you that
 20 someone who works for the company that you do is at the
 21 receiving end of a level of protest. That's not
 22 a surprise to you, is it?
 23 A. It is no surprise that we would be at the end of any
 24 peaceful protest. It's always a surprise to me that
 25 people are willing to break the law and individually

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1 target people because they work in an industry.
 2 Q. But what if there was no attempt by the protestors at
 3 the gate to target you and this was in fact -- you can
 4 call it peaceful, passionate, loud, but not full of
 5 hate, not full of violence or aggression, and this was
 6 a peaceful, lawful protest in which case -- and you were
 7 not being targeted in any way.
 8 A. I think our views on peaceful protest are completely
 9 different and I don't think we're going to agree on
 10 that.
 11 Q. No, good. So let's talk about how you feel when you get
 12 called "Puppy killer". Let's deal with that one because
 13 I've dealt with it with every witness and I'll ask you
 14 the same questions.
 15 Are you a puppy killer?
 16 A. No.
 17 Q. You've worked at the Wyton site for 19 years; yes?
 18 A. Yes.
 19 Q. And in that time, the word "killing" seems to be an
 20 issue here so I'll use -- I'll use the term "euthanasia"
 21 to begin with. Are you aware of euthanasia at the site?
 22 A. I am.
 23 Q. In the transition period, when the site moved from
 24 Harlan Interfauna to MBR -- it was called the
 25 "transition" by another witness. We've talked about

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1 this with another witness. Are you aware of
 2 a euthanasia programme that took place during the
 3 transition phase?
 4 A. There was no euthanasia programme in the transition
 5 phase. That is why it was a transition phase, because
 6 it was a long thought-out process that would not result
 7 in any extra euthanasia.
 8 Q. Okay. All right. Let's go to -- what about the
 9 bleeding licence? Are you aware of that?
 10 A. I am.
 11 Q. Are you aware of the terminal bleeding procedure?
 12 A. I am.
 13 Q. Would you accept that a dog -- a puppy, a dog -- that's
 14 subjected to the terminal bleeding procedure goes in the
 15 room -- we've heard it's called the "Procedures room" --
 16 and it does not come back out; is that correct?
 17 A. Correct. That's why it's terminal.
 18 Q. So have you ever partaken in that process, taken a dog
 19 there to the room in any way? Have you partaken in the
 20 terminal bleeding procedure as a worker of 19 years?
 21 A. I have.
 22 Q. You have?
 23 A. I have been present.
 24 Q. You have been present. As a worker?
 25 A. Yes.

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1 Q. So it's clear then that -- do you understand that there
 2 are people who live in this country that, having found
 3 out about the -- say just the bleeding licence alone --
 4 what's not on trial here is the world of animal
 5 experiments and what happens to the dogs after they
 6 leave the site, but let's just focus on this terminal
 7 bleeding. Are you aware that there's a sizeable number
 8 of people in this country that would see that as killing
 9 puppies and also that they would hold culpable, hold
 10 responsible, all the workers of such a company and not
 11 just the ones, if I may say, with like blood on their
 12 hands? Do you accept the two things? One, would you
 13 accept that other people might view what some people
 14 might call the "terminal bleeding procedure" as killing
 15 puppies and, two -- well, first of all, see if we can go
 16 with the first one. Would you accept that people would
 17 see the terminal bleeding procedure as that's the work
 18 of puppy killers? You don't have to agree with it but
 19 just that there are people who would feel like that?
 20 A. There is probably people that feel like that through
 21 their lack of understanding and knowledge.
 22 Q. There was in fact a Sun headline -- I forget -- it was
 23 a tabloid headline, something along, I don't know,
 24 vampires or something, about taking blood. Do you
 25 remember such a Sun article?

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1 A. I try not to read newspapers that are -- that not a lot
 2 of information is correct in them anyway.
 3 Q. So these, as you see, are misguided people who don't
 4 know the facts, but they've come to the idea that
 5 there's puppy killing going on here. What about that
 6 you're all collectively responsible? Do you understand
 7 such a point of view? You don't have to agree with it,
 8 but do you understand that someone could take that point
 9 of view?
 10 A. I do from believing some of the wrong information that
 11 has been put out there that they might believe that,
 12 yes.
 13 Q. I could use stronger examples, but let me say if you
 14 were a potato factory producing potatoes -- but you're
 15 not. You produce beagles -- but just some potatoes, the
 16 people that work in the office, there's the security,
 17 the people that pack the potatoes, the people that put
 18 the potatoes in the van, the van drivers for the
 19 potatoes, they're all part of the potato factory and
 20 they're all part of the procedure. Do you understand
 21 that? And then apply that to MBR. I just need you to
 22 understand that. Do you understand that way of thinking
 23 that some people might have?
 24 A. I understand that anyone that works for a company is
 25 part of the company, yes.

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1 Q. And that I, speaking for myself -- part of my defence,
 2 when I stand up and I point at you, "Shame on you",
 3 "Puppy killer", I know what I'm saying and it's a term
 4 of collective responsibility because I don't know --
 5 I know your name -- I don't know what your practices are
 6 or what you do. It's a collective. I ask you to accept
 7 that that's -- as my defence, that there's a rationale
 8 behind it. Would you accept that?
 9 A. I accept your rationale for believing that and wanting
 10 to get your point across. I don't accept that there is
 11 rationale for you going out and giving people false
 12 information to try and make them feel the same as you.
 13 Q. Okay, well, false information -- we didn't get false
 14 information off the Home Office from the Freedom of
 15 Information -- there is -- is there or is there not --
 16 only one question -- a terminal bleeding procedure
 17 practice that takes place at MBR?
 18 A. There is a terminal bleeding procedure, yes.
 19 Q. Okay. Now, paragraph 53, you talk of -- you feel you're
 20 drained by these protests; yes?
 21 A. Yes.
 22 Q. And they affect your mood negatively?
 23 A. Yes. Anyone being shouted at daily would tell you that
 24 it has an effect, yes.
 25 Q. But not anyone works with a terminal bleeding procedure

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1 with young puppies, do they?
 2 A. I don't work with young puppies in a terminal bleeding
 3 procedure, no.
 4 Q. Okay.
 5 A. This is where that information -- your information isn't
 6 correct.
 7 Q. All right. Do you work with terminal procedure with
 8 adult dogs?
 9 A. I have done, yes.
 10 Q. Now, you finish there:
 11 "... I am interacting with people who are upset and
 12 crying about it, which is very draining."
 13 I just want to ask you this: do you have any notion
 14 at all -- if we could talk about the people on the other
 15 side of the fence, the people who do protest about
 16 vivisection, the people who have -- people like me, who
 17 have spent a hell of a lot of time on the side of that
 18 road, at that camp, listening to the sounds of those
 19 dogs. Do you understand that people who carry out
 20 protests also get upset?
 21 A. I do understand that they get upset but they need to
 22 channel it differently and try to help work at stopping
 23 animal testing as opposed to giving the people on the
 24 bottom daily grief. They could use that energy so much
 25 better.

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1 Q. But you understand that they too -- they cry about the
 2 issue. You're not the only one crying; yes?
 3 A. Yes, but I'm not in control of that issue. The
 4 protestors are in control of making people cry daily,
 5 aren't they?
 6 Q. No, I would accept not. Well, no, the idea -- I'm not
 7 aware of a technique in the Camp Beagle campaign that is
 8 designed to make people cry. I'd absolutely -- I deny
 9 that. I'd refuse that.
 10 A. I would say making people feel unsafe in their own home,
 11 destroying vehicles, shouting at them daily,
 12 intimidation, et cetera, are reasons for people to get
 13 upset and none of that happened before Camp Beagle was
 14 in situ.
 15 Q. It's my defence that I have played no part in any
 16 intimidation, any harassment, any targeting of workers,
 17 say, in their homes. That would be my defence. What
 18 have you got to say about that?
 19 A. I've never once said that you have gone to them homes
 20 and done that yourself. However, again, as referring to
 21 us as a potato factory, if you're part of that campaign
 22 and you're out there as a voice, then you're going to be
 23 seen as part of that.
 24 Q. Okay. But let's go to paragraph 55, where, according to
 25 you, I'm not just part of the campaign. I think this is

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1 the strongest description I've heard so far. I've heard
 2 I've been called "the boss" before and other terms, but
 3 actually you suggest:
 4 "It seems to me that he is the other protestors'
 5 'god', and they will do whatever he tells them to do."
 6 Is that correct?
 7 A. Correct. That's why it's in my statement.
 8 Q. Do you believe that?
 9 A. Yes, that's why it's in my statement.
 10 Q. How do you back that up? If you believe it, you should
 11 be able to base it on something?
 12 "... they will do whatever he tells them to do ..."
 13 A. This is my opinion. This is my opinion from what I see
 14 from an outside point of view. Same as you've made
 15 opinions of us from what you've seen and from an outside
 16 point of view, this is my opinion from what I've seen.
 17 Q. So we've heard of graffiti outside people's houses and
 18 people being sent funeral cards, et cetera. Is it your
 19 suggestion that that's happened because I told whoever
 20 did it to do it or are you talking about the protests
 21 outside the gate?
 22 A. From what I've seen, just the protestors in a whole.
 23 You know, you're one of the leaders that's out there
 24 telling people, "Direct action, we've got to do this,
 25 we've got to do that". If your voice is heard telling

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1 people, "This is what we've got to do", you know, I only
 2 see what I can see from where I'm at. I don't know what
 3 else you're telling them to do. If they're then doing
 4 what I see you telling them to do, then I don't know
 5 where that ends, if they're that obedient that they'll
 6 listen to you.
 7 Q. Yes, like you said, you don't know. You don't know that
 8 there's a possibility -- how would you know that, say,
 9 if Mr Curtin -- in fact one of his roles was to liaise
 10 with the police and perhaps keep a lid on things and
 11 remind people that all these activities are conducted in
 12 broad daylight and under the cameras, advising people
 13 not to get arrested and for the sake of the campaign not
 14 to get arrested, to keep it legal and therefore it would
 15 be not shut down and sustained because the campaign
 16 would not be one of illegality but would actually be one
 17 of legality -- what do you say to that, that Mr Curtin
 18 has played a role in keeping the campaign as peaceful as
 19 possible, as legal as possible?
 20 A. I feel that you've tried to keep it as legal as possible
 21 as far as keeping Camp Beagle there and present. What
 22 is actually unseen I don't know and what I've seen from
 23 your own actions with the megaphone before the
 24 injunction and everything like that, I don't think you
 25 was trying to keep it that peaceful then, no, because in

1 some of it you would be the one saying, "Come on, here
 2 they're coming. Let's hold them back. Here come the
 3 shit shovelers. This is what we do. This is what we
 4 do".
 5 Q. What about if you hadn't -- if you'd missed out some
 6 important words as, "The job here is not to hold them
 7 in, it's to protest and to actually move out of the way,
 8 give them free passage", then it would be a different
 9 hearing. This is just your understand. This is just
 10 your feeling anyway, isn't it, about Mr Curtin? You're
 11 not basing that --
 12 A. Well, if you wanted to play video 294, you would clearly
 13 hear you say, "Here they come. Let's hold them back".
 14 It wasn't, "Let's let them go". It was, "Let's hold
 15 them back" --
 16 Q. Well, if you remember --
 17 A. (Inaudible - overspeaking) putting a dog in front of the
 18 car.
 19 Q. If you remember, I remember -- can I remind you, that
 20 relates to the incident when you [sic] were on trial and
 21 I was acquitted because, if you listen to the whole lot
 22 of what I'm saying, it's to speak to people who have
 23 never been before, explaining to them, "The idea is
 24 absolutely not to block these cars but to allow them to
 25 get to the road and leave". That's what happened in the

1 court case and I put it to you that's my role there that
 2 day. What do you say to that?
 3 A. The evidence is there on the video. It states
 4 otherwise.
 5 Q. Right. Do you have access to social media, you're sort
 6 of computer savvy, et cetera?
 7 A. Yes.
 8 Q. I want to talk about what else you know about Mr Curtin
 9 from -- if we can go -- begin with what you know
 10 combined, from all the social media you've looked at,
 11 any internet searches that you've done, from gossiping,
 12 talking, chatting to workers which -- please don't deny
 13 that you've never chatted with a worker about protest.
 14 But I want to know roughly, because I've got no idea
 15 what you're going to say, what's your perceived
 16 knowledge of Mr Curtin from internet searches, from
 17 social media and from gossip amongst workers, chatted --
 18 well, give me some examples of what you think you know
 19 about Mr Curtin.
 20 A. Through Google I found obviously criminal activity that
 21 had gone on over the years. I was also aware anyway
 22 from some of your own videos where you were stating what
 23 you had done over the years as well. But I didn't
 24 really -- I wouldn't say gossip per se. You know, your
 25 name has been mentioned and, yes, I have Googled

1 anyone's name out there protesting, not just you
 2 individually.
 3 Q. So you've gone out of your way to search for me. You've
 4 Googled my name, you've looked at various things to do
 5 with my name; is that correct?
 6 A. That's correct. If anyone was shouting at me every day,
 7 I would take a bit of time just to find out who they are
 8 and what they're doing.
 9 Q. Have you had any access to like -- I've asked some of
 10 the workers. There's been -- there was one particular
 11 site. It was a spoof on my name. My name is
 12 "John Curtin", it was called "Connie Jurtin", where
 13 I got described as a bully and a thief, a police
 14 informer, a grass, even a sex predator. Is that -- have
 15 you ever had any conversations about such things said
 16 about me?
 17 A. I haven't had any conversations but I have seen the
 18 Connie Jurtin page, yes.
 19 Q. And could you describe to the court what -- your
 20 impressions of the essence of the Connie Jurtin site,
 21 please?
 22 A. Well, it was just some -- a view of what goes on at
 23 Camp Beagle and your behaviour there.
 24 Q. And none of it complimentary; yes?
 25 A. Oh, no. It's saying how you tried to rule the camp and

1 how you're intimidating and being around the young girls
 2 and that sort of --
 3 Q. The young girls. Stealing money?
 4 A. Yes.
 5 Q. Then you've got here, in paragraph 55, about my
 6 involvement -- it says:
 7 " ... [Mr Curtin] has been involved in the exhuming
 8 of human remains in the course of his protests ... "
 9 Where did you find that out?
 10 A. Google.
 11 Q. Do you want to tell the court a little bit about your
 12 knowledge of that?
 13 A. It is as what it says in my statement.
 14 Q. Yes, but could you expand on it, please? It just
 15 says -- was it in relation to the -- was it part of an
 16 anti-vivisection --
 17 A. What paragraph are we in? What paragraph are we in?
 18 Q. 55. Are you aware -- because you would have been
 19 working at -- you would have been working in the
 20 industry already. Are you aware of the Newchurch
 21 campaign? Newchurch? It was a guinea pig breeders that
 22 had to close -- that closed. Do you remember that?
 23 A. Yes, I think that was the one that came up. It was the
 24 one where you had done two years in prison for
 25 attempting to exhume a body and then it was that you'd

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1 also been accused of another, which was the guinea pig
 2 farm.
 3 Q. So some involvement in the Newchurch grave
 4 desecration -- yes? -- which was the grave desecration
 5 relating to digging up a grandmother and keeping hold of
 6 the body; yes? So is it your knowledge that I was
 7 involved in that?
 8 A. I saw that your name was linked to it. I don't know
 9 what the findings of that investigation or anything was
 10 with you, no.
 11 Q. It may have -- or practically selectively, I put it to
 12 you, if you had have searched me on that, you would have
 13 seen how Mr Curtin condemned that activity and was
 14 bitterly opposed to it. Do you remember reading that in
 15 the course of your computer searches?
 16 A. So you condemned it but you had been charged for the
 17 same offence.
 18 Q. Yes, the reason I'm asking you questions is not -- these
 19 are things you just picked up from -- just because you
 20 see it on Google doesn't make it true, does it, and just
 21 because your work colleagues say -- definitely just
 22 because you've seen it on a site called Connie Jurtin,
 23 which is designed to hate -- a troll site for me -- none
 24 of this -- this is just your beliefs from what you've
 25 picked up along the way, isn't it?

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1 A. Yes, correct. There's a lot of misinformation out
 2 there.
 3 Q. What the hell do you think all this information,
 4 a thief, a bully, grave digging for God's sake -- you
 5 said it. Did you say something about little girls?
 6 What sort of perception are you going to have of
 7 Mr Curtin after reading this?
 8 A. I already had a perception before that. When I saw the
 9 Connie Jurtin page, that was well into the protest.
 10 Q. So the Connie Jurtin site, did that just confirm your
 11 beliefs basically about this man?
 12 A. No, because I try to judge each person on what I see and
 13 I'd already seen you shouting at myself and that and
 14 that's what I judged you on.
 15 Q. Yes, but there's someone who shouts, someone who gets
 16 a megaphone, probably annoys the hell out of you with
 17 the things he said and there's all these other
 18 allegations. That's off on another scale. I'm asking
 19 you, once you started to read these things -- and you
 20 didn't just -- did you look at Connie -- how many
 21 times -- and remember -- how many times did you look,
 22 say, at the Connie Jurtin site because it went on for
 23 many, many, many months. How many times --
 24 A. I think by the time I had found the site, it had already
 25 been running for quite a while so I just sort of scanned

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1 back over it.
 2 Q. But do you think that these have coloured your
 3 perception of me or do you think it's helped you form
 4 a view of Mr Curtin that helps you?
 5 A. I don't really try to think about you as a person. I'm
 6 just trying to think about the process as a whole.
 7 Q. Okay. The last little bit now. We're finally getting
 8 there. Paragraph 57.
 9 A. Yes.
 10 Q. I'd say this is -- I go back to the last point I was
 11 making. What do you think -- what did reading these
 12 things make you think?
 13 "These fears make me very uncomfortable, because my
 14 brain is constantly trying to think of what behaviour
 15 the protestors are going to display, and coming up with
 16 worst-case scenarios."
 17 Yes?
 18 A. Yes, naturally, yes.
 19 Q. Yes, naturally. I've put an asterisk next to it, saying
 20 "Exactly". So again we're back to the fears. Mr Curtin
 21 has shouted at you and he's annoyed you. You find it
 22 frustrating. At times you said you find it alarming,
 23 harassing, distressing. Then that's -- I put it to you,
 24 add that to the other stuff you hear about me and it's
 25 fuelled your mind into coming up with these worst case

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1 scenarios and especially about Mr Curtin.
 2 A. Regarding the criminal activity, yes, not the
 3 Connie Jurtin thing, when I'm not a young female so
 4 you're not going to do that. You're not going to get my
 5 money or anything like that. So I haven't made an
 6 opinion on any of that. The only --- like I say, and
 7 it's in my statement, is it was a bit disturbing reading
 8 the stuff on Google regarding what you had actually been
 9 charged for and been to prison for. I don't believe
 10 what I've seen on social media for the reason of what
 11 I see against our company on social media and knowing
 12 how much wrong information is put out.
 13 Q. 58, we've kind of dealt with and we don't have to go
 14 back on, "because of the names they call me". I put it
 15 to you --- have you ever been called a name, however bad
 16 for you, that no one else has been called? Is there
 17 a special name called for you that you haven't heard
 18 other people --- "Puppy killer", "Monster", you know, as
 19 far as "Scum", "F-ing scum" example --- is there
 20 something that gets targeted for you?
 21 A. I haven't got my own name, no.
 22 Q. Paragraph 60, you're aware that some of the protestors
 23 live locally.
 24 A. Yes.
 25 Q. I've talked to other witnesses about this and this sort

1 of generic idea of protestors. Would it be your case
 2 that anyone that wants to stand up and speak out about
 3 animal experiments is a protestor in this respect?
 4 A. If they're willing to go out and actually protest their
 5 beliefs, then, yes, they're a protestor because they're
 6 protesting their beliefs.
 7 Q. So after reading the Daily Mirror or The Sun, even if
 8 it --- as far as you would say, it might be full of
 9 inaccuracies, they decide to go along to a current
 10 campaign, for example, Camp Beagle, then that's them,
 11 they're in the gang, they're protestors; yes?
 12 A. If they're taking their time to go to a protest camp and
 13 be part of it, they are then becoming a protestor. If
 14 they're just sitting at home and having a personal
 15 opinion on it, that is just their opinion. They're not
 16 actually going out to protest their beliefs to the
 17 others.
 18 Q. And these people who are concerned --- it's my case
 19 there's a massive sizeable section of society --- they
 20 have to live somewhere and they do indeed --- could live
 21 in your locality?
 22 A. Yes, correct.
 23 Q. And this would add to your fears and worries, that, "Not
 24 only are these protestors at the gates, some of them
 25 might be my neighbours"?

1 A. Well, yes, it would worry me because of their behaviour.
 2 You know, I don't have an issue with any of my
 3 neighbours disagreeing with what I do or the company I'm
 4 involved in. What I do have a problem with is the way
 5 that it's then put out there.
 6 Q. Okay. But it's my case that Mr Curtin is stood at the
 7 gates and he's shouted, he's helped with the --- in my
 8 case I do help with the social media and I've done just
 9 that, demonstrate outside those gates and did the
 10 parliamentary petitions. I haven't been causing you any
 11 trouble at your home or any illegal acts, any damage.
 12 I've just been a protestor. How would you accept that?
 13 A. I'll accept that but that might be because you don't
 14 know where I live.
 15 Q. I would again --- do you know you were --- and again
 16 I can't --- I apologise for one last time, from one human
 17 being to another, for what it's worth --- you might not
 18 trust me at all considering all the things you've heard
 19 about me --- I made a mistake. But as soon as you heard
 20 your name, I imagine your heart had started raising and
 21 you became frustrated and we had to have a break and it
 22 wasn't --- it was unpleasant, wasn't it?
 23 A. Yes, it was unpleasant because of the illegal activity
 24 that has gone on when people's names have been released,
 25 not because I fear that a few people know my name, but

1 in fact what would happen after that.
 2 Q. Okay. What about this then, that it's been unpleasant,
 3 it's been frustrating, it's not been nice to have these
 4 people shouting at you and --- as you go to work and
 5 putting these things on their social media sites that
 6 you say are untrue, but compared to other campaigns in
 7 the past and compared to your fears, things could have
 8 been a lot worse. For example, imagine waking up
 9 tomorrow morning and seeing on the Camp Beagle Facebook
 10 a rogues' gallery, on which there's a picture of you and
 11 your name, that would be a massive escalation,
 12 wouldn't it? That would put your fears through the
 13 roof, I would imagine; is that correct?
 14 A. Sorry, I don't really know what you --- can you say that
 15 again?
 16 Q. To wake up tomorrow morning or get a phone call from
 17 someone, "You'd better look at Camp Beagle Facebook
 18 site", and there's a rogues' gallery featuring your name
 19 and your face, that would be a terrible thing for you ---
 20 to happen to you, given the evidence that you've given?
 21 A. Correct --- yes, correct. That's why I keep my face
 22 covered up all the time. As I said in my statement,
 23 I always wear a hat and a balaclava to not allow you to
 24 get a photo.
 25 Q. I just put it to you one more time that I, for example,

1 have known your name and until the mistake this
 2 afternoon, it's not your case, is it, that, having had
 3 access to your name, it was then used by the Camp Beagle
 4 campaign extensively to out you? In fact the opposite
 5 is true. Your name was out in the public sphere but it
 6 hasn't been acted upon, in your case, apart from some
 7 incidents that you've talked about which is not in your
 8 evidence. Basically I put it to you that Camp Beagle —
 9 the thrust of the campaign, the gist of the campaign,
 10 the nature of the campaign, is against what MBR do and
 11 it is not aimed at individual workers. Your testimony
 12 would say otherwise, but what do you say to me putting
 13 that forward, that Camp Beagle goes out of its way to
 14 not make it personal?
 15 A. I feel that Camp Beagle do go out their way to make it
 16 personal but I think they know where the rules lie with
 17 sharing names on their Facebook page and posts being
 18 removed, et cetera, and I feel they try to stay within
 19 the law so they go under the radar so they can keep
 20 camping there.
 21 Q. Paragraph 64, I don't know how to handle this but it's
 22 my job to go through this evidence bundle and refute it
 23 when I can. There's a mention of your children there:
 24 "I also feel paranoid when walking around outside of
 25 work ..."

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1 There's no evidence — let me just do it simply.
 2 There's no evidence here that — not only have I not
 3 targeted you but I've not targeted your children.
 4 Remember, Mr Curtin accepts that he's pointed at you and
 5 said, "Shame on you", "Puppy killer". Apart from that,
 6 which you've taken personally, there surely is no
 7 evidence in this bundle that puts an accusing finger
 8 towards me that I in any way have attempted to involve
 9 your children?
 10 A. I haven't said in that paragraph that you have included
 11 my children. What that comment there is about is saying
 12 that I fear when I'm out with my children in the vehicle
 13 that I drive to site each day that was being recorded
 14 daily and put onto the Camp Beagle Facebook page — and
 15 on them videos it would be zooming in on my registration
 16 plate with the effect of everyone getting to know that
 17 vehicle and that reg plate. If I was then out with my
 18 children and there was some people that was anti and
 19 they was to see my vehicle, would they then approach me?
 20 That comment was not at you.
 21 Q. Okay. This might be my last question. Imagine a world
 22 where Camp Beagle hadn't happened but another type of
 23 campaign had happened that wasn't involved with camping,
 24 but just the same, the investigations had gone on and
 25 MBR was hitting the headlines for bleeding dogs to

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1 death, flying dogs into the country, MBR a constant
 2 source of controversy, would you have worries about your
 3 identity, for example, being disclosed as being an
 4 employee of that really controversial company? Do you
 5 understand?
 6 A. Not as much with Camp Beagle's presence, no, because
 7 Camp Beagle's presence are what you daily — to know
 8 your routines — you know, they can report when you're
 9 there, when you're not and that sort of thing. That's
 10 what Camp Beagle is about. Again, it's watching the
 11 staff. You know, all that information from within has
 12 not all come from Camp Beagle. A lot of it has come
 13 away from Camp Beagle and from other protest groups,
 14 campaigns.
 15 Q. Okay, but I'm here to defend myself and it's my defence
 16 that indeed I have spent the last 22 months campaigning
 17 but I've been campaigning against MBR and animal
 18 experiments and I have made as much effort as I can to
 19 not target people personally, and that's — the main
 20 thrust of your evidence seems to be here that not only
 21 the campaign has targeted you, but you've actually said
 22 there are times when I've targeted you. It's my defence
 23 that that's the opposite, that I've set out not to make
 24 it personal but to make a campaign against the
 25 activities of MBR. How do you feel about that?

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1 A. I feel that's completely incorrect. Even this weekend
 2 just gone, you was continuously shouting at the security
 3 and the security guards. They're there to do a job.
 4 They're not there for you to target them personally. If
 5 you've got a problem with the industry and the fact that
 6 animal testing is still required in this country at the
 7 moment, then you should be going down the line of your
 8 petitions, you know, making the public aware so they can
 9 become part of your petitions. Shouting at some dog
 10 guards every day, at the weekends and stuff like that,
 11 for being a security guard on our site is not going to
 12 result in the need for animal testing to be reduced.
 13 Q. Okay, but you accept there's a valid place for what you
 14 talked about, the parliamentary and the campaigning;
 15 yes?
 16 A. Yes, I fully agree with anything like that. I've stated
 17 at the very beginning of my statement I believe that
 18 everyone should have the right to protest, you know, as
 19 anyone else. I am not for animal testing, I just
 20 understand the need, and while there is a need I will
 21 work with the animals and try to ensure that I can have
 22 an impact on their lives whilst they are needed. You
 23 know, if MBR wasn't there — and, like you say, we have
 24 been in the newspapers and we have been flying them in
 25 or whatever you're saying — that's because there's

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1 a need and the need needs to be removed.
 2 Q. I'm sorry, could you clarify the last bit, the "need and
 3 the need needs" -- I got the other bits but what do you
 4 mean by that last bit?
 5 A. So whilst there is a need for animals in medical
 6 research, for it to progress, then the need is there for
 7 the animals to be produced.
 8 Q. Okay. We're not being allowed to go into the rights and
 9 wrongs of vivisection. It will be my defence that there
 10 is a large number of eminent people, doctors,
 11 professors, et cetera, that are opposed to animal
 12 experiments. Would you accept that?
 13 A. Yes, I believe a lot of people have different views on
 14 it.
 15 Q. Okay. I'd like to finish up here:
 16 "I am aware of the lengths of which certain named
 17 defendants in these proceedings [and you've mentioned
 18 John Curtin and Mel Broughton] have gone to in the
 19 course of their campaigns."
 20 It's about your anonymity, but again you've picked
 21 me out there and the reason you've picked me out is
 22 because it's been a big factor, the fact that you've
 23 heard all these things about me, about actions in the
 24 past that have alarmed you. You've been exposed to hate
 25 sites dedicated to me and I would put to you that,

1 amongst the MBR workers, I'm something of a bogeyman.
 2 What would you say to that?
 3 A. I would say that's a real child way of looking at it.
 4 The reason I've named you two in that last section is
 5 because, out of all the protestors that I've looked for
 6 in the animal rights groups with their names, you two
 7 probably had the most colourful past and the longest
 8 service to animal right groups.
 9 Q. Okay, I'll just finish by this. So the evidence against
 10 me -- and I've got it in front of me -- is that
 11 I certainly shouted and I've certainly campaigned, but
 12 I have not partaken in any illegal activities or any
 13 personal vendettas and I have acted responsibly and I've
 14 acted legally and I've acted with dignity, and I'm proud
 15 to be a protestor outside Camp Beagle. What do you say
 16 to that?
 17 A. That's your opinion and you're entitled to it.
 18 MR CURTIN: Okay. I've got no more questions and once again
 19 I apologise for -- it was a stupid mistake by me and --
 20 yes.
 21 MR JUSTICE NICKLIN: Right.
 22 MS BOLTON: No re-examination, my Lord.
 23 MR JUSTICE NICKLIN: Right. Thank you very much,
 24 Employee B. That completes your evidence today.
 25 I can't use your name because we're in open court

1 proceedings but thank you for giving your evidence.
 2 A. Thank you.
 3 MR JUSTICE NICKLIN: Right. That completes today's
 4 exercise.
 5 Housekeeping
 6 MR JUSTICE NICKLIN: Can I just ask about whether you've had
 7 any information from Superintendent Sissons?
 8 MS BOLTON: My Lord, we believe that that's going to be with
 9 us shortly.
 10 MR JUSTICE NICKLIN: Okay. Good.
 11 MS BOLTON: I believe it's with the Force solicitors at the
 12 moment.
 13 MR JUSTICE NICKLIN: Great. Thank you very much. What are
 14 we doing tomorrow? Are we having a day off tomorrow?
 15 MS BOLTON: It's a non-sitting day.
 16 MR JUSTICE NICKLIN: I say "day off". It's colloquial and
 17 we will be working on our respective tasks. Is that --
 18 what's next on Thursday?
 19 MS BOLTON: Mr Curtin's opening. I'm wondering actually for
 20 timetabling purposes if Mr Curtin knows how long he's
 21 going to be in his opening in evidence because --
 22 MR JUSTICE NICKLIN: Mr Curtin, I've not had a chance to
 23 talk to you about this. In the same way that Ms Bolton
 24 opened the case by explaining what her submissions are,
 25 the purpose of that is to enable the court and anybody

1 listening to understand what claim is being brought and
 2 its main features. You have the same opportunity to set
 3 out your stall, to say what you will say in your own
 4 defence.
 5 Sometimes, where people are representing themselves,
 6 there is a difficult separation between, as it were,
 7 outlining what you intend to say and then saying it, so
 8 you may think that you only need to spend a short amount
 9 of time because frankly you've already told me in your
 10 written documents what your main points of defence are.
 11 By all means, go through those in your opening and tell
 12 me, "My defence is going to be this, this, this, this,
 13 I challenge the evidence of the claimants' witnesses to
 14 this effect and my evidence will be ...", and then you
 15 give a little short outline.
 16 The important thing to remember is that you're going
 17 to get your chance to give your evidence from the
 18 witness box so you don't have to feel that you have to
 19 tell the entire story from your position there because
 20 you'll get every opportunity to give me all the
 21 information you want to from the witness box.
 22 MR CURTIN: Yes.
 23 MR JUSTICE NICKLIN: All right? You can choose how you
 24 structure it, but don't feel that you need to tell the
 25 entire story from standing in counsels' row; all right?

1 MR CURTIN: Okay. My only concern -- and I was kind of
 2 a bit nervous about kind of irritating you, but you gave
 3 me -- when I began the trial, I was full of apologies
 4 and I explained to you -- and I've got some family
 5 here -- that I was in a bad state and I had not put the
 6 work in that was required and was repeatedly -- but
 7 there were reasons for that. I've put in a lot of work
 8 into the trial. Tonight, I've got -- I'm aware of the
 9 rabbits out of the hat syndrome. I would like to submit
 10 perhaps some pieces of evidence, so I'd ask the other
 11 side to not be too alarmed when they get them. They are
 12 simple things that I might be referring to that -- I'm
 13 not going to put anything from the B-note(?). If I put
 14 anything in, it will be from a Government source. For
 15 example, we mentioned about dogs -- and I know it's not
 16 the issue -- in toxicology tests, it's my evidence --
 17 and I can back it up with project licences -- that in
 18 fact that does -- that is what happens.

19 So just to warn the other side that tonight I've got
 20 some -- you might get 20 exhibits. It's not rabbit out
 21 of a hat. You don't have to read them all. Like the
 22 Italy one, for example, I don't expect you to study them
 23 but I may refer to some of them.

24 MR JUSTICE NICKLIN: Mr Curtin, I repeat again -- and it's
 25 going to be the motif of this trial throughout -- which

1 is the law doesn't require you to prove that what you
 2 believe is correct.
 3 MR CURTIN: Yes.
 4 MR JUSTICE NICKLIN: The law only -- the only -- for protest
 5 purposes and Article 10, the law only really expects you
 6 to hold your belief sincerely. Even if they're wrong,
 7 even if there's a mountain of scientific evidence to
 8 suggest that you're wrong, that doesn't mean to say that
 9 you're silenced. The law protects people's right to
 10 express their genuinely held beliefs. You don't have to
 11 prove them to be right as a price of expressing them.
 12 It's a fundamental principle in our society. So I don't
 13 want you to spend an undue amount of time feeling that
 14 you need to persuade me that you are right to protest.
 15 That's not what I'm going to decide in this case.
 16 I will recognise, as the claimants recognise, your right
 17 to protest.

18 The real issue in this case -- and this is an issue
 19 that you've been exploring quite legitimately with the
 20 witnesses -- is where does the boundary lie between
 21 a vigorous expression of your view and your opposition
 22 to MBR Acres and the work it does and when does that
 23 line cross over into illegal activities, for example,
 24 the harassment of individual employees. That's what
 25 this case is really about.

1 MR CURTIN: Yes.
 2 MR JUSTICE NICKLIN: And you so far have done a good job in
 3 your cross-examination by exhibiting -- showing me the
 4 points that you want to bring out in their evidence
 5 about the fact that you aren't targeting people
 6 personally, you are targeting them because they are
 7 employees of an organisation that you're fundamentally
 8 opposed to. Now, it's that evidence that's the most
 9 important in the case, so I don't want you to spend the
 10 valuable time you have feeling that you need to prove to
 11 me that there are good reasons why you feel the way you
 12 do about the claimants. You don't have to persuade me
 13 of that.

14 MR CURTIN: I am worried that there may be evidence in
 15 here -- in fact there is evidence in here that I -- if
 16 I could do it again, I would challenge. So all I'm
 17 saying is that I'm trying to give some warning that
 18 there might be ten exhibits in the basket in the
 19 morning, but we can deal with each one and they do not
 20 need to be studied. I understand that, but I may refer
 21 to them in my evidence, such as that.

22 MR JUSTICE NICKLIN: Well, let's take it step by step.
 23 Ms Bolton is likely to object to late evidence because
 24 the way we work in court is that nobody is taken by
 25 surprise by evidence that's presented against them at

1 trial. You wouldn't like it if Ms Bolton suddenly
 2 pulled witnesses out from a hat and said, "Oh, I've just
 3 got a couple of additional witnesses. Don't worry about
 4 them, blah blah blah". You wouldn't like that. You
 5 would think you were being ambushed.

6 Now, the court doesn't operate on a system of
 7 ambush. It works on a system of everybody putting their
 8 cards on the table face up so everybody knows when
 9 they're getting to trial what they're having to deal
 10 with so they can prepare for it and prepare their cases
 11 in relation to it; okay? So I'm not saying you can't
 12 have -- and it depends what it is and ultimately, if you
 13 persuade me that it's really important, then I'll ask
 14 Ms Bolton whether she's got any objection to it. She
 15 may not have any objection to it. She may have seen it
 16 before, for example.

17 MR CURTIN: Okay.

18 MR JUSTICE NICKLIN: She may say it's not particularly
 19 relevant, in the way that you've described it to me
 20 today -- and I think she may have a point there -- but,
 21 if necessary, we'll come back and have a look at this
 22 point again because, you know, the rules aren't going to
 23 change.

24 MR CURTIN: Yes.

25 MR JUSTICE NICKLIN: To an extent, the rules are

1 significantly in your favour on that front in this trial
 2 because you don't have to prove that you're right in the
 3 expression of your opinion.
 4 MR CURTIN: Thank you.
 5 MR JUSTICE NICKLIN: All right?
 6 Right.
 7 MS BOLTON: My Lord, if it assists, if Mr Curtin could get
 8 those documents to us this evening, because it sounds
 9 like he already has them, I will make sure we've had
 10 a look at them before Thursday. If Mr Curtin is going
 11 to open and then give evidence and I suspect, just from
 12 what I'm seeing in cross-examination, there will be
 13 more, it may very well be -- I've got a feeling we're
 14 not going to be getting to cross-examination until
 15 Friday. I don't particularly want Mr Curtin in purdah
 16 over the weekend and I am aware there's train strikes,
 17 so --
 18 MR JUSTICE NICKLIN: I think you may be being a bit
 19 pessimistic. My experience -- and I don't mean this in
 20 any disparaging way about litigants in person who
 21 conduct their own defence and give their evidence --
 22 it's likely that what Mr Curtin is able to sustain by
 23 way of evidence and monologue in relation to his own
 24 evidence may be limited. He may need some assistance
 25 from me to cover various matters. It may be that I will

1 resort to an expedient, subject to your submissions to
 2 the contrary, that where he has advanced a version of
 3 the factual events to witnesses in the trial, he
 4 confirms that those are true so that we don't need to
 5 pick through the transcript and get him to state on oath
 6 that he's confirming all of those.
 7 We may be able to deal with that compendiously by
 8 his confirming that, to the extent that he's put
 9 a version of the facts that he relies upon in his
 10 questions to the witnesses, he confirms that those are
 11 true. You may wish to explore some of those in
 12 cross-examination. The real value, I suspect,
 13 particularly for me but as generally part of the trial
 14 process, is not really asking a litigant to conduct what
 15 would be a formidable task of presenting all of his
 16 evidence strictly in chief in that way. I suspect the
 17 relevant parts of his evidence you are likely to be
 18 challenging him on in cross-examination, so he will have
 19 an opportunity to put, as it were, his case, albeit in
 20 answer to your cross-examination --
 21 MS BOLTON: Yes.
 22 MR JUSTICE NICKLIN: -- but we'll see how it goes.
 23 MR CURTIN: If I can help, it would be -- if this were
 24 a criminal case I would be -- and I don't know if there
 25 is a formal procedure -- I would be putting an

1 application of no case to answer. The evidence against
 2 me, it's not going to be complicated. I'm accepting all
 3 the evidence. It's what people have made of that
 4 physical evidence. I have shouted, I have been on the
 5 drive.
 6 MR JUSTICE NICKLIN: Okay, Mr Curtin, I don't know whether
 7 you've got a lawyer that you can phone a friend about,
 8 but let me just give you this: the civil procedure is
 9 slightly different in this respect from criminal
 10 proceedings. In criminal proceedings you can make
 11 a submission of no case at half-time. Even if your case
 12 is rejected, you can nevertheless go on and give
 13 evidence in your own defence. The position is not the
 14 same in civil proceedings. If you decide to make
 15 a submission of no case and the court rejects it, you
 16 don't get the chance to put your case --
 17 MR CURTIN: Okay.
 18 MR JUSTICE NICKLIN: -- so there are real disadvantages of
 19 doing that if you're not successful.
 20 MR CURTIN: But it's roughly based on -- that's how my
 21 defence will go, that it will be based on the evidence
 22 submitted. I'm not going to put hardly any new evidence
 23 in.
 24 MR JUSTICE NICKLIN: Let me put it this way: you could
 25 ultimately force that issue by not giving evidence

1 yourself. If you did that, then Ms Bolton wouldn't be
 2 able to cross-examine you. That would put you in some
 3 difficulties because you have advanced a positive
 4 factual case about what you can be seen to be doing on
 5 the videos. That's important to your case and
 6 I understand it. I know why you have put those points.
 7 It's important in this trial process that you properly
 8 evidence that, which means going into the witness box.
 9 If you didn't do that, then I'd have half the story
 10 missing.
 11 MR CURTIN: Yes, I understand.
 12 MR JUSTICE NICKLIN: So submitting yourself to
 13 cross-examination, it's not for me to advise you. All
 14 I can say is, in the adversarial system that we operate
 15 in our courts, the court is best served by hearing both
 16 sides of the story and it would be important for me to
 17 hear your side of the story. I've been listening to the
 18 questions that you've been putting to the witnesses so
 19 I've got an idea of what your story is or your account
 20 or your explanation or your defence, but you need that
 21 opportunity to put it before the court as a matter of
 22 evidence.
 23 MR CURTIN: Yes.
 24 MR JUSTICE NICKLIN: By all means take -- consider your
 25 position. If you wanted to make a submission that

1 there's no case for you to answer, you need to be aware
 2 of the potential consequences of doing that were the
 3 court to reject that.
 4 MR CURTIN: Yes. No, I'm minded to carry on the defence as
 5 things stand, to go in the witness box.
 6 MR JUSTICE NICKLIN: Good. Right. Okay. But when you're
 7 thinking about giving your evidence, it's about
 8 essentially telling your story.
 9 MR CURTIN: Yes.
 10 MR JUSTICE NICKLIN: Now, there's some tools that help you
 11 here because you've already given me your witness
 12 statement and that will stand, as the witness statements
 13 of the other witnesses have stood, as your evidence and
 14 Ms Bolton may very well ask you some further questions
 15 about that; all right?
 16 MR CURTIN: Would it be inappropriate for -- to invite -- to
 17 actually invite you to cross-examine me because I can't
 18 cross-examine myself.
 19 MR JUSTICE NICKLIN: No, no, no, you don't need to worry.
 20 Part of my job is to make sure that, so far as I'm able
 21 to detect it, you've had a fair opportunity to tell me
 22 the evidence that you have to give that you want to rely
 23 upon. Now, I'm watching as part of this process what
 24 that is. Broadly I'm aware of what you want to say
 25 about these things and I'm reasonably confident that

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1 (4.32 pm)
 2 (The hearing adjourned until
 3 Thursday, 11 May 2023 at 10.30 am)

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1 most -- you will have an adequate opportunity, insofar
 2 as you need one, because Ms Bolton has an obligation to
 3 put points to you if she is going to invite me to find
 4 against you on critical points.
 5 So I think the process will work out fairly in the
 6 results because the nature of your defence puts you on
 7 a direct collision course with the claimants, which will
 8 mean they have to cross-examine you about all of the
 9 matters that they want me to find against you. It's not
 10 such a case -- broadly, you've got a freestanding
 11 protest element which I understand and that's -- you've
 12 set out in your statement. As to the individual
 13 elements, that's all going to be the subject, I'm
 14 reasonably confident, of cross-examination, but I'll
 15 review it as we go through it.
 16 MR CURTIN: Okay.
 17 MR JUSTICE NICKLIN: All right? Right. So we won't meet
 18 tomorrow. I will see you all on Thursday at 10.30.
 19 MS BOLTON: My Lord, there's one very quick matter. I'm
 20 concerned that the transcript may have picked up
 21 Employee B's name -- I'm being told it's been redacted.
 22 Sorry, I was just --
 23 MR JUSTICE NICKLIN: That's all right. Thank you. Thank
 24 you for being prudent.
 25 Right, on Thursday then.

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