



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

Day 12

May 15, 2023

Opus 2 - Official Court Reporters

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Monday, 15 May 2023

1
2 (10.00 am)
3 MR JOHN CURTIN (continued)
4 Cross-examination by MS BOLTON (continued)
5 MR JUSTICE NICKLIN: Yes, Ms Bolton.
6 MS BOLTON: Mr Curtin, good morning.
7 A. Good morning.
8 Q. I would like to take you to an incident on
9 22 September 2021. If we could go to video 339, please.
10 If we can just pause the video for a second. Mr Curtin,
11 we are going to look at this camera angle first of all,
12 which shows more of the incident, and then the second
13 one, which also shows the incident from a different
14 angle with the audio, just so you know where we are
15 going.
16 A. Yes.
17 Q. Right. If we can play on, please. (Video played)
18 Pause there. That's you taking the banner down,
19 isn't it?
20 A. Correct.
21 Q. Yes, okay. Play on, please. (Video played).
22 A. My Lord, sorry, I apologise for making an interruption.
23 I suspected that this might come up, this incident and
24 I've studied it in detail. Do I just answer the
25 questions and then -- what about the representation?

1

1 Hopefully I can answer and, by giving my answers, I can
2 say things I need to say.
3 MR JUSTICE NICKLIN: Is this the contempt application?
4 MS BOLTON: No.
5 MR JUSTICE NICKLIN: Just listen to Ms Bolton's questions
6 and answer them as best you can.
7 MS BOLTON: That's you standing in the middle of the
8 driveway there, isn't it?
9 A. It is.
10 Q. And there is a vehicle about to come out, isn't there?
11 A. It is.
12 Q. Play on, please.
13 A. Can I invite you to look at something or --
14 Q. No. (Video played).
15 Pausing there. That's you stopping the Anglia Water
16 vehicle, isn't it?
17 A. Yes. That's me standing in the road.
18 Q. And that's -- sorry, go on.
19 A. I would invite you to go to the seconds before this.
20 You might not notice this, but I've watched this video.
21 I thought this video was going to come up, and I would
22 invite you to -- a few seconds before, I sort of
23 gestured to one of the women down in the -- there is one
24 with the blond hair and the smaller one in front of her.
25 They've got leaflets. This was pre-arranged, we can see

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1 all these people in this site. I had a little plan --
2 you can call it a plan -- with myself and these two
3 other women. Between the three of us, there was this
4 simple idea of let's slow the vehicle down, you give
5 them a leaflet and on your way. After all, it's
6 Anglia Water, nothing to do with MBR, and if there is
7 one customer you wouldn't want to interrupt, surely it's
8 the water company.
9 Q. Indeed, Mr Curtin.
10 We can see that you've stopped that vehicle as he is
11 trying to access the highway from the Wyton site; yes?
12 A. Yes, it's because of me, yes, that van is slowed down.
13 Q. And if we can play on, please. (Video played).
14 Pausing there, you've just beckoned somebody else to
15 stand in front of the vehicle whilst you go to the
16 driver's side, haven't you?
17 A. That's correct. It is, and the reason is just to give
18 this guy a leaflet.
19 Q. Play on, please. Pausing there, we have just seen him
20 point his hand towards the road. He doesn't want to
21 wind his window down, does he?
22 A. He certainly doesn't. Prior to this incident, when he
23 went in -- I remember this man, he sticks in my mind --
24 he had a pair of sunglasses on, nothing wrong with that
25 but he was -- I say on the video later -- there is

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1 another video of this incident, where you can hear the
2 audio -- "We get someone like you every two weeks,"
3 fairly obnoxious, didn't care -- he went like that to
4 pretend crying, he was not interested. I can't remember
5 the actual incident, but I was aware that he was going
6 to be maybe reluctant to take a leaflet. So me and two
7 other women had -- let's slow him down, if there was any
8 ambush, it was by the two women, and my case will be
9 that at the moment, when he first came out, there were
10 three people involved, myself and the two other women.
11 Everyone else is looking the other way.
12 Now, to some degree, it begins to get out of hand,
13 this incident, and it's a typical example where I had
14 a simple plan with two people. They would stop the car,
15 give him a leaflet, on his way, and it kind of got out
16 of hand, which is fairly commonplace and, as you will
17 see from here, it's extremely frustrating for me that
18 a simple act like giving a leaflet could get so out of
19 hand.
20 Q. And of course, none of what you've just said in the
21 witness box is in your defence or in your very late
22 witness statement or further evidence that you've
23 submitted throughout the hearing?
24 A. Correct, but Susan Pressick would have been the person
25 that I would have had to ask about this video. She

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1 wasn't even there. She has got just as much view on
 2 this video as anyone else, witnesses the video, I was
 3 there, I'm a witness and this is a golden opportunity
 4 for me to expand on this incident.
 5 I remember this incident because one of the women
 6 there that I had the little plan with, she often used to
 7 joke about this incident. She used to say about
 8 Anglia Water because it was the time she remembers me in
 9 a bad mood because I do get into a bad mood
 10 increasingly ---
 11 Q. And again, none of this was addressed in your late
 12 witness statement, was it?
 13 A. No, but I'm giving evidence now. If you want to refute
 14 everything I say --- I'm under oath and everything I tell
 15 you is the truth.
 16 Q. Right. Let's play on, please. (Video played).
 17 A. And I would invite the court to watch the movement of
 18 the van, not just me, watch the movement of the van with
 19 people in front of it.
 20 Q. Pausing there, we can see that somebody else is trying
 21 to give the van driver a leaflet and he is still not
 22 winding down his window to take it, is he?
 23 A. Correct.
 24 Q. Keep playing on, please. You are leaning back in,
 25 trying to tell him to take the leaflet, aren't you?

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1 A. Yes, and as we speak, more and more people, you can
 2 see --- there were people at the start --- more and more
 3 people are getting involved.
 4 Q. Pausing there, someone has put it on his windscreen,
 5 haven't they?
 6 A. They've put it underneath his windscreen wiper and
 7 because of the sort of people we are, I think they've
 8 put it so it couldn't block the window.
 9 Q. Yes. Play on, please, (Video played).
 10 He is trying to move out the way, isn't he?
 11 A. Yes, with people in front, which --- the man was acting
 12 like a ---
 13 Q. Let's rewind that just 10 seconds, please.
 14 A. Okay.
 15 Q. And let's play that again. (Video played). Pausing
 16 there, we can see that van is moving very slowly but
 17 no one is moving, are they?
 18 A. You say very slowly, I would say the engine is revved
 19 and you can see one of the people --- actually it takes
 20 me surprise, and like I was giving evidence, I actually
 21 had a friend years ago that was killed while protesting
 22 by a vehicle. You should not move forward. It's not
 23 good behaviour to move forward while there are
 24 protestors in front of you.
 25 Q. But you accept, don't you, Mr Curtin, that it's not part

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

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1 doesn't want a leaflet. So we will try him again on the
 2 way out, and the idea between three people, here you
 3 are, mate, take a leaflet, don't be so unreasonable,
 4 give it to your boss. This is one company that can't
 5 boycott the company anyway and it's --- I gestured --- you
 6 are right, I gestured to the other three --- when it
 7 stopped, I did say, stand here a minute, I was expecting
 8 this to take a few seconds and it didn't take a few
 9 seconds, and it's a --- not a typical example because
 10 this is one that gets reminded to me by my friend as
 11 the --- they saw me. It was the first time they saw me
 12 in a bad mood. They remember it because I went into
 13 a bad mood because of the behaviour of this driver, but
 14 I was not trying to force him. It got out of hand, as
 15 you will see.
 16 Q. And it's right, isn't it, by now, the driver has
 17 gestured that he wants to access the highway. That's
 18 correct, isn't it?
 19 A. That's correct.
 20 Q. He has indicated to you that he doesn't want to take
 21 the leaflet?
 22 A. Yes.
 23 Q. And he has tried to edge forwards, hasn't he, indicating
 24 he wants to leave?
 25 A. Which is like, if there is anything going to inflame the

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1 situation , it was that forward movement.
 2 Q. And it's right , isn't it , that despite all of those
 3 indications , you are still holding him up, trying to get
 4 him to take the leaflet ?
 5 A. I'm not holding him up.
 6 Q. Let's play on --
 7 A. There is other people now getting involved. Because of
 8 that -- it never became a road traffic incident but it
 9 could have.
 10 Q. Let's play on a little bit , please. Stop there, you've
 11 gone straight back in front of that vehicle , haven't
 12 you?
 13 A. That's right because I want to take a picture of him
 14 because of his , by now, obnoxious behaviour. He is
 15 a public representative on behalf of Anglia.
 16 Q. And that obnoxious behaviour is wanting to leave the
 17 site , isn't it ?
 18 A. Yes, with his sunglasses on, making gestures to people,
 19 doing nothing whatsoever to decrease the situation. If
 20 anything, inflaming the crowd.
 21 Q. Which he is perfectly entitled to do, leave the site?
 22 A. He is entitled to be obnoxious and rude, of course he
 23 is.
 24 Q. No, he is entitled to leave the site .
 25 A. Of course, and he does leave the site .

1 Q. Let's have a look at what happens next. Pausing there,
 2 you have gone back and you've angrily pointed at him,
 3 haven't you?
 4 A. Yes, and if we listen to the --
 5 Q. We will do.
 6 A. Then I think I called him -- because I looked at this
 7 because it's something that I knew was going to come up
 8 because this is me in a bad mood. I think I'm calling
 9 him -- call him a name, something like a knobhead or --
 10 "Just take a leaflet , you buffoon."
 11 That's it , you buffoon, "Come on, just take a
 12 leaflet and we can end this in seconds." And, of
 13 course, I'm not -- there was no plan to force him.
 14 I hoped he would slow down, with the two women waving
 15 the leaflets , and this should have taken 30 seconds, but
 16 you are right , it doesn't take 30 seconds and this is --
 17 Q. It doesn't take 30 seconds, does it , Mr Curtin?
 18 A. It doesn't.
 19 Q. Because he refuses to take your leaflet ?
 20 A. He does.
 21 Q. Play on, please. (Video played).
 22 A. Someone has come now and they've taken a chair, they are
 23 sitting in front of him. I haven't beckoned that
 24 person, "Oi, get a chair."
 25 Q. Abusing there, you are now either photographing or

1 recording him, aren't you?
 2 A. Yes, because I want to report him to Anglia Water.
 3 Q. In fact, what you tell him you are doing is that you are
 4 live streaming him?
 5 A. Yes.
 6 Q. Yes. Okay. Play on, please. (video played).
 7 Pausing there --
 8 A. Do you see that, I had a word with the person in the
 9 chair and she moves.
 10 Q. And you are back in front of the car, either recording
 11 or taking further photographs of the car?
 12 A. Yes.
 13 Q. Play on, please. (Video played).
 14 Again and you are continuing to do so there. Pause,
 15 please.
 16 You are plainly very key, aren't you, in this
 17 incident, to preventing this contractor from accessing
 18 the highway?
 19 A. I was key in slowing it down but, if you go back to the
 20 start of the video, I would ask you to look at all the
 21 other people and they are not involved.
 22 People become involved as it goes on. I was
 23 definitely responsible for slowing this vehicle down and
 24 I would disagree with you in your -- MBR has the right
 25 to ultimate free passage as if we weren't there. We are

1 there. And this is the sort of incident that kind of --
 2 not typical but typical of how something simple could
 3 get -- and it only ever did get slightly out of hand
 4 but, yes, I take responsibility for my role in this .
 5 Q. And it's right , isn't it , that your actions in
 6 preventing this driver from accessing the highway from
 7 the Wyton site and in obstructing him were deliberate?
 8 A. No, no, absolutely not. My intention was to give the
 9 man a leaflet .
 10 Q. Standing in front of --
 11 A. (inaudible) myself to a man -- and I use the term
 12 obnoxious, you will hear on the video, but other people
 13 have seen his behaviour. He's winding people up, which
 14 he is allowed to wind people up. I never intended to
 15 stop him for any longer than was necessary to slow down
 16 and take the leaflet . It did -- as far as -- it got out
 17 of hand but even then it was handled. The man was
 18 delayed and I didn't intend to delay him.
 19 Q. But you deliberately stopped him, didn't you, Mr Curtin?
 20 A. Initially , yes.
 21 Q. And you are deliberately standing in front of him there,
 22 aren't you?
 23 A. I'm taking a picture of someone who is winding everyone
 24 up, who's acting obnoxiously. He's meant to be a public
 25 servant and he is acting as if -- it's like he is

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

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

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

1 the engine and done something inflammatory, which went
 2 with the guy's behaviour. Now I want to take a picture,
 3 send it to his boss. As you will see on the next video
 4 if you've watched it, the gate is already open. As soon
 5 as he did the revving, I suggest to you the gate opened
 6 and a security guy actually tells him to come back. So
 7 I don't know if he -- I had no interest at all and you
 8 will see from my behaviour in a minute -- I'll run you
 9 through it -- this incident, it didn't leave me pleased
 10 afterwards because I just didn't want to stop the man
 11 getting out.
 12 Q. It's right, isn't it, that the reason you obstructed him
 13 is you wanted him to take the leaflet because you wanted
 14 to persuade him and give to him a leaflet so that he
 15 could persuade his boss not to do business with --
 16 A. No, in this case no. Like I don't think it would be
 17 reasonable to cut off the water to MBR's supply site.
 18 So in this case, no, it would be preposterous to ask
 19 a company to cut the water off.
 20 Q. And it's right, isn't it, that, because he wouldn't
 21 listen to you, you were prepared to hold him up, as you
 22 already said -- and we will see it in a minute -- to
 23 such an extent that he had to reverse back into the MBR
 24 premises because you wouldn't let him past?
 25 A. That is what has happened. It wasn't my intention. It

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

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1 want to hold this driver up indefinitely ."
 2 A. It's too late now, if you keep your eyes on me now --
 3 Q. You don't do it, though, do you?
 4 A. He's gone -- I wasn't expecting him to go back.
 5 Q. But you don't --
 6 A. Well, I make a little gesture. I don't know what
 7 happens then, there's a little -- you can see me say
 8 something here, like, "Come on, since when do we stop
 9 vehicles?"
 10 Q. And we won't hear you on the audio, will we, saying any
 11 of that?
 12 A. Are you suggesting that I wanted to keep the Anglia --
 13 what interest have I got from blocking that Anglia Water
 14 van? None.
 15 Q. Mr Curtin, it has been your evidence that you have tried
 16 to facilitate and marshal, there is no evidence of that
 17 in this video, is there?
 18 A. Yes, there is, they are marshalling, and I don't know if
 19 you see it in the next video, me having a little idea,
 20 as the protester, with in fact two women, who, they look
 21 so harmless and they are smiling, they are excited, you
 22 can even hear on the audio, "Leaflet, take a leaflet."
 23 Here is a simple little plan. I thought it was going to
 24 be smooth, smooth, smooth and it wasn't going to be a --
 25 it was just -- hopefully I couldn't imagine it becoming

18

1 the debacle that it became.
 2 That went wrong, the guy revved up, then he begins
 3 to attract people. What was a matter of me and two
 4 other people becomes the whole crowd and, "He's trying
 5 to run us over," there is other people now swearing at
 6 him. It's not my proudest moment. I said angry --
 7 I wasn't taking my anger out on him. I was just
 8 frustrated. But it's hard.
 9 So I was trying to marshal the situation, and if you
 10 carry on watching me now, other people may be talking
 11 about the incident, "Ha, ha," maybe they got some power
 12 from telling him. The other people were going, "Get
 13 back, get back," but I was never saying anything like
 14 that, and I've got my hands on my hips and I'm just
 15 like, "Well done, John, that didn't go too well, did
 16 it?" Because a simple little incident like that had
 17 descended into this.
 18 Q. And it's right, isn't it, that, if the driver got to
 19 a stage where he felt that he needed to reverse back
 20 into the site, you would accept that's probably an
 21 incident that's caused him alarm and distress?
 22 MR JUSTICE NICKLIN: No, you don't have any evidence from
 23 the driver.
 24 A. In fact, there is no -- there was certainly no police
 25 evidence in this case.

19

1 MS BOLTON: There is no police present, is there, Mr Curtin?
 2 A. No, exactly, there is no police present. So what this
 3 mob could do, look around them, there is no police here,
 4 let's take advantage of it. No. There is cameras and
 5 there is the Anglia Water van coming out. How can that
 6 be part of a campaign? How would we celebrate that as
 7 a victory? Today we stopped an Anglia Water van coming
 8 out. It doesn't make any sense.
 9 Q. Just like there wasn't any police present on the
 10 incident we looked at on Friday of 13 September, when
 11 you were standing in front of the employees' cars?
 12 A. There is a 3 o'clock and a 4 o'clock. Are you referring
 13 to the 3 o'clock incident?
 14 Q. The 4 o'clock incident.
 15 A. The 4 o'clock incident, I do believe there was a single
 16 police officer and it didn't matter to me --
 17 Q. The 3 o'clock incident, Mr Curtin, you are right.
 18 A. Yes. So no police but cameras, all the time cameras.
 19 It made no difference to me in terms of sustaining the
 20 camp, keeping it legal, keeping it peaceful, whether
 21 there were police there or not. Other people may have
 22 acted differently if the police weren't there.
 23 I didn't.
 24 Q. But there were no police and there was no exclusion
 25 zone, was there?

20

1 A. No.
 2 Q. Right. Let's just play to the end.
 3 A. Yes.
 4 Q. Please.
 5 A. Watch me. Head down. (Video played). I'm worried
 6 there, now, if anything. "Ah, great, a vehicle has gone
 7 back in." And I just want to be on my own.
 8 Q. You are certainly not trying to marshal the incident or
 9 arrange for the driver to come back out?
 10 A. No, I'm not. Remember there is no one from MBR to speak
 11 to anyway ever. There is never any line of
 12 communication and that for me is a big failure, what's
 13 just happened there.
 14 Q. There is security on the gate, isn't there?
 15 A. Pardon?
 16 Q. There is security on the gate, isn't there?
 17 A. A security man had come out, yes.
 18 Q. Let's look at the other video now, the audio, video 334,
 19 please. (Video played).
 20 A. Stop there. Could I pull your attention there to this
 21 microphone and I just wanted to say how sensitive it is
 22 sometimes, you can hear the banner going along the
 23 floor. In the past when I have been on the megaphone,
 24 which I'm going to talk about in a minute, this is
 25 a quite sensitive camera. Anyway.

21

1 Q. Play on, please.
 2 A. Ah, she just said, "Take a leaflet." That woman just
 3 said to me, "Take a leaflet." So there is me and two
 4 people, the blonde-haired woman. I would say no one
 5 else is involved.
 6 Q. Pausing there, please.
 7 A. I haven't prepared anything with any of the other
 8 people, "Listen, we are going to stop this Anglia Water
 9 van coming out, we need everyone's help." No, there is
 10 me and two other women involved in this little
 11 enterprise.
 12 Q. But it's right it's you, isn't it, Mr Curtin that stood
 13 in the way?
 14 A. Yes, with my hands at my side.
 15 Q. Did you hear, even as that vehicle was moving very
 16 slowly, its engine is quite noisy, isn't it?
 17 A. What's quite noisy?
 18 Q. It's engine is quite noisy.
 19 A. Yes.
 20 Q. Play on, please.
 21 A. Well ... (Video played). The "Whoa whoa" there, is the
 22 man certainly has come right up to me. This is not the
 23 kind of driver who is like, "Oh, there is someone
 24 standing there." No, he came right up to me, leading me
 25 to go, "Whoa whoa whoa."

22

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

23

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

24

1 usual words we hear when people leave the site?
 2 A. Not normally. There is an element of anger that has
 3 gone in here.
 4 Q. Let's play on. (Video played).
 5 A. Watch your attitude.
 6 Q. So pause there (Overspeaking). That is Mr Maher, isn't
 7 it, saying "Not letting you go. Watch your attitude."
 8 A. It's another protester.
 9 Q. Yes. Play on, please. (Video played).
 10 Pause, please:
 11 "Take a leaflet, you buffoon," that is you, isn't
 12 it?
 13 A. Yes, I think I said, "Take a leaflet", and I did call
 14 him a buffoon, which is not a nice thing to call someone
 15 and that's why this person reminds me of it, because
 16 they can tell I'm getting irritated by this situation.
 17 Q. Play on, please.
 18 A. "Be courteous". That's me saying "Be courteous."
 19 Q. Pause there. Did you hear that, Mr Curtin:
 20 "Be courteous. You have just been inside with the
 21 puppy killers."
 22 That's you, isn't it?
 23 A. Yes.
 24 Q. You are angry that the gentleman driving this vehicle
 25 has been inside, in your view, with the puppy killers

1 and he won't take a leaflet and hear your protest
 2 message?
 3 A. No, it was me that brought the word "anger" and I know
 4 you are going to put that in big block capitals. The
 5 man is irritating me beyond belief. He's from
 6 Anglia Water, and I think -- yes, you have just been in
 7 with the puppy killers, and I think the next thing,
 8 I say, "Has your Anglia Water boss told you to act like
 9 an arsehole?"
 10 Q. Yes, you did.
 11 A. To be honest, this is like some -- it ended up some
 12 little macho squabble between me and this man, to be
 13 honest. That's why, you know, it's not one of my
 14 proudest moments. But I'm acting like a human being.
 15 I do not want to stop this vehicle. I obviously stood
 16 in front of it to slow it down. My intention, slow it
 17 down. Two delightful young ladies, "Here, mate, there's
 18 a leaflet, bye." Job done. But it didn't transpire
 19 that way.
 20 Q. Play on, please. (Video played).
 21 Pausing there, the driver is clearly indicating that
 22 he wants to move on to the highway, and you are still
 23 refusing to let him past, aren't you?
 24 A. He is clearly indicating that -- this man, along with
 25 his obnoxious behaviour, is possibly a dangerous driver

1 too, and revving his engine when you've got in front of
 2 people, it's an aggressive act, I would say, with
 3 a vehicle.
 4 Q. So it's your evidence that he should have just remained
 5 there and tolerated you shouting at him and blocking him
 6 because he wouldn't accept your protest message?
 7 A. My intention was to give the man a leaflet. If he had
 8 refused to take a leaflet, there is nothing we could
 9 have done about it. I did not want to -- I stopped him.
 10 I mean, I stood there like this and you can see me on
 11 the video. Once I wanted to come round to him, I did,
 12 hold him there a minute. I just wanted to have a word,
 13 because the plan hasn't gone well. He didn't wind his
 14 window with these charming two young ladies to take
 15 a leaflet. That's why I went like that. I did not want
 16 this incident to go like it was. It was an annoyance,
 17 it wound me up and a typical example of the hard job I
 18 had to try and do of marshalling and of trying to keep a
 19 lid on things. Here the lid is kind of lifting on this
 20 should be a neutral incident.
 21 Q. So just to be clear on that, Mr Curtin, you've suggested
 22 that the driver shouldn't have tried to edge forwards to
 23 indicate he wanted to leave?
 24 A. No.
 25 Q. You are suggesting he should stay there until he accepts

1 your leaflet.
 2 A. No.
 3 Q. Is that what you are saying?
 4 A. I'm saying, if he wants to move forward, he can wind his
 5 window down. If he had have done, we would have had
 6 to -- this much. I daresay if he had have done that,
 7 someone would have probably sneaked a leaflet and that
 8 would have been job done. For me it was job done once
 9 the leaflet got put underneath the windscreen but I
 10 think after that he revved. He should not have done
 11 this. This was an insensitive, intolerant -- not
 12 dangerous but it inflamed the situation. It was not --
 13 I don't think it was reasonable behaviour. But the
 14 man -- yes, he wants to get out, but by doing that, he
 15 played some part. He was acting -- he had attracted
 16 attention to himself already and now he is attracting
 17 further attention but nothing to do with me, all the
 18 protesters that were in the area are now involved in
 19 this incident and I didn't intend that.
 20 Q. It is to do with you, isn't it, Mr Curtin, because you
 21 are one of the people that stood in front of the
 22 vehicle?
 23 A. I told you I had a simple little plan, slow it down.
 24 Two charming ladies with smiling, "Here is a leaflet."
 25 It should have been over -- I was hoping it would be

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

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

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

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

1 have just watched, she is talking to other people and
 2 she keeps doing this. He was doing that. He was
 3 pretending to take a leaflet whilst not having his
 4 window down. He was enjoying himself, winding what he
 5 probably thought is the unwashed hippies.
 6 Q. Again, Mr Curtin, you indicated last week that you knew
 7 we were going to go to this incident, you've indicated
 8 today that you knew we were going to go to this
 9 incident. You've drip fed evidence all the way through
 10 these proceedings --
 11 MR JUSTICE NICKLIN: Don't comment on his answers while you
 12 are proposing a question to him. Just ask him
 13 questions.
 14 MS BOLTON: You have not produced any evidence from your
 15 camera phone, have you, to substantiate that the driver
 16 was doing anything to provoke you?
 17 A. I haven't, no, I've looked and I've got nothing on my
 18 camera. I did a live stream as the van was going out
 19 and it's everybody clapping him.
 20 I can't believe you are bringing -- if this was
 21 your -- you talk to me about there is something coming
 22 up which is serious. This was exactly the sort of
 23 incident and I've lived there for 22 months and I can
 24 tell you it's a hard existence and we do a lot of hard
 25 work and it has been hard at times to marshal people,

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

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

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

1 as you say, none at all. I'm involved now in an
 2 incident where I am -- what began as a simple idea is
 3 getting a bit messy.
 4 Q. But you would accept that that's what happened? You
 5 didn't let him access the highway because he wouldn't
 6 take your leaflet?
 7 A. This man, this particularly obnoxious man, needs to take
 8 his own responsibility for some of the responsibility
 9 that he had in creating this incident. He was acting in
 10 a way that was very, very unusual, because most people
 11 might say, "I disagree with you." "Take a leaflet and
 12 give it to your boss." "Okay then," he would
 13 probably -- he played his own -- the man -- if he would
 14 have acted -- but I wasn't -- hang on.
 15 Q. I've tried to ask you the question three times,
 16 Mr Curtin.
 17 MR JUSTICE NICKLIN: The reason he is not answering your
 18 question is because he doesn't agree with it. He
 19 doesn't agree with the premise. This is a complicated
 20 incident that escalates. You've put the questions to
 21 him. We've spent nearly an hour dealing with a
 22 two-minute incident. If you've got any material further
 23 questions to ask him, you can do so. I consider you've
 24 put your case to him fully. Ultimately it's going to be
 25 for me to decide what happens in this incident, how it

1 escalates and what the result of it is.
 2 A. The man --
 3 MR JUSTICE NICKLIN: No, Mr Curtin, I don't want to have any
 4 more.
 5 MS BOLTON: My Lord, if you are content with that, I'll move
 6 on.
 7 My Lord, the next incident is the committal breach
 8 incident. It's 26 April.
 9 MR JUSTICE NICKLIN: What we will do, because there can be
 10 no objection to us watching the relevant video of it --
 11 let's watch the video in silence, please, and then I'll
 12 decide what's going to happen.
 13 MS BOLTON: My Lord, there is two videos. One is video 656.
 14 We need to watch from 3 minutes and ten seconds.
 15 MR JUSTICE NICKLIN: Mr Curtin, I need to emphasise that
 16 however tempted you are to comment on what we are about
 17 to see, it's in your interest to say nothing. It's for
 18 your own interest not to say anything in relation to
 19 this incident until I've watched it and I will then look
 20 at what needs to happen and how we are going to deal
 21 with this. All right?
 22 Where are we playing from?
 23 MS BOLTON: From three minutes and ten seconds, my Lord, to
 24 four minutes.
 25 MR JUSTICE NICKLIN: Right. When is this?

1 MS BOLTON: This is 26 April 2022.
 2 MR JUSTICE NICKLIN: Right. (Video played).
 3 MS BOLTON: And then video 806. (Video played).
 4 MR JUSTICE NICKLIN: Right. This is part of your case that
 5 Mr Curtin has obstructed a vehicle exiting the site or
 6 exiting the exclusion zone, I presume.
 7 MS BOLTON: Well, it's not the exclusion zone, my Lord, for
 8 the purpose of the claim, it's obstructing a vehicle.
 9 MR JUSTICE NICKLIN: Obstructing the vehicle.
 10 MS BOLTON: Yes.
 11 MR JUSTICE NICKLIN: Right. So it's another example of
 12 obstructing the vehicle?
 13 MS BOLTON: Yes, its relevance, my Lord, is obviously it's
 14 continued from the point of view of after the
 15 injunction. I'm not pursuing it as a breach of the
 16 injunction, that would be inappropriate, in the sense of
 17 we have a committal. I wasn't planning on putting that
 18 to Mr Curtin but, obviously, it has happened since the
 19 injunction was granted.
 20 MR JUSTICE NICKLIN: Mr Curtin, the issue that arises here
 21 is this forms, as you probably know, a separate
 22 allegation that your behaviour, as shown in that video,
 23 has -- don't say anything, just listen to everything
 24 I say, please. What's shown in that video, shows you to
 25 breach the injunction.

1 That is going to be the subject of separate
 2 proceedings at the end of this trial. I think the date
 3 has been fixed in late June. It has a potential
 4 relevance because it is relied upon by the claimants as
 5 an incident where you have obstructed a vehicle leaving
 6 the Wyton site; in other words, it's another example of
 7 you, albeit for a short duration, standing in front of
 8 the vehicle and then preventing it from making a free
 9 passage along the highway.
 10 What I am minded to do, given the contempt
 11 application is on foot, is that I would not require you
 12 to answer any questions relating to this incident
 13 because it seems to me that it's likely that your
 14 answers might well incriminate you, potentially,
 15 depending on what you said, in relation to that contempt
 16 application, and you have fundamental rights, which is
 17 the right to remain silent in relation to that incident
 18 and to give evidence, if you choose, at your own free
 19 will in relation to that contempt application.
 20 The reason that I don't think that it is necessary
 21 for you to be asked questions about this incident is
 22 that, to an extent, it is what it is. I can see what's
 23 happening. It doesn't seem to me to be necessary for
 24 Ms Bolton to extract any particular admissions from you
 25 in relation to it. She can make her submissions as to

1 what I can see in it ultimately at the end of the case.
 2 The disadvantage to you is that, if there were
 3 something that you thought was particularly material to
 4 this incident that you want to tell me about it, that
 5 would cause me to take a radically different view as to
 6 whether or not you can be seen in that video, albeit
 7 temporarily, standing in front of the van on that
 8 incident, you could decide to tell me about it in these
 9 proceedings but you don't have to, and I don't think you
 10 need to, and my strong suggestion to you would be that
 11 you don't need to answer questions about this but, if
 12 you want to, you can. It's your choice.
 13 But I have to warn you that, if you do answer
 14 questions that Ms Bolton asks you about this incident,
 15 then she would potentially be able to rely upon them as
 16 evidence against you in the contempt application.
 17 That's why I'm giving you the warning that I am.
 18 A. Yes. Thank you for the warning. I'm not complacent
 19 about the fact that it's a contempt hearing and that
 20 could, if it went wrong, lead me out to prison. I'm
 21 comfortable to answer questions, I'm comfortable to give
 22 you some -- a couple of sentences, as my version as to
 23 what goes on there and I would be comfortable to take
 24 questions as well about this incident. I'm not --
 25 I know there is a contempt hearing by and by but I will

1 be vehemently pleading not guilty and it doesn't concern
 2 me to answer questions about this in totality, next to
 3 the rest of my evidence. If anything, I feel it may
 4 help me because it's my case that I did not stand in
 5 front of the vehicle, as in the middle of the vehicle.
 6 I am very much at the side of the vehicle.
 7 But whilst -- if that's the vehicle, I'm talking --
 8 MR JUSTICE NICKLIN: Right.
 9 MS BOLTON: My Lord, I can think of an alternative
 10 approach -- I'm appreciating that Mr Curtin is
 11 a litigant in person. I'm assuming -- the committal
 12 application is fairly soon.
 13 MR JUSTICE NICKLIN: Yes.
 14 MS BOLTON: I'm assuming because of the Supreme Court
 15 judgment, there is no prospect that we have judgment in
 16 these proceedings before the committal application.
 17 MR JUSTICE NICKLIN: Correct.
 18 MS BOLTON: And we would be content for your Lordship to
 19 take on board what Mr Curtin says in the committal
 20 proceedings on this incident and to deal with it that
 21 way. We don't have any objection to that. That seems
 22 fair and he is represented in those proceedings so that
 23 seems the fairest way to deal with it.
 24 MR JUSTICE NICKLIN: Okay. That's a pragmatic suggestion,
 25 thank you. Mr Curtin, that's quite a sensible

1 suggestion. We are going to park this and we will deal
 2 with it in the contempt application and that means you
 3 will have all the safeguards necessary at the contempt
 4 stage. I can then make my own decision about what this
 5 incident shows and then I can factor it into these
 6 proceedings. So you will get an opportunity to tell me
 7 about it but later in the contempt proceedings.
 8 A. Excellent.
 9 MR JUSTICE NICKLIN: All right. Let's do that thank you,
 10 Ms Bolton.
 11 MS BOLTON: Is that a good point for a break?
 12 MR JUSTICE NICKLIN: It is. We will come back at five to
 13 12. Thank you very much.
 14 (11.38 am)
 15 (A short break)
 16 (11.55 am)
 17 MR JUSTICE NICKLIN: Right. Okay, Ms Bolton.
 18 MS BOLTON: Mr Curtin, I now want to take you to an incident
 19 that you took Employee V to, when you were
 20 cross-examining him.
 21 A. Yes.
 22 Q. And that's at page 842 in your trial bundle, witness
 23 statement of Employee V, and the particular incident,
 24 which was on 8 July 2022.
 25 A. Yes.

1 Q. I would like to invite you, so your memory is properly
 2 refreshed, just to read page 842 and 843, please. Just
 3 take your time -- it's quite okay -- and just let me
 4 know when you've finished reading it. (Pause)
 5 A. Yes.
 6 Q. Okay? It's right, isn't it, on this particular incident
 7 on 8 July, you don't dispute that you followed
 8 Employee V and recorded a live stream of everything he
 9 did whilst he was fixing the fence outside the Wyton
 10 site?
 11 A. Yes, I wanted to record the unusual fact that there was
 12 a worker outside, yes.
 13 Q. And your evidence to the court last week was that this
 14 was purely journalistic, you said, albeit biased
 15 journalism?
 16 A. I didn't say it was purely journalistic. One of my
 17 roles is to be a kind of journalist, to say it how it
 18 is.
 19 Q. As I understood your evidence, that's your reason why
 20 you followed him?
 21 A. The journalist bit is to report to other people
 22 (inaudible) I also want to know what he is doing. We
 23 monitor the site, the activities of the site because
 24 they are to do with cruelty. We take an active interest
 25 in what goes on at the site. At the camp it's like they

1 are the neighbours — MBR are the neighbours from hell,
 2 they are neighbours.
 3 Q. Let's look at the video, please, of this incident, which
 4 is video 175, and if we could start at five minutes and
 5 30 seconds, please. (Video played). Sorry, apologies,
 6 can we go a little bit further back. If we can go back
 7 to — keep going, keep going, just — no, sorry,
 8 a little bit further. Sorry, back, please. Right there
 9 we go. Thank you. Play from there. (Video played).
 10 Pausing there, it's right, isn't it, you are
 11 following the security guard and Employee V there?
 12 A. Yes.
 13 Q. And you are recording them?
 14 A. Yes.
 15 Q. And the security guard is asking you not to get so
 16 close?
 17 A. He is, yes.
 18 Q. Yes.
 19 A. That particular man, he doesn't feature in this case.
 20 Smiling, dancing. He is a man that there is bad energy
 21 between this guy because of his smiles and his dancing,
 22 the day the puppy van's going. So there is no love lost
 23 between me and that guy. It's somebody that I already
 24 know. I'm walking down the path and he is telling me
 25 I'm getting too close and I'm saying to him, "I'm

45

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

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

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

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1 I have been doing it for 40 years. Imagine every time
 2 somebody asked me as a protester, "Excuse me, could you
 3 go over there, "I would be the most useless protester in
 4 the world. Sometimes people can ask you to do things as
 5 a protester and you're like, "No, I'm going to do this.
 6 I'm holding my ground, thank you very much."
 7 Q. You were doing it as part of your protest activities?
 8 A. Of course.
 9 Q. It's also right, isn't it, you said that you wanted to
 10 see what wire he was using? At that point, you had
 11 identified what wire he was using?
 12 A. Yes.
 13 Q. So again, understanding that they didn't want you to be
 14 too close to them, you could have at that point stepped
 15 back and watched them repair the fence and still have
 16 recorded it, couldn't you?
 17 A. It didn't dawn on me for one second. If this man had
 18 actually explained what he said he was going through in
 19 the witness statement, whether he was going through it
 20 or not, "Excuse me, I'm about to pass out I find you so
 21 frightening," I might have been, "I tell you what, mate,
 22 if you are having so much trouble with my mere existence
 23 ... " None of that. There was one comment earlier on
 24 the path, I was getting too close. It didn't occur to
 25 me for one second that I was causing anyone any problem

1 at this point.
 2 Q. You can see Employee V is kneeling on the floor, isn't
 3 he?
 4 A. He may be, yes.
 5 Q. Yes. And it's right, isn't it, that if you weren't
 6 comfortable with someone being that close to you, who
 7 had been outside the site, shouting things at you for
 8 several months, it might be quite frightening having
 9 them standing over you with a camera?
 10 A. I have got no -- I can't answer that. You are asking me
 11 to put myself in this man's mind, which -- when I read
 12 his statement, I was amazed at the terror. He found
 13 this one of the most terrifying experiences of his life.
 14 It only made sense once I found out they have been all
 15 been reading all these things about me and gossiping
 16 about me. I stand by my behaviour that day. It was
 17 a good example of legal protesting and surveillance and
 18 vigilance and I'm recording what we see and saying what
 19 we see.
 20 Q. Let's play on. (Video played).
 21 Pausing there, all you are doing there, isn't it, is
 22 trying to heckle the security guard?
 23 A. I've got the dogs in the background. I'm pointing to
 24 them. They are acting on neutral. Can you hear the
 25 cries of the dogs. The smell is up my nose. This

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

1 on his face, which I'm not sharing because of the smell,
 2 because of the puppy noise. I'm not understanding
 3 what's so funny about this situation.
 4 MS BOLTON: It's not monitoring of anything unlawful, is it,
 5 it's simply heckling and goading the security guard.
 6 A. It's monitoring, with some interaction with the security
 7 guard.
 8 Q. Let's play on, please, (Video played).
 9 Pausing there, you've just said to him -- directed
 10 at Employee V that you are going to make them
 11 accountable.
 12 A. Yes.
 13 Q. It's right, isn't it, that you are targeting Employee V
 14 there because he works for MBR?
 15 A. My answer to that is I think that's the first time --
 16 I think it's perhaps the only time I actually address
 17 him because I actually say, "And you, you don't realise
 18 what you are doing, do you?" Because what I'm drawing
 19 attention to, and I don't know if I carry on saying it,
 20 as we all know, the prosecutions of this company that
 21 took place in Italy. In the public gallery today there
 22 is a vet who took part in that Italy case, and I would
 23 have been able to call her as a witness if I had been
 24 allowed to bring that case into it.
 25 Q. It's not a prosecution of this company, is it,

1 Mr Curtin?
 2 A. It was a prosecution of MBR. Their European manager
 3 went to prison, as this woman will be able to testify to
 4 you.
 5 Q. It was a prosecution of Green Hill in Italy, not
 6 MBR Acres, was it?
 7 A. Remember Susan Pressick's evidence, that she works for
 8 Bantin & Kingman and they've got the big boss, and
 9 that's who she works for. All roads lead back to
 10 Scott Marshall in America. So it was this company. MBR
 11 Acres is a holding company, MBR Acres doesn't exist.
 12 You are not acting on behalf of MBR Acres because
 13 MBR Acres isn't paying your wages today. It's being
 14 paid from God knows where, probably America.
 15 Q. It's right, isn't it, that MBR Acres, the claimant in
 16 these proceedings, has not been prosecuted?
 17 A. This little front company that was set up as a direct
 18 result of what happened in Italy -- they left Italy
 19 because it was too restrictive. We haven't been allowed
 20 to go into this. MBR Acres is here as a result of what
 21 happened in Italy, a direct result. This place would
 22 not be here, if Italy had not been shut down. Then they
 23 tried to build it in Yorkshire. That was turned down,
 24 they came here.
 25 Q. I've put it to you, Mr Curtin. My Lord, I'll make

1 submissions on it and move on.
 2 MR JUSTICE NICKLIN: You are at cross-purposes. You are
 3 perfectly right that, in corporate terms, they are
 4 separate distinct companies. Mr Curtin's point is that
 5 they are all part of the same corporate organisation.
 6 That's his point.
 7 MS BOLTON: My Lord, indeed, and I'll make submissions on
 8 that. I think it's appropriate to deal with it that
 9 way.
 10 MR JUSTICE NICKLIN: All right.
 11 MS BOLTON: Let's play on, please, Mr Curtin. (Video
 12 played).
 13 Pausing there, please, "I'm going to make our
 14 damndest that some workers go to prison from here. You
 15 deserve it." You are deliberately targeting Employee V
 16 there because he works for MBR Acres.
 17 A. I'm addressing him as a worker to take on board -- that
 18 excuse, "I'm only doing my job" might not work once we
 19 take you to court. I don't remember in Italy the
 20 maintenance man going to prison. It was the manager and
 21 the vet, and I said to him, "Some people went to
 22 prison," some people -- "We hope that some people will
 23 go to prison." I'm not expecting the maintenance man.
 24 Q. Let's rewind that by five seconds, please. Play on,
 25 please. (Video played).

1 Pausing there. "And we are going to make our
 2 damndest to make sure some workers go to prison from
 3 here." You then go on to say, "You deserve it." You
 4 are directing that at Employee V?
 5 A. That's a threat of using the legal system to go through
 6 the proper means to make sure we get justice. Once we
 7 are able to get some investigation (inaudible), yes,
 8 indeed, but I wasn't expecting it to a man who's about
 9 as low down the chain as you get, the maintenance man.
 10 Q. But you did, didn't, you threatened the maintenance man
 11 that you were going to do your damndest to send workers
 12 from MBR to prison?
 13 A. You use the term "threatened". I'm putting him to
 14 a reality check, "You are working for a company with
 15 a criminal record. By working for this company, do you
 16 realise you may be liable for their crimes," because
 17 they were in Italy.
 18 Q. There is no basis for accusing him of committing crimes,
 19 Mr Curtin. You are threatening this worker that you are
 20 going to try to get him sent to prison.
 21 A. If I had used the sentence "You are going to go to
 22 prison for fixing this fence here with barbed wire,"
 23 then I could see what you are saying. I said some
 24 people are going to go to prison, meaning some form of
 25 management.

1 Q. This is consistent with your intention to target the
 2 staff to persuade them to leave their jobs at MBR Acres?
 3 A. Reminding this company that they have got a criminal
 4 record is a very good thing to do. It is true
 5 information. The workers should be aware. The
 6 management hardly tell them on their briefing on their
 7 first day, "By the way, do you know we got closed down
 8 in Italy for running somewhere exactly like this?" No.
 9 It's my job, as a protestor, to tell the workers, "Ask
 10 your bosses about the criminal records."
 11 Q. It's right, isn't it, Mr Curtin, that you are
 12 threatening this worker that you are going to do your
 13 darnedest to get workers sent to prison?
 14 A. Why should that be -- I thought you were going to say
 15 for him to get sent to prison. Why is it a threat to
 16 tell someone that we were going to do our damndest to
 17 prosecute you lot in a court if we can. Since when is
 18 that a threat?
 19 Q. I would suggest that's a threat and it's a threat that's
 20 designed to try and intimidate Employee V and make him
 21 leave his place of employment?
 22 A. It's education.
 23 Q. Let's play on, please, (Video played).
 24 Pausing there:
 25 "You really do deserve it, you deserve it for what

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

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

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

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

1 Q. Let's play on. (Video played).
 2 Pausing there:
 3 "How low do you go working here? How low do you
 4 stoop?"
 5 A. Yes.
 6 Q. Again you are targeting Employee V for the fact that he
 7 works at MBR Acres?
 8 A. I'm bringing out the fact I've got the daily
 9 (inaudible). The horrors of the puppy factory. This is
 10 one of the most controversial places in Britain. Are
 11 you trying to take away all the controversy and we
 12 should be like outside the golf club or something? No,
 13 we are outside this puppy farm, and I'm saying, "How low
 14 can you go?" Most people wouldn't be able to do this
 15 job. Most people, they'd walk inside this shed, no.
 16 Even if they agreed with the reason, they probably
 17 wouldn't be able to do it. I'm challenging the man,
 18 yes, how low can you go. I'm saying, "This is a bad
 19 job."
 20 Q. And that's the point, isn't it, Mr Curtin? You are
 21 standing in close proximity to him, threatening to get
 22 him sent to prison, asking him how low he can go, in an
 23 attempt to persuade him not to work for MBR Acres?
 24 A. If I would have wanted to get in the face of him,
 25 I could have got in between him and the security -- at

1 no point do I actually get in his physical space or
 2 prevent any of his movements. I kind of do want to
 3 persuade workers to leave, yes. Persuade, if I can,
 4 through information, through education. It's not a good
 5 place to work.
 6 Q. Calling somebody a criminal, threatening to get them
 7 locked up, isn't education, is it, it's threats?
 8 A. It is. It's "Get real, mate". I believe if there was
 9 an investigation carried on at this place, there would
 10 be prosecutions.
 11 Q. Play on, please. (Video played).
 12 Pause. You are doing an impression of them saying,
 13 I wish you would shut up. No, I won't shut up. It's
 14 the truth. How low can you go?
 15 Again, those words in themselves recognise that you
 16 know they are not wanting to hear your protest message?
 17 A. Oh, yes, I acknowledge that.
 18 Q. You know that they are not comfortable with you that
 19 close to them?
 20 A. I'm not comfortable with them that close to me but
 21 I have followed them. It's not my job to make these two
 22 people totally comfortable. In fact, the opposite.
 23 They are the people who work in the place that I've
 24 lived outside for 22 months. Here is a chance, yes, to
 25 get inside their heads. Of course it is. I want to use

1 some persuasion, as a human being, one person to
 2 another. Forget about the guard. He is in the buffoon
 3 category. The other guy, if I can persuade him to leave
 4 the job by educating him, by saying things, I think I'd
 5 be doing him a favour and it would be good for the dogs
 6 but it's not the purpose of why I went to Camp Beagle is
 7 to make workers leave. If it was, you would see a whole
 8 different pattern of behaviour. My idea of going to
 9 Camp Beagle is to protest about it and educate the
 10 world.
 11 Q. Play on, please. (Video played).
 12 A. Did you hear that?
 13 Q. Yes, Mr Curtin?
 14 A. That's like a clear indication there is going to be no
 15 touching going on.
 16 Q. Pausing there, please. Again, Employee V has had to
 17 crouch down, cross a ditch, and you followed him,
 18 haven't you?
 19 A. Yes.
 20 Q. And you are right up close to him again, aren't you?
 21 A. I'm close to him, yes.
 22 Q. So close that you were worried about being touched by
 23 the security officer?
 24 A. Yes, it's a confined space and I just want to establish
 25 the rules, no touchy, touchy. That means both sides no

1 touchy, touchy.
 2 Q. You don't want the security officer too close to you, do
 3 you?
 4 A. No.
 5 Q. No. In the same way it's understandable that Employee V
 6 wouldn't want you too close to him?
 7 A. He wouldn't want me within 100 miles of him.
 8 Q. And again, Mr Curtin, it's not really about education,
 9 is it? Because as you've just said on the live stream,
 10 you can't say it's a pleasure to be this close to the
 11 workers?
 12 A. Most people would understand -- most people would --
 13 would understand -- wouldn't have a pleasant idea, idea
 14 about someone who works in that place. I would say it's
 15 a general idea, that people who are working there, yes.
 16 Q. This is not education, this is intimidation and heckling
 17 of employees of MBR.
 18 A. My job -- do you understand what my job is. I'm on the
 19 phone doing a live stream. My job isn't to put tinsel
 20 round my words in order to accommodate the ears of these
 21 two MBR workers.
 22 Q. Let's play on, please. (Video played).
 23 Pausing there, so you've asked people to put on
 24 their comments so you can read them out to them. You've
 25 just called Employee V a freak.

1 A. That's -- yes, so let's have a look at the phone,
 2 freaks. That's exactly what I had read out, and that's
 3 giving these two -- and they read our page anyway. They
 4 know what the public thinks about them, and the word
 5 "freaks" is someone else's word. I understand it.
 6 People hearing that will understand it. These two are
 7 going to think, no, we are not. That's not my job, to
 8 interpret for these two what freaks mean. That's what
 9 people are saying.
 10 Q. That's simply insulting and heckling Employee V, isn't
 11 it?
 12 A. Well, it's an insult -- or is it a home truth, that
 13 someone is putting on the live stream that I'm relaying
 14 to them. It's not my choice of my words. I'm telling
 15 what the people randomly are saying. The first words
 16 I come to, "freaks". I'm telling them, "This is what
 17 people think of you," and it is.
 18 Q. Play on, please (Video played).
 19 Pausing there, so the bit that wasn't on the
 20 messages that you've ad-libbed there is you are
 21 suggesting they are freaks because they torture animals
 22 and are akin to a serial killer?
 23 A. I'm giving it some background, in that that witness,
 24 when he gave evidence, I asked him, "Do you ever listen
 25 to the dogs, do you care about the dogs?" And I believe

1 his answer was, "The last place I used to work, I used
 2 to hear pigs. The last place before that, I used to
 3 hear cows. Now -- it's as if the answer is just as
 4 dispassionately -- Now I can hear the crying dogs." It
 5 meant nothing to him and for me I took it from that that
 6 the guy just doesn't care. His evidence was that he
 7 just didn't care, neutral, and it's my case that I was
 8 making there, but I didn't know how little he cares,
 9 that when the police do go looking for a serial killer,
 10 they would -- and this is established, it's not my
 11 opinion, especially in childhood, an early fascination
 12 with causing suffering or an inability -- that's what
 13 I was -- an inability to empathise, that's also a trait
 14 of what can later become a serial killer, a lack of
 15 empathy, and by his answers -- most people in this
 16 country would -- it's specious and all the rest of it.
 17 We do have something about dogs that breaks our hearts.
 18 It's not shared by this man. So the point I was making,
 19 I would say, yes, I stand by the words I said.
 20 Q. Mr Curtin, it's right, isn't it, that when police look
 21 at people's ability to harm humans by how they treat
 22 people's pets, they look at whether they harm those
 23 pets. That is a far cry --
 24 A. No.
 25 Q. -- from a maintenance man, who works at a breeding

1 facility which is lawful and where animals are bred for
 2 medical research. It's not the same assessment, is it,
 3 Mr Curtin?
 4 A. We could talk about serial killers all day but there is
 5 the psychopath and the sociopath. I think the sociopath
 6 is the one that just doesn't care and is able to allow
 7 suffering, terrible suffering because of their lack of
 8 empathy, that suffering is allowed to continue.
 9 Q. It's right, isn't it, Mr Curtin, that anybody in
 10 Employee V's situation, leaning down, fixing a fence,
 11 with somebody standing up close to them, calling them
 12 a freak, aligning them with a serial killer, who is
 13 a protester who has shouted at them day in, day out for
 14 months at that point, is going to be intimidated by your
 15 conduct?
 16 A. He is going to be annoyed, frustrated, he doesn't want
 17 me there, the word "intimidation", that would include
 18 threats to his personal safety and stuff which --
 19 Q. And there is no --
 20 A. -- is unreasonable.
 21 Q. -- education that you are deploying here or peaceful
 22 protest. This is simply designed to target and
 23 intimidate Employee V?
 24 A. I've two audiences here, of the two ears, the two sets
 25 of ears of these two, and I've all the other people, all

1 the hundreds of people, that's the education, so I'm
 2 relaying a bit of information in that bit about the
 3 serial killers, which I've picked up along the way.
 4 It's not just the sadists who are dangerous, it's people
 5 who cannot, who have an impossibility to empathise, they
 6 are dangerous people.
 7 Q. Your actions are because you are wanting to intimidate
 8 Employee V --
 9 A. That's utter nonsense and I reject it.
 10 Q. -- and convince him to leave his job at MBR Acres?
 11 A. You used the term "persuade".
 12 Q. Well, "Persuade", sorry?
 13 A. There is a level of persuasion, yes.
 14 Q. And you are using the tactic of targeting staff such as
 15 Employee V on the basis that, if you can get staff to
 16 leave, you can cause MBR Acres to close?
 17 A. You are inventing that. That has got nothing -- that
 18 tactic of getting MBR to close by getting workers to
 19 leave is a tactic that you've invented and you are
 20 trying to suggest that it's something I employ. It's
 21 absolutely not.
 22 Q. And it's right, isn't it, it's not the first time that
 23 you've followed workers outside the site and stood close
 24 to them and commented adversely towards them, is it?
 25 A. I don't know what you are referring to. I refer to us

1 as neighbours. I'm a nosy neighbour, MBR are like the
 2 neighbours from hell. So one of our jobs is to tell the
 3 world what happens at the site.
 4 Q. If we can go to page 405 in your bundle, please,
 5 Mr Curtin.
 6 A. 405.
 7 Q. This is part of the witness statement of David Manning.
 8 A. Yes.
 9 Q. And again, Mr Manning says:
 10 "For example, as I and another member of staff was
 11 putting the notice back up following its needing to be
 12 cleaned due to it being spray painted (and to put up new
 13 documents) on 19 August 2022 from 14.04 onwards, D11
 14 (John Curtin) approached me and my colleagues to film us
 15 and came very close to me, almost touching me, multiple
 16 times ..."
 17 He refers to video 950 from 14.04 onwards:
 18 "If someone came that close to me outside of work,
 19 I would tell them to get out of my personal space."
 20 So it's another example of you doing that. Shall we
 21 have a look at the video. It's at 950 at 14 minutes and
 22 4 seconds, please. Apparently that's a time stamp for
 23 the statement. If we just play it just from the start,
 24 please, 950. (Video played).
 25 Pausing there, we can see that people are walking

1 across with something for the notice board; yes?
 2 A. Yes.
 3 Q. Play on, please, (Video played).
 4 And pausing there, that's you following after them
 5 with your camera phone?
 6 A. That's me --
 7 Q. Your phone with your camera, I should say.
 8 A. I don't know what they are doing, I don't know why they
 9 are out. It's fairly unusual for them to do it.
 10 Q. They put things on the notice board, don't they?
 11 A. Yes, but it doesn't happen that often. When I say
 12 unusual, once every two weeks or something.
 13 Q. Right. Let's play on, please, (Video played).
 14 Pausing there, so you are filming them and you've
 15 got Mr Manning trying go straight past you, yes?
 16 A. Yes, and we are close to each other, aren't we?
 17 Q. Yes. Play on, please. You are following him.
 18 A. And I'm sitting down.
 19 Q. Pausing there, you've got up and just before that person
 20 stepped forward, you are quite close, aren't you? Do
 21 you want me to rewind it by a few seconds?
 22 A. No, it's a tight space, I have been sitting relaxed and
 23 now I'm standing up.
 24 Q. Okay, let's play on (Video played).
 25 You've decided to stand closer again, haven't you?

1 A. Yes, I want to -- I want to maybe film what he is
 2 putting up. I haven't got the camera.
 3 Q. And again you are right up close to him?
 4 A. Yes.
 5 Q. Now you are coming round the back. You are not filming
 6 the notice board there, are you, Mr Curtin?
 7 A. No. I'm --
 8 Q. So pausing there, you are filming Mr Manning?
 9 A. Yes, he is a security guard who I see every single day.
 10 Yes.
 11 Q. Play on, please, (Video played), and again you are
 12 standing closer to Mr Manning?
 13 A. I am guilty of standing in that area. That narrow
 14 space.
 15 Q. It's right, isn't it, Mr Curtin, that you didn't need to
 16 walk round behind the notice board to film Mr Manning,
 17 did you?
 18 A. I wanted to get round to the other side. He is a big
 19 guy and there is probably not enough -- I don't know
 20 what your point is.
 21 Q. You didn't do it to read the notice board, though, did
 22 you, Mr Curtin? You did it to film Mr Manning?
 23 A. I see Mr Manning every single day and he is not someone
 24 who I would choose to photograph, thank you, and this is
 25 like -- this is so incredibly weak, what you are asking

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

1 A. My aim is to record on my camera yet more money being
 2 spent by this company on this injunction.
 3 MS BOLTON: And it's another example, isn't it, of you
 4 targeting the staff as part of your actions to persuade
 5 the staff to leave MBR Acres.
 6 A. I've literally got no idea how you can come to that
 7 conclusion from watching the same scene as me. It's as
 8 if you want me to apologise for existing with my
 9 physical body. I'm standing there with a camera. My
 10 aim here is not to intimidate anybody. Nothing could be
 11 further from the truth.
 12 Q. Again paragraph 98 of Mr Manning's statement on
 13 page 415, please, Mr Curtin.
 14 A. Yes.
 15 Q. He says:
 16 "Some protesters particularly intimidate me. D11,
 17 John Curtin, comes very close to my face and is
 18 mentioned above. He has come so close to me that I have
 19 felt like he was in my personal space."
 20 That's a reference to the incident we have just
 21 looked at.
 22 A. And it's a perfect example of how I feel I have been
 23 singled out. It's like a vendetta. It's as if I'm
 24 being stitched up to appear in this court case for
 25 sentences like this.

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

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

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

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

1 to -- it's what protesting is, persuasion.
 2 Q. Your attempt to persuade Mr Curtin is done by
 3 intimidation?
 4 A. It's absolutely not my intention the way to close down
 5 MBR is to get Mr Manning to leave and then the
 6 maintenance man. That's not -- that has never been the
 7 thrust of what's driven me behind my campaigning. It's
 8 going to be a lot more complicated than that to shut MBR
 9 down.
 10 MS BOLTON: My Lord, I'm moving on to the next incident. Is
 11 that a good time to stop?
 12 MR JUSTICE NICKLIN: Yes. At 2 o'clock can you help me
 13 just -- you've taken Mr Curtin to the incident with
 14 Employee V on 8 July, the incident in August with the
 15 notice board, and then you finally referred to the
 16 7 September incident with Mr Manning.
 17 I can't find those as particulars of harassment.
 18 MS BOLTON: My Lord, I'll double-check over Mr Manning.
 19 Employee V's is part of Mr Curtin's defence. He took
 20 Employee V to that and gave evidence on what was
 21 happening. We didn't know about that, my Lord, until
 22 after we had pleaded the case, until the evidence was
 23 being prepared, at which time it was too late to amend,
 24 but that is something Mr Curtin has challenged as an
 25 example of him doing nothing wrong, which is why I've

1 taken him to it. That was part of his defence. He
 2 brought it in to Employee V. That's why I've taken
 3 Mr Curtin to it.
 4 MR JUSTICE NICKLIN: And the notice board/
 5 MS BOLTON: I think the notice board is pleaded. I'm not
 6 sure, we will check. My Lord, our point is this all
 7 goes to the fact that there is intimidation. Mr Curtin
 8 has put it to the witness that that is an example where
 9 there wasn't any reason for intimidation. So that's why
 10 we have taken him to it, but I think Mr Manning should
 11 be pleaded. I will double-check.
 12 MR JUSTICE NICKLIN: Right. Five past two. Don't talk to
 13 anybody about your evidence. Thank you, Mr Curtin.
 14 (1.04 pm)
 15 (The short adjournment)
 16 (2.05 pm)
 17 MR JUSTICE NICKLIN: Yes, Ms Bolton.
 18 MS BOLTON: Mr Curtin, I want to take you to the incident of
 19 11 July 2022 at four minutes past three, it's video 756.
 20 (Video played).
 21 Pause there. That's Jane Read's vehicle, isn't it?
 22 A. I don't know.
 23 Q. You accept it's a staff member's vehicle that has just
 24 come out of the Wyton site?
 25 A. Yes, I'll accept that from you, yes.

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

1 Q. And plainly, you are looking at her as you do it.
 2 That's a deliberate action.
 3 A. That's your reading into it. I'm crossing the road is
 4 what I see.
 5 Q. And if you were simply crossing the road, you would have
 6 waited but instead you've walked out in front of her
 7 because she is an employee and you want to slow her
 8 down.
 9 A. I'm crossing the road.
 10 Q. Again you are targeting a specific highways user, namely
 11 a member of MBR, Ms Read.
 12 A. If after 22 months of me living here, literally living
 13 here, I think you are cherry-picking information and
 14 that's me crossing the road in front of what is
 15 a worker's car, I'm accepting.
 16 Q. And I would suggest to you that your actions were
 17 deliberate and they were to obstruct her?
 18 A. I reject that, totally.
 19 Q. Right. Let's move on to ---
 20 MR JUSTICE NICKLIN: Can you just play that video from the
 21 start to finish, please.
 22 MS BOLTON: My Lord, yes. (Video played). You see
 23 Mr Curtin ---
 24 MR JUSTICE NICKLIN: I don't need the commentary, thank you.
 25 Right, thank you.

1 MS BOLTON: I want to move on to the next incident,
 2 Mr Curtin, 21 June, 2022. This concerns an incident
 3 involving you flying a drone.
 4 At the time of this incident, you were aware,
 5 weren't you, from attendance at a court hearing before
 6 this incident, the first claimants were concerned about
 7 trespass by drones, weren't you?
 8 A. I listened to your case. Yes, you made a claim that
 9 drones should be banned, which was rejected by the
 10 court, I seem to remember.
 11 Q. You were aware that the claimants were concerned about
 12 trespass by drones, though?
 13 A. Yes, I was aware of the case that you were making.
 14 I was aware of it, rejected it, didn't see any sense in
 15 it.
 16 Q. Okay. Shortly after that, this incident occurred.
 17 I want to have a look at video 698, please, the first 25
 18 seconds, please.
 19 MR JUSTICE NICKLIN: Before we do that --- just pause,
 20 please --- I have just been looking at the injunction
 21 order you are seeking against Mr Curtin and I appreciate
 22 that the position has changed intermittently but where
 23 is the restriction sought to be imposed in relation to
 24 drones in this? The paragraph that refers to drones has
 25 been struck out, as has the paragraph that seeks to

1 restrict :
 2 " ... anybody photographing or videoing members of
 3 the first claimant's staff or any person accessing,
 4 exiting or carrying out lawful activities on the Wyton
 5 site."
 6 So where do the drones feature in the injunction
 7 there? (Pause)
 8 MS BOLTON: My Lord, the reason is it's a trespass incident
 9 for Mr Curtin, so it would still be trespass. That
 10 would be our case. It's deemed different for persons
 11 unknown all along to individuals. So this is an
 12 incident of trespass. That is what we would be saying.
 13 You will remember from my opening, my Lord, that my
 14 opening focus on drones was to do with trespass.
 15 MR JUSTICE NICKLIN: I appreciate that. So you are saying
 16 that the wording of paragraph 2 of the injunction
 17 against Mr Curtin, if it were to be granted:
 18 " ... must not, whether by himself or by instructing
 19 or encouraging any other person, group or organisation,
 20 enter the following land."
 21 That means also flying drones over it?
 22 MS BOLTON: My Lord, yes, because the law is that at
 23 a certain height it will be a trespass.
 24 MR JUSTICE NICKLIN: Okay. Do you not think that the
 25 recipient of an injunction is entitled to know a little

1 bit more --- I mean, it would not strike an ordinary
 2 person that an injunction that prohibits them from
 3 entering the following land applied to the flying of
 4 a drone over that land.
 5 MS BOLTON: My Lord, indeed, and your Lordship is right
 6 that --- and I will need to go away and think about this,
 7 but it needs to be specific words. I think that's
 8 probably right.
 9 MR JUSTICE NICKLIN: Because it will also need --- I mean,
 10 leave aside all the other things that could be said
 11 about trespass by drones, it would have to specify the
 12 height and the height is the million-dollar question.
 13 MS BOLTON: My Lord, I think my submission will be height
 14 isn't as a --- well, there is a number of ways of
 15 approaching ---
 16 MR JUSTICE NICKLIN: If the drones were 2 miles in the
 17 sky ---
 18 MS BOLTON: Yes, indeed.
 19 MR JUSTICE NICKLIN: So it does need to specify height.
 20 MS BOLTON: My Lord, indeed, and I will make submissions on
 21 how I think that could be achieved.
 22 MR JUSTICE NICKLIN: Okay. It's a little bit unfortunate
 23 that Mr Curtin, although no doubt he was paying
 24 attention to the opening speech and the interesting
 25 arguments that he keeps hearing between you and me about

1 the use of trespass as a cause of action against flying
 2 of drones, he might have regarded the fact that the
 3 specific reference to drones in paragraph 8 had been
 4 struck out.
 5 MS BOLTON: It hasn't been struck out from his pleading,
 6 though, my Lord. This is specifically pleaded. So he
 7 would know that this was still an issue.
 8 MR JUSTICE NICKLIN: Okay.
 9 A. Part of the ---
 10 MR JUSTICE NICKLIN: No, Mr Curtin, I shouldn't be
 11 interrupting during your evidence anyway but I just need
 12 to get clear what you are being asked questions about
 13 and why.
 14 Right. We are watching this video. What's this
 15 video?
 16 MS BOLTON: It's at 698.
 17 MR JUSTICE NICKLIN: Right.
 18 MS BOLTON: Could we play the first 25 seconds, please.
 19 (Video played).
 20 Right, pausing there, Mr Curtin, you are stating
 21 there that you used the drone to delve?
 22 A. Yes, I stated yesterday the drone was a massive issue.
 23 I was referring to what went on in court, where I did
 24 pay attention, and I did listen to what was said, so
 25 I'm --- that's me using the drone.

1 Q. Right, thank you. If we can play on, please (Video
 2 played).
 3 Pausing there, the drone is now over the gazebo,
 4 isn't it? You can see the white?
 5 A. Yes.
 6 Q. Yes.
 7 A. Yes. Because it's a very narrow site, so it would make
 8 no effect to --- using the drone directly above the site.
 9 Still be able to see everything from the hedge and
 10 that's one of the reasons why I refused the undertakings
 11 because you asked me to undertake never to fly the drone
 12 again, which I wasn't able to do.
 13 Q. I don't think anybody has asked you never to fly a drone
 14 again.
 15 A. They have.
 16 Q. What they don't want is drones flown over their site,
 17 isn't it?
 18 A. Yes, I was paying attention and it's contentious that ---
 19 at the minute, that I've got no right to fly over the
 20 site and, as things stand today, I feel I do have
 21 a right to fly over the site, bearing in mind the
 22 height, et cetera.
 23 Q. Yes. If we can play on, please.
 24 A. And I have --- yes. (Video played).
 25 Q. You have just gone closer there, haven't you?

1 A. There is various zooms on it. I don't know if ---
 2 I would have to see again. I might have done. Ah, yes.
 3 But I said at the start of this video, this is to me,
 4 making a public broadcast, and I'm referring directly to
 5 the hearing the day before and you can see I think I had
 6 said I'm flying at 50 metres.
 7 Q. 50 metres, yes. Right. Please play on. (Video
 8 played).
 9 Pausing there, there is movement because that's the
 10 workers, isn't it?
 11 A. Pardon?
 12 Q. There is movement, isn't it, because there is the
 13 workers down there as well. Is that why the drone was
 14 up?
 15 A. They are doing some work on the gazebo, I'm
 16 commentating.
 17 Q. So you are watching the workers?
 18 A. You can see activity from --- you can see the gazebo from
 19 outside the fence.
 20 Q. Yes.
 21 A. Where the witness V --- from that you can see this
 22 gazebo, so it could have been somebody saying they are
 23 doing something with the gazebo, or it could have been
 24 purely pot luck.
 25 Q. Play on, please. (Video played).

1 Pause there. We can see the employee on the --- sort
 2 of just after the gazebo, on the driveway there, can't
 3 we?
 4 A. Yes.
 5 Q. Yes. Play on, please ---
 6 MR JUSTICE NICKLIN: Sorry. Where is the employee?
 7 A. Stick figure in the bottom left ---
 8 MS BOLTON: If we go back a couple of seconds, you can see
 9 the person walking across the drive.
 10 MR JUSTICE NICKLIN: Fine.
 11 MS BOLTON: Play on, please, (Video played).
 12 If you just rewind back there, please, just a few
 13 seconds, and play again. (Video played).
 14 Sorry, you need to go back again, sorry, a few
 15 seconds. And replay. (Video played).
 16 And pause. That's starting to focus in on that
 17 employee moving, isn't it? I'll play further, just
 18 a few seconds, please.
 19 A. I'm not just agreeing with you for the sake of it.
 20 (Video played).
 21 Q. And pausing there, please. So it's right, isn't it, the
 22 day after the court hearing you put the drone up, you
 23 flew it over the site and you were following what the
 24 workers were doing on the site?
 25 A. Yes, I want to follow what they do if there is any

1 movement of dogs or trolleys, that's what I'm after.
 2 I wouldn't particularly be interested in filming the
 3 worker walking.
 4 Q. How often do you fly the drone?
 5 A. It's hard to put a figure on it. Hard to put a figure
 6 on it. Sometimes taken random decisions, sometimes
 7 taken -- someone at the site might say there is
 8 something worth looking at, at least once a week.
 9 Q. At least once a week. You've had a drone crash on the
 10 site, haven't you?
 11 A. Yes, I think there has been a number of drones crashed
 12 on the site.
 13 Q. And you've asked for them to be returned?
 14 A. Yes.
 15 Q. Yes. So it's right, isn't it, Mr Curtin, that, one, you
 16 flew the drone over the site the day after a court
 17 hearing, knowing that this was causing anxiety to the
 18 claimant? You discuss it in the video.
 19 A. And I listened to the conversations and my recollection
 20 is that the arguments made by the claimants were
 21 rejected by the judge. There was no added clause, there
 22 was nothing to say -- it was rejected.
 23 Q. It's also right, isn't it, that they've landed on the
 24 site?
 25 A. By accident, yes.

1 Q. And the staff weren't challenged, were they, about their
 2 evidence, which was drones being flown at head height?
 3 A. I challenged one. When they said seven or eight feet,
 4 I went "Seven or eight feet?" I did challenge that.
 5 Q. But you didn't challenge most of them, did you?
 6 A. I challenged where I thought appropriate, and the job of
 7 the drone is to see what's happening on the site. If
 8 workers don't like it or do like it, it's not an
 9 overriding concern for me whether they like it or not,
 10 as long as you stick within the parameters and use it as
 11 the tool that it is.
 12 Q. What do you consider the parameters to be?
 13 A. 50 metres.
 14 Q. 50 metres?
 15 A. But in order to get off the ground, you have to --
 16 10/20 metres, yes.
 17 Q. And you have the ability with that drone to tell whether
 18 you were at 50 metres or not?
 19 A. Yes.
 20 Q. Yes. Do you think it's acceptable to be below
 21 50 metres?
 22 MR JUSTICE NICKLIN: Why is it relevant what he thinks is
 23 acceptable?
 24 MS BOLTON: I'm trying to explore what Mr Curtin's
 25 understanding of the trespass is, my Lord.

1 MR JUSTICE NICKLIN: It's not his function to understand the
 2 trespass. If you wanted to, you needed to explore what
 3 the useful height -- whatever that phrase is from the
 4 1977 case -- that was the issue which you needed to
 5 explore in evidence so as to premise your arguments on
 6 trespass. What Mr Curtin thinks is an acceptable height
 7 to fly a drone is not going to be determinative or even
 8 relevant to the question of trespass.
 9 MS BOLTON: Yes, it's reasonable height, my Lord.
 10 A. There is one answer I would like to give.
 11 MS BOLTON: On the case law, yes.
 12 A. There is one answer I would like to give, the drone we
 13 use is 249 grammes. If they are above that, they need
 14 all sorts of licensing. It's 249 grammes. It's like
 15 a little mosquito. It's only about this big, it's very,
 16 very light, about that height. The higher you have it,
 17 the less likelihood -- because I don't want necessarily
 18 the workers to know that I'm there. I absolutely don't.
 19 I've had them smashing doors into dog's faces, I've had
 20 them piling up dog crates so they are wobbling. I want
 21 to see in a limited time, because all the space, 99.9%
 22 of the activity takes place in those sheds. You get
 23 a small little sliver of activity, and it's in my
 24 interest, as a sort of nosy neighbour, to not know that
 25 I'm following them, I'm watching what they're doing, so

1 the higher the better, the lower you go, the more chance
 2 you've got --
 3 Q. You've heard the workers' evidence that they've
 4 sometimes had to drive vans to avoid the drone?
 5 A. You've heard my answer to say -- I think that was
 6 Susan Pressick. Utter nonsense, ridiculous, and she
 7 said that a year ago, a year ago, that they had to
 8 resort, because of the drone, to flying -- to moving the
 9 dogs round in vans instead. Clearly not true. There is
 10 drone footage from this year. I made a list,
 11 somewhere -- I haven't presented it in written
 12 evidence -- and it was something like trolleys,
 13 January 5th, January 16th, January 20th, loads and loads
 14 and loads and loads of trolley movement.
 15 That's not true. What that witness says,
 16 Susan Pressick, she was making it up, I believe, on the
 17 spot. It's untrue. I put to every witness -- or some
 18 of the witnesses, remember, have you ever been stopped
 19 from doing anything because of the drone, and I believe
 20 the answer -- I can't remember the answer but the answer
 21 was, oh yes, absolutely, was to prevent them.
 22 Q. It was Mr Hardy, I believe, Mr Curtin, who explained to
 23 you that he used the van.
 24 A. He used the van and then he said then he stopped using
 25 the van. He went back --

1 Q. His point was it depended.
 2 A. Pardon?
 3 Q. He was clear it wasn't all the time but that that was
 4 something that he did. One of the changes that occurred
 5 as a result of the drone.
 6 A. It's something that he had done in the past, that he had
 7 then — what's the point. It was to do with — I think
 8 in his case, hiding his identity. His identity — he
 9 had been photographed way back in the — before
 10 Camp Beagle ever began campaigning, from the cameras
 11 that are on the site. I'm telling you it's absolutely
 12 normal for the use of the trolley. The thing about them
 13 using the van, it's — if you wanted — if I can gather
 14 more evidence, I could show you that there is clearly
 15 untrue.
 16 Q. And their evidence was, wasn't it, that they had to
 17 change that use of the trolley as a result of the drone
 18 being flown overhead?
 19 A. And you are going to say to me now I haven't submitted
 20 that in evidence.
 21 Q. You haven't.
 22 A. I tell you now that this year alone there must be 20/30
 23 incidents that we published of trolley use, 20 to 30 in
 24 the few months before that. The use of vans is not as
 25 the witnesses have said. The use of trolley is how they

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

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

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

1 Q. You just said a moment ago, if they want to avoid being
 2 in the national newspaper, they probably do need to take
 3 some action.
 4 A. I'm talking common sense. If you are working in
 5 a controversial place and there are people taking
 6 photographs of you from outside the gate, from round the
 7 side, on a drone, if you don't want to be identified,
 8 then you've got the liberty to look down or to cover
 9 your face.
 10 MR JUSTICE NICKLIN: Mr Curtin, so far as you are aware,
 11 have other people flown drones over the site?
 12 A. Of course, yes, yes.
 13 MR JUSTICE NICKLIN: How many, roughly? I'm not going to
 14 ask you to name them.
 15 A. Erm, regular people? Four or five. I didn't fly
 16 a drone for the first year.
 17 MR JUSTICE NICKLIN: And you say four or five that you know
 18 of. Are there other people that you are aware have
 19 flown drones over the site?
 20 A. There is more than four or five, yes, there is perhaps
 21 30 or 40 or 50.
 22 MR JUSTICE NICKLIN: Okay. We have dealt with the question
 23 of the drone footage and whether it can show
 24 individuals. You will need to put to Mr Curtin any
 25 footage or photographs that you say he is responsible

1 for, in which you can identify, or it's possible to
 2 identify, the members of staff.
 3 MS BOLTON: My Lord, at the moment we are simply taking
 4 Mr Curtin to the footage we have, which involves him.
 5 We don't know, on many occasions, who has flown the
 6 drone. We know Mr Curtin has flown the drone from that
 7 post.
 8 MR JUSTICE NICKLIN: Yes. You will appreciate that there is
 9 a danger of crossing over from different evidence
 10 streams, so, for example, given what Mr Curtin said
 11 about the size of the drone and the height at which he
 12 flies it, it seems unlikely that those employees who
 13 have been describing it as buzzing around their heads
 14 were dealing with a drone that was being flown by
 15 Mr Curtin, but if you are going to put that to him, now
 16 is your opportunity.
 17 MS BOLTON: Mr Curtin, it's right, isn't it, that you didn't
 18 challenge the employees that you hadn't flown the drone
 19 at a height that was head height.
 20 A. I think I said preposterous or something. I sort of
 21 laughed out loud. I said, "What, seven to eight foot?"
 22 Q. That was to one employee. Many employees gave evidence
 23 about head height drones?
 24 MR JUSTICE NICKLIN: We can go back and check the transcript
 25 but I am not sure the allegation was being put — the

1 question was whether or not employees were aware of
 2 drones being flown, but the identity of the person who
 3 was flying them, I'm not sure was ever really focused
 4 upon.
 5 MS BOLTON: Well, my Lord, in a number of cases it's very
 6 difficult to prove, yes.
 7 MR JUSTICE NICKLIN: Yes.
 8 MS BOLTON: I accept that.
 9 MR JUSTICE NICKLIN: Sure. Mr Curtin, so that your evidence
 10 isn't misunderstood, at what height do you typically fly
 11 the drone?
 12 A. Typically, 50 metres.
 13 MR JUSTICE NICKLIN: Can you think of occasions when you
 14 have flown it lower than that?
 15 A. Mm—hm. I'm on oath. Not deliberately but I may have —
 16 I may have done, if there is something I'm particularly
 17 interested in. But that's a mistake and I can go to the
 18 zoom anyway. All I'm telling you is 50 metres is
 19 clearly in my mind.
 20 MR JUSTICE NICKLIN: Okay.
 21 A. I can't think. If I wanted to read some fine detail on
 22 a packaging or something like that — not that I have,
 23 but the 50 metres was a bit of a golden rule in my head.
 24 MS BOLTON: Mr Curtin, it's right, isn't it, that footage of
 25 you flying the drone or that you gathered from flying

1 the drone or others gathered from flying the drone, have
 2 been posted on Camp Beagle's website?
 3 A. Yes.
 4 Q. Or Facebook page, sorry.
 5 A. Yes.
 6 Q. And it's right, isn't it, you also talk about that part
 7 of the reason you do this is to monitor the site?
 8 A. Absolutely.
 9 Q. Yes. And it's also correct, isn't it, that you've
 10 confirmed that one of the things that happened before
 11 the Harlan Interfauna break—in — was it just
 12 Interfauna? Remind me.
 13 A. Interfauna.
 14 Q. Interfauna break in, when the 82 beagles were stolen,
 15 there had been detailed surveillance?
 16 A. Yes.
 17 Q. And it's right, isn't it, that, if drone footage is
 18 repeatedly taken of the site and posted on the Facebook
 19 page, then again that provides a means for people to
 20 survey and understand the site, should they wish to
 21 break into the site?
 22 A. That's stretching it. What's the —
 23 Q. I'm asking — (Overspeaking) it's available to many,
 24 isn't it, Mr Curtin?
 25 A. Yes.

1 Q. That footage. And as you said, it's for the purpose of
 2 monitoring, and that provides anybody that sees that
 3 footage with an ability to understand the site better.
 4 That's correct, isn't it?
 5 A. I guess it does, yes.
 6 Q. And you can understand the claimant's anxiety, can't
 7 you, Mr Curtin, when there has been two further
 8 break-ins and their site is being surveyed by drones.
 9 Can you understand that anxiety?
 10 A. I can understand the predicament they are in and
 11 being -- holding a controversial business, that
 12 controversial business is now the centre of attention
 13 and there is people looking at it left, right and
 14 centre, and they don't want that, I understand the
 15 uncomfortableness of MBR to be in the public gaze, yes.
 16 Q. So you can understand, given the security risks, why
 17 they would take any trespass by a drone very seriously?
 18 A. Well, no, I can't, because -- let me explain something
 19 here. Here is the MBR site, a narrow site. Unless you
 20 want to look down a well or a drain, there is no
 21 advantage at all really from going over the site.
 22 Everything you need, everything, every inch of that site
 23 can be seen just as well -- there is nothing --
 24 I literally -- unless you want to see down a drainage
 25 pit and you get a vertical view, everything -- it's

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1 a very narrow, long site -- everything can be seen, so,
 2 yes, I can understand that MBR worried about people
 3 having surveillance to plan a raid. I've used -- some
 4 of the witnesses used the word "paranoia" and that will
 5 be part of MBR's collective paranoia.
 6 Q. Collective paranoia. It's right, isn't it, that one of
 7 the things you can see clearly from drone footage is the
 8 roof?
 9 A. Yes.
 10 Q. And isn't it right that when you stole 82 beagles from
 11 the site, you entered the site from the roof?
 12 A. Yes.
 13 Q. So I would suggest to you it's not paranoia to be
 14 concerned about drones flying over the site where
 15 weaknesses in a roof could be surveyed?
 16 A. That's paranoia. That's a paranoid thought.
 17 Q. I also want to look at -- moving on to a different
 18 allegation that has been pleaded as harassment --
 19 MR JUSTICE NICKLIN: Hang on a minute, before we leave the
 20 drone footage, this is your opportunity to put to
 21 Mr Curtin specific photographs and footage, which you
 22 can say is either general or obtained by him, which you
 23 say could be used for the purposes of intelligence or is
 24 otherwise an example of footage from which employees
 25 could be identified.

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1 MS BOLTON: My Lord, bear with me a moment because I don't
 2 think it's specifically Mr Curtin's bundle. (Pause)
 3 My Lord, I'm wondering if we can take an early break
 4 because I know that the general footage is probably not
 5 easily accessible because of what we have struck through
 6 on persons unknown, so if I may have an early break,
 7 I'll --
 8 MR JUSTICE NICKLIN: Yes. Right, taking an early break.
 9 Back at 3 o'clock, Mr Curtin.
 10 (2.44 pm)
 11 (A short break)
 12 (3.00 pm)
 13 MR JUSTICE NICKLIN: Yes.
 14 MS BOLTON: Mr Curtin, I want to take you to a number of
 15 exhibits that were in the persons unknown bundle -- most
 16 of those exhibits are videos, a couple of them are
 17 photographs -- that deal with footage, both of the staff
 18 moving around the site and the Wyton site itself that
 19 has been taken by drone.
 20 A. Could I make a comment, seeing as I'm representing
 21 myself? I haven't been given any notice of this and we
 22 talked about rabbits out the hat. I'm not nervous in
 23 any way. I hope that I'm able to help the court. I've
 24 reflected on giving evidence about the drone. Before we
 25 begin. And I hate to say it but you've seen one trolley

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1 load of puppies and you've seen them all. Wagging
 2 puppies. I'm going to try and help you here because you
 3 are going to ask me did I take this. Let's see how we
 4 get on. I take some objection to the fact that --
 5 normal rules don't apply here.
 6 MR JUSTICE NICKLIN: No, I'm doing it mainly in your
 7 interests. The evidence against you doesn't change.
 8 It's what you have been provided with. You understand
 9 that there is this interesting balance between the
 10 evidence that is being adduced against you personally
 11 and the rest of the evidence that I have relating to
 12 persons unknown.
 13 There is probably no better place in this case where
 14 that line is blurry is in relation to drones. The case
 15 being made against you is that you are responsible for
 16 flying drones.
 17 The evidence against you is limited in that respect
 18 and there is, it seems to me, an issue that I need to
 19 pay attention to, to be very clear in my mind between
 20 the generic evidence of drone footage and that which is
 21 being relied upon against you specifically.
 22 So this isn't me giving Ms Bolton an opportunity to,
 23 as it were, stick a few more allegations against you
 24 about drone footage, it's because I think fairness
 25 requires that, insofar as Ms Bolton is advancing

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1 a general case about drone use to you, that I get
 2 a clear view of what of this evidence is being alleged
 3 to be the responsibility of John Curtin and what of this
 4 can properly be described as generic drone evidence.
 5 A. Yes.
 6 MR JUSTICE NICKLIN: All right.
 7 A. I'm just worried about how I'm about to come across
 8 actually.
 9 MR JUSTICE NICKLIN: Right. First thing to remember is
 10 golden rule about giving evidence generally is if you
 11 don't recall or you don't know the answer, just say so.
 12 So if you don't know whether the footage that you are
 13 about to be shown was taken by you, you just say so.
 14 That's essentially -- this isn't contriving any sort of
 15 trap for you. I don't know what we are about to see.
 16 A. Yes.
 17 MR JUSTICE NICKLIN: And I don't know what questions
 18 Ms Bolton is going to ask you about it but because
 19 I have these dual roles in this case, which concern both
 20 you as an individual litigant and this persons unknown
 21 case, I need to be very careful that I understand the
 22 distinction between the generic drone evidence and the
 23 specific, Mr Curtin, drone evidence. All right? I hope
 24 that explains what I'm doing.
 25 A. It's just that I felt, if I did have a solicitor, they

1 may have stood up at that point, so I did it on my
 2 behalf, but I'm content --
 3 MR JUSTICE NICKLIN: All right.
 4 MS BOLTON: Mr Curtin, I'm going to take you to a number of
 5 videos and some photographs that can be found -- they
 6 are exhibits to various paragraphs of the persons
 7 unknown bundle between paragraphs 324 and 333 of the
 8 persons unknown bundle, which is part of
 9 Susan Pressick's statement, and those allegations
 10 concerning drones start at page 588 of that statement,
 11 well, of that bundle, sorry.
 12 I want to take you first of all to the evidence
 13 exhibited at paragraph 324 and it's video 150, please,
 14 if we could play it. (Video played).
 15 A. Oh, yes.
 16 Q. Did you take this footage?
 17 A. Definitely not because I couldn't -- this was in the
 18 early times and I couldn't fly a drone then.
 19 Q. And it's right, isn't it, that you can see there, if
 20 their faces weren't covered, those staff would be very
 21 clearly identifiable?
 22 A. Yes, you can also see an extremely unprofessional way of
 23 carrying dogs around the site.
 24 Q. We are not here to argue about the rights and wrongs of
 25 how to carry a dog.

1 A. Sorry, I wasn't listening to your question. Could you
 2 ask me again.
 3 Q. It's right, isn't it, if they didn't cover their faces
 4 and their head, they would be identifiable there,
 5 wouldn't they?
 6 A. Yes.
 7 Q. That's very clear footage.
 8 A. Yes, that's clear.
 9 Q. And we can see that they have done that. They've
 10 covered up to --
 11 A. Yes.
 12 Q. Yes. And so you would accept that that's an example of
 13 them having to change what they do because there is
 14 a drone above?
 15 A. A lot of the workers, like -- the faces I've seen this
 16 week, like Mr Markou -- don't worry, I won't say any
 17 more names.
 18 Q. Please don't.
 19 A. The name that I did mention that I shouldn't have.
 20 Apart from the -- there is a Hardy, who was mentioned --
 21 Q. Let's not go through names, Mr Curtin. It can go very
 22 horribly wrong.
 23 A. I saw -- I've seen many faces of witnesses, the majority
 24 of faces that I've seen I've never seen before, so
 25 a lots of the workers conduct themselves going in, going

1 out and when they walk around the site -- whether there
 2 is a drone or no drone, they will cover their faces.
 3 It's their choice and it's what they do. So therefore,
 4 you would imagine the person who is acting on behalf of
 5 the first claimant, it's the very first time I had seen
 6 his face, for example, and the woman that -- the worker
 7 that had been there for 40 years, the first time I had
 8 seen her face.
 9 Q. That's 27 July 2021, that incident?
 10 A. Yes.
 11 Q. And it was footage captured and appeared on Facebook on
 12 25 August 2021?
 13 A. Yes.
 14 MR JUSTICE NICKLIN: Which Facebook page?
 15 MS BOLTON: Free the MBR Beagles, my Lord. So it's right,
 16 isn't it, that that's some time ago, so it shows that
 17 the workers have been -- they have given evidence about
 18 having to cover their faces. That has been going on for
 19 some time, hasn't it?
 20 A. From day 1.
 21 Q. Yes. Right. Next one is an exhibit to paragraph 326
 22 and it's video 747, please. (Video played).
 23 A. Can I have the date of it?
 24 Q. If we can pause a moment, it's 25 August.
 25 A. Which year?

1 Q. 2021.
 2 A. Okay, this again -- we can watch it but it won't be me.
 3 Q. No, and this is again on Free the MBR Beagles that this
 4 footage was released.
 5 A. Okay.
 6 Q. We can play on, please. (Video played).
 7 A. Again, I would say -- what I see there is
 8 unprofessional, stacking cages, dragging them along the
 9 floor.
 10 Q. It's right, isn't it, Mr Curtin, that again that's
 11 getting quite close --
 12 A. Look at those crates wobbling. Do you want to take that
 13 back? Look at those crates wobbling. Where is the
 14 manager -- pardon.
 15 Q. It's getting quite close to the staff, isn't it?
 16 A. That, I can tell you now -- it's horrible to watch this,
 17 untrained. That's not possible to say. You know why?
 18 Because when you put this on to whatever software you
 19 are using, zoom matters on the imovie, it has got
 20 a different power zoom. I use a crappy little Android
 21 one, which is not as good. So it's never possible -- it
 22 gets grainier and grainier, as you go in. This doesn't
 23 necessarily reflect the height, as recorded on the card.
 24 Do you understand what I mean?
 25 Q. We can see the staff member there is quite clearly aware

1 of the drone, aren't they?
 2 A. Yes.
 3 Q. Yes. Right. Next one, please. If we can go to -- it
 4 relates to paragraph 327 of the evidence and it's video
 5 1018. (Video played).
 6 A. What's the date of this, please?
 7 Q. This one is -- bear with me. (Pause)
 8 That's footage (inaudible) on 27 August.
 9 A. You see the way it's zoomed in?
 10 Q. Yes, see how low it's capturing footage.
 11 A. No, do you see the way this could be -- it has gone
 12 grainy now, which means it has been zoomed in from the
 13 actual software. This could be 50 metres, depending
 14 which movie maker you use.
 15 Q. But it records quite good detail, doesn't it?
 16 A. It does, thank God.
 17 Q. Right. Next one, please --
 18 MR JUSTICE NICKLIN: From your knowledge of the site and
 19 because you've flown drones over it, is this footage
 20 that could be taken if you had flown the drone -- you
 21 have to fly over the site or it could have been to the
 22 left or to the right of the site?
 23 A. I think the site is -- I don't think it's -- I don't
 24 know if it's 50 metres across. It's hundreds of metres
 25 that way. So this could absolutely be taken from the

1 hedge and the better the drone you use, we were given
 2 a really flash, big drone and I hated it, I didn't like
 3 it. It was too big, the workers could hear it from
 4 100 miles away but that had crazy, crazy zoom on it. So
 5 this footage here could definitely be seen from outside
 6 the fence.
 7 MR JUSTICE NICKLIN: So from your knowledge of flying the
 8 drone, this footage could have been obtained by a drone
 9 that was not flying directly over the Wyton site?
 10 A. Could we zoom out?
 11 MR JUSTICE NICKLIN: Play it before it was zoomed out,
 12 please.
 13 A. To answer your question, this is -- if this is the site,
 14 this is near the top of the site, so it wouldn't be
 15 possible to get this from the side angle because the
 16 door is pointing that way. I've got an idea. You would
 17 be able to -- you would be able to see this from the
 18 road --
 19 MR JUSTICE NICKLIN: Okay.
 20 A. Yes.
 21 MR JUSTICE NICKLIN: Depending on what type of drone you
 22 were using and what camera it had?
 23 A. Yes.
 24 MS BOLTON: Mr Curtin, sorry, my Lord, I have just had
 25 something pointed out to me, which is probably a fair

1 enough comment. Mr Curtin does appear to have his phone
 2 in the witness box.
 3 A. I know.
 4 Q. If you could just make --
 5 MR JUSTICE NICKLIN: He is not using it.
 6 MS BOLTON: -- if he could just make sure it's turned off
 7 and put away.
 8 Right. Next video, please. Can we go to 657,
 9 please, which is paragraph 329. It concerns
 10 17 March 2022. (Video played).
 11 We have seen there that that footage has been the
 12 close-up of an operation and over the entire site,
 13 hasn't it?
 14 A. Yes, it is also very grainy, which suggests to me it has
 15 been artificially zoomed into.
 16 Q. It's right, isn't it, what we saw a moment ago was
 17 a drone footage of the entire site?
 18 A. Yes.
 19 Q. Yes. Okay. Next one, please.
 20 Mr Curtin, that one that we have just looked at was
 21 from 17 March 2022.
 22 A. Yes.
 23 Q. Was that your footage?
 24 A. I made the video. I put the music on. I remember part
 25 of the editing process. I'm unable to say, and the fact

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

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

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

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

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1 wasn't?
 2 A. Okay.
 3 Q. And it's right, isn't it, that we can see at 50 metres
 4 that drone can do quite significant surveillance of the
 5 site. That's a very clear image.
 6 A. Yes. You don't need any more image than that.
 7 Q. No, at that height it is capable, I would suggest to
 8 you, of interfering with the activities of MBR Acres
 9 because it will pick up the staff, it will pick up their
 10 movements?
 11 A. So would a camera from the side fence, which we have
 12 took some very remarkable pictures of dogs in trolleys.
 13 Q. And it would also be capable of being used for
 14 surveillance at that height for anybody that wanted to
 15 break into the site?
 16 A. Of the points you make, that's quite a -- I'm not seeing
 17 the rationale. It's quite a bizarre point to make. You
 18 should make it -- I don't understand that point, the
 19 last one.
 20 Q. Let's have a look at --
 21 MR JUSTICE NICKLIN: Before you leave this photograph, do
 22 you recognise this image in the sense of what it's
 23 telling you about the drone? So round the side it has
 24 got:
 25 "N mode, in flight, 6.26."

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1 And there is some bars, a 26?
 2 A. Yes.
 3 MR JUSTICE NICKLIN: I'm interested in the 4x, if you know
 4 what that means.
 5 A. 4x. That's the focus.
 6 MR JUSTICE NICKLIN: That's what I thought. It's four times
 7 magnification?
 8 A. Yes.
 9 MR JUSTICE NICKLIN: It's a bit like an iPhone.
 10 A. Yes.
 11 MR JUSTICE NICKLIN: The details below?
 12 A. That's just like the -- if you were using the camera,
 13 for the lens and the speed shutter.
 14 MR JUSTICE NICKLIN: Okay.
 15 A. The 198 metres is how far you are from the drone.
 16 MR JUSTICE NICKLIN: Right. From the base unit?
 17 A. Yes.
 18 MR JUSTICE NICKLIN: Right. Okay. Thank you.
 19 MS BOLTON: It's right, Mr Curtin, if you are 198 metres
 20 from the drone, then that's clearly over the site and
 21 not on the edge, isn't it?
 22 A. Yes. I have never stopped flying over the site. Even
 23 though I heard what has been said in court, there hasn't
 24 been an order to stop flying over the site, and I have
 25 ignored the claimant's worries about flying over the

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1 site so far.
 2 Q. Right. Okay. Let's look at the next exhibit, which is
 3 to paragraph 332 of the statement and it's video 661,
 4 please. (Video played).
 5 That's 16 June 2022.
 6 A. Mm-hm.
 7 Q. Again it's a very clear image of the employees, isn't
 8 it?
 9 A. Yes.
 10 Q. Did you take that footage?
 11 A. I would really -- I've seen -- I know who that is and
 12 I've seen that person --
 13 Q. Let's not do names.
 14 A. -- push trolleys.
 15 Q. Let's not do names.
 16 A. And there has been definite occasions where I have
 17 filmed that person, and I couldn't tell you --
 18 I honestly couldn't tell you whether I filmed that. It
 19 looks low.
 20 Q. Okay. It does look low, doesn't it?
 21 A. It looks low.
 22 Q. Yes.
 23 A. It might not be.
 24 MR JUSTICE NICKLIN: Is the fact that it is low, does that
 25 make you think it's more likely or less likely to have

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1 been you who filmed it?
 2 A. Less likely.
 3 MS BOLTON: Okay. Let's look at paragraph 333, exhibit,
 4 which is video 929, please. (Video played).
 5 Pausing there, if we could just go back a few
 6 seconds, please. Pause there, please.
 7 A couple of points, Mr Curtin. That's your voice,
 8 isn't it?
 9 A. My voice for sure.
 10 Q. Did you take this footage?
 11 A. This one, this is a candidate for flying, I would say,
 12 perhaps -- unless you are using some snazzy, snazzy
 13 software.
 14 Q. Sorry, say that again, I couldn't hear you.
 15 A. Again, this could be one of those candidates, I don't
 16 know if this is 50 metres or not.
 17 Q. I'm going to suggest to you, Mr Curtin, that's clearly
 18 being flown at door height, just slightly above it, if
 19 anything.
 20 MR JUSTICE NICKLIN: Your evidence for that would be what?
 21 MS BOLTON: We will look at the video. We can see the
 22 movement of the camera. So if I may play that. So if
 23 we could -- (Overspeaking).
 24 MR JUSTICE NICKLIN: Let her make her questions, please.
 25 A. Sorry.

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1 MS BOLTON: Pausing there, that drone would have to be quite
 2 low, wouldn't it, to get that footage?
 3 A. I'm trying to go along with it, be helpful. I hear what
 4 you are saying. It depends on what software was
 5 packaged to do this. It's possible that this drone
 6 was -- it's possible this is below 50 metres, it's
 7 possible, and the person flying the drone has forgot
 8 everything about 50 metres and there is a door open and
 9 they are seeing dogs and they are doing what they can to
 10 get this footage.
 11 Q. It's your voiceover, Mr Curtin.
 12 A. That means nothing.
 13 Q. Can you not help me a bit more on -- how was this
 14 footage obtained?
 15 A. I'm there all the time. I do the narrations on all the
 16 videos, especially if I'm doing it. So -- so the two
 17 are not connected. (inaudible) the drone and who flew
 18 the drone. I'm swearing on oath now and I'm unable to
 19 tell you, even this, I bet you think I remember this and
 20 the door was open --
 21 Q. Okay, let's play on. (Video played).
 22 If we just go back just a little bit, please. Just
 23 a little bit more, please. Okay, play on, please,
 24 (Video played).
 25 Can you pause? It's actually even capturing the

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1 number plate, isn't it, on that vehicle, the white car?
 2 Did you see that coming in and out or do you want me to
 3 rewind it?
 4 A. Yes, I didn't notice that.
 5 Q. Just go back again. There we are. You can see that?
 6 A. Yes.
 7 Q. Yes. Play on, please. (Video played).
 8 Pausing there, so that's staying quite -- that's
 9 taking footage at quite a low height, isn't it?
 10 A. It is. You know. Yes, it is. But the reason -- you
 11 are talking about causing alarm (inaudible) because
 12 there is -- quite uniquely, there is a door open and
 13 that is -- the words used is a precious glimpse. This
 14 is indeed a precious glimpse.
 15 Q. But we can see, can't we, that, one, this is at a low
 16 level anyway; two, it's also we have seen zoomed out
 17 images of this building; yes?
 18 A. Yes.
 19 Q. And so the footage of the zoomed-out, the building,
 20 what's in that particular building, that's all quite
 21 useful for somebody who wants to survey the site to
 22 break in, isn't it?
 23 MR JUSTICE NICKLIN: That's asking him to comment. That's
 24 not a useful question.
 25 MS BOLTON: And --

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1 A. Anyone is available to fly a drone and -- remember what
 2 you can see from a satellite. Sometimes you see as much
 3 detail as you can see off these images that you can see
 4 from a satellite. It depends on what you use.
 5 MS BOLTON: It does, Mr Curtin, and it depends what you use
 6 and how reasonable the height is and the interference it
 7 has. But I'm going to put it to you that what all of
 8 those images show is that, first of all, some of those
 9 images have demonstrated that workers have had to change
 10 their behaviour as a result of the surveillance by
 11 drones.
 12 A. As I told you, I saw people who have hid their identity
 13 from day one and to the point when I have seen their
 14 faces in court, it's the very first time, even though
 15 they've driven past me and I've seen them for 22 months,
 16 it's the very first time I've seen their face.
 17 Q. And it's also demonstrating that it's surveying the site
 18 at a low level and the layout of the site?
 19 A. This video looks like it's from a low level and perhaps
 20 the reason for that is because it's unusual and there is
 21 dogs there.
 22 Q. That conduct is capable, that flying of drones at those
 23 heights and surveying the site the way they are, is
 24 capable of interfering with the claimants' peace and
 25 enjoyment of that land?

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1 MR JUSTICE NICKLIN: Okay, that's a comment again. His
 2 answer is not determinative of that issue, it's his
 3 opinion.
 4 MS BOLTON: My Lord, I will move on.
 5 My Lord, I'm going to move on to a different
 6 incident.
 7 This is a specific harassment allegation against
 8 you, Mr Curtin.
 9 A. Yes.
 10 Q. And this concerns the filming of staff, and I want to
 11 look at video 183, please. (Video played).
 12 Pausing there, we can play on if you need me to but
 13 do you accept that's you climbing up to put that camera
 14 on a pole?
 15 A. It is, yes.
 16 Q. And let's have a look at that.
 17 A. Can I address -- give you some background. (inaudible)
 18 ask the questions.
 19 Q. If I ask some questions, if you need to say more, I'm
 20 sure there will be an opportunity for you to do so.
 21 Let's play on a little bit, please. (Video played).
 22 Right, pausing there, please, that camera is
 23 directed at the front gate of MBR, isn't it?
 24 A. It was, before it was taken down.
 25 Q. Yes.

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

1 A. I was eventually attacked --- the camera was eventually
 2 attacked. There was a woman there who was hit by a man,
 3 who came with an iron bar with metal tucked round it,
 4 because we took these cameras down.
 5 Q. You did put them up?
 6 A. I helped, yes.
 7 Q. Yes.
 8 A. I could see no harm in it.
 9 Q. And it's right, isn't it, that, if the target of the
 10 protest wasn't the staff, there would be no need to have
 11 a camera facing the gate, monitoring the comings and
 12 goings at the gate, would there?
 13 A. There is a hundred reasons why it might be of interest
 14 to put cameras up on this high profile campaign. We
 15 have been subjected to violence and attacks. It was
 16 high profile, so therefore to have some --- you are
 17 telling me it's there to target workers, it was there to
 18 catch the scene. And were any rogues' gallery produced?
 19 I don't know if they were but they certainly weren't
 20 produced with anything to do with me.
 21 Q. It's right, isn't it, Mr Curtin, that this is --- this is
 22 happening in April 2022, that camera is not facing the
 23 general scene, it's facing the gate, an area where there
 24 is an exclusion zone, an area where there is supposed to
 25 be free passage for the staff? The only reason to focus

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

1 MBR's cameras. There's cameras everywhere.
 2 Q. That's the point, wasn't it, to make the workers feel
 3 that they were being filmed, to intimidate them? That
 4 was the purpose, wasn't it?
 5 A. This is to film the scene. This is to film vans coming
 6 out. This is to film any --- people coming past,
 7 chucking litter at us, which most of the people, 99% of
 8 the people give us a beep and a wave or they are
 9 neutral. Some people sometimes will throw McDonalds
 10 stuff. We have had worse than that. We have had idiot
 11 car racers at nighttime, burning their tyres. So it
 12 could be there, actually, for a number of reasons. We
 13 found out eventually it was there for different reasons,
 14 actually spying on activists, but that's another story.
 15 Q. It's right, isn't it, at the time when you are putting
 16 this camera up, its focus is the gates?
 17 A. It's a moveable pole, the cameras --- and it --- if I'm
 18 going to put a camera on that pole, which I clearly am,
 19 there is only one place I'm going to really point it and
 20 that's towards the gates. There is only one set of
 21 gates and it wasn't to intimidate the workers, it's
 22 to ---
 23 Q. I suggest it was?
 24 A. I am helping in a project here because --- unfortunately,
 25 I did help that individual.

1 Q. Mm—hm. And it was to target the workers?
 2 A. It was actually to target other activists and listen to
 3 their conversations, we found out was the actual
 4 purpose.
 5 Q. Well, if it's focused at the MBR gates, Mr Curtin, that
 6 particular camera wouldn't do that, would it? It would
 7 only pick up what was going on as people were leaving or
 8 coming into the MBR site. That's what that was focused
 9 on?
 10 A. Since we took these cameras down, we haven't put another
 11 one up but the thing that hasn't deterred me putting one
 12 up is I can't put a camera here because the workers are
 13 going to get worried about it's all about them. No,
 14 there is loads of reasons why you would want to put
 15 a camera.
 16 Q. Let's have a look at another one.
 17 A. Okay.
 18 MR JUSTICE NICKLIN: Just help me with the camera for the
 19 moment. Is the camera fixed or could you control it
 20 remotely?
 21 A. That one there? That's -- I think that camera there,
 22 that's being put on, that's not the ring cameras, that's
 23 an extra camera. That's a camera that the camp had
 24 bought and that's one that I'm attaching, and that could
 25 be operated remotely. You could move it. You could

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1 move it 180 degrees, so if you look there, I'm probably
 2 trying to angle it so it would go like that.
 3 MR JUSTICE NICKLIN: And when do you say -- you told me that
 4 it had been taken down. When was it taken down?
 5 A. I was going to look for the -- where are we? A number
 6 of months ago. A witness there might be able to help
 7 me.
 8 MR JUSTICE NICKLIN: You cannot have help.
 9 A. Sorry, it was when the attack -- the attack happened --
 10 as soon as we took the cameras down, our windscreens got
 11 smashed and then, the next night, the madman turned up
 12 with a bat. That was -- my mind has gone blank.
 13 UNKNOWN SPEAKER: September.
 14 MR JUSTICE NICKLIN: We can't have shouting out.
 15 A. Months ago, about six months ago. The cameras were up
 16 for months but they are a source of dissension and
 17 I regret putting those cameras up. But not because of
 18 the effect that it might or might not have had on the
 19 workers.
 20 MS BOLTON: Let's look at another one, please, video 192.
 21 (Video played).
 22 Pausing there, that's you in the high vis jacket,
 23 isn't it?
 24 A. Yes.
 25 Q. And that's another camera on that water tank, isn't it?

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1 A. I think it might be that same camera -- yes --
 2 Q. This is a month later.
 3 A. Yes.
 4 Q. And that's -- so that's facing up the road and the MBR
 5 gates are behind those tents on the left, aren't they?
 6 We see the car moving along.
 7 A. Yes.
 8 Q. So it's right, isn't it, that what that would capture is
 9 the staff arriving in the morning and leaving?
 10 A. That was a failed attempt, because the camera is not set
 11 up to do that, to put the camera there from that
 12 distance and hope it will act as some sort of automatic
 13 trigger when a vehicle goes past, it will record the
 14 vehicle. And it would set off an alarm. But it was
 15 a failed attempt because the camera had too big a --
 16 Q. But it was setting up to pick up staff and contractors'
 17 vehicles, wasn't it?
 18 A. More to set off an alarm when the line was crossed, just
 19 to know that a worker has gone in and out, because there
 20 had been some night-time vans.
 21 Q. Yes.
 22 A. Which we had missed, and one of the reasons we had
 23 missed them is because those ring cameras, they were not
 24 fit for purpose, either. We were told they would pick
 25 up vehicles coming in and out. So, yes, I'm very

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1 interested in who goes in and out of that site all day
 2 long and all night long. I'm a nosy neighbour.
 3 Q. Apologies, Mr Curtin, it has just been pointed out to
 4 me, I'm describing the site incorrectly.
 5 A. Ah.
 6 Q. I think we have both misunderstood each other. That
 7 camera -- sorry, the gates aren't the other side of the
 8 tents, are they?
 9 A. Yes, the gate is here.
 10 Q. That's the exclusion zone, apologies.
 11 A. Yes.
 12 Q. So it's filming entry and exit from the gates from the
 13 other side of the exclusion zone, so if you were coming
 14 out of the Wyton site, that would be on your left.
 15 A. Yes.
 16 Q. That's correct, isn't it?
 17 A. Yes.
 18 Q. Apologies. It's my confusion, apologies.
 19 A. The reason for this is some sort of -- you know, like
 20 you have a wildlife camera to see movement, this is what
 21 I was trying to do, but not succeeding, with that camera
 22 here.
 23 Q. That was again focused on staff and contractors, wasn't
 24 it.
 25 A. It's focused on the gate. It's very interested -- it

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1 breaks people's hearts, the fact that they drive dogs
 2 out there. It breaks people's hearts, and we have been
 3 able to report on nearly every dog van that has gone
 4 out. It would be a tragedy, just an afterthought, oh,
 5 by the way, we think a van might have gone out earlier.
 6 This is a solemn event, say if a van went out. That
 7 would be the most important thing that (inaudible).
 8 Q. It lets everybody know when someone is coming and
 9 leaving so that they can come out and anything from
 10 obstruction to taking camera footage of what the number
 11 plate is or putting it on social media, it's all there
 12 to target those coming and going --
 13 MR JUSTICE NICKLIN: Just a minute, are you saying that
 14 Mr Curtin has done that?
 15 MS BOLTON: Well, yes, because I'm putting to him --
 16 MR JUSTICE NICKLIN: You are saying he has put number plates
 17 on social media?
 18 MS BOLTON: No, I'm saying it permits all of that to be
 19 recorded. I'm not suggesting Mr Curtin has put
 20 something on social media. I'm suggesting Mr Curtin
 21 assisted in putting a camera up.
 22 A. Mr Curtin gave up and because Mr Curtin is not hi-tech
 23 or we never managed it but what we do have in place now,
 24 instead of that, is a beam, like a laser beam, that's
 25 set up from our side. The workers, everyone knows it's

1 there, they can hear it. The security people happily
 2 park their cars to make it go off continually, one
 3 particular security guy. We have got a little infrared
 4 beam here and one at the other side of the 20 metres of
 5 the other side of the gate and that means every time
 6 a vehicle goes in and out, we get a loud noise. Like a
 7 whoop, whoop, whoop.
 8 MR JUSTICE NICKLIN: Just go back to the point. Did you
 9 ever get the camera to work?
 10 A. No, no, it was -- no, we could have -- we could get it
 11 to record but not to record automatically, not to know
 12 in hindsight, if you look back at nighttime, if
 13 a vehicle had gone past it. It would pick up too much
 14 information. And the -- because of the 20 metres, if we
 15 were able to put it next to the gates, then it would
 16 work but, because of the distance, no.
 17 MS BOLTON: And considering that the employees have had
 18 significant issues getting in and out of the Wyton site
 19 during the course of this protest -- we have looked at
 20 some of those over the last couple of days -- and
 21 considering that that protest has at times involved
 22 filming them and you heard the employees say that some
 23 of them's images and cars have appeared on social media.
 24 A. Yes.
 25 Q. It's reasonable, isn't it, that when they see cameras

1 pointed at the gates, as they come and go, that that's
 2 going to cause them distress that yet again they are
 3 being recorded and that that could be for the purposes
 4 of identifying them, stopping them in the road, working
 5 out where they live. That's foreseeable, isn't it, that
 6 that's going to cause them distress?
 7 A. They live in Britain. They live in a place where they
 8 know damn well the controversial nature. They know how
 9 sensitive it is. They can now expect people to be
 10 watching their movements because they are so
 11 controversial. So a person of reasonable firmness --
 12 unless you want the protest to absolutely, like I said,
 13 vaporise, once the secret is out -- they were happy
 14 enough when nobody knew it was there and the local
 15 people didn't know it was there. Now it's out,
 16 a reasonable person kind of has to accept some sort
 17 of -- well, people are watching them. They know it.
 18 Q. It's right, isn't it, Mr Curtin --
 19 A. Not (inaudible) individuals. If you go to this company,
 20 it's a matter of public interest.
 21 Q. It's right, isn't it, Mr Curtin, that whilst the
 22 employees have accepted there will be a degree of
 23 protest, it's quite a different thing, isn't it, for
 24 them to have to experience the distress of knowing that,
 25 if they don't put on a disguise to drive in and out of

1 work every day, that they could be picked up on cameras
 2 and that that information may be shared and they may be
 3 identified? That's going to cause them distress, isn't
 4 it?
 5 A. Not all the workers cover their faces.
 6 Q. No.
 7 A. If there are fears -- there have been some incidences --
 8 and you can pick them up -- where people have been, say,
 9 outed publicly. If these cameras went along with
 10 parallel, with say like the rogues' gallery, then, yes,
 11 then there's like, "The cameras are going to mean we're
 12 going to be put on some site and they are going to
 13 generate hate for us." That hasn't happened, that
 14 hasn't materialised, apart from some -- there have been
 15 some incidents with individuals. The campaign has not
 16 gone down that road.
 17 Q. The campaign has gone down that road, as you say. You
 18 are very aware that employees have been targeted, but
 19 it's right, isn't it, that, as you keep saying, well, if
 20 they work here -- and that's the attitude, isn't it,
 21 because the point is to make them so uncomfortable and
 22 so distressed that they stop working here. The point of
 23 these cameras and filming the employees and making them
 24 feel uncomfortable is to say to them, if you carry on
 25 working here, you are going to have to put up with this?

1 A. If we want to go back to that potato factory thing,
 2 there are millions of people that are horrified what
 3 goes on behind the gates of MBR Acres and further
 4 horrified about what happens to the dogs, and you are
 5 asking to rewind and obliterate that obvious fact. This
 6 is not a potato factory. This is a really sensitive
 7 place, really sensitive, and it goes with the job. It
 8 didn't used to be because -- before Camp Beagle.
 9 Q. It goes with the job?
 10 A. It does.
 11 Q. It goes with the job that they should be filmed and made
 12 to be distressed --
 13 A. No, I didn't say that.
 14 Q. -- by the fact that they work at MBR Acres, if they
 15 choose to work there, they have to put up with this?
 16 A. No.
 17 Q. And that's the ideology behind this campaign, isn't it,
 18 to target them?
 19 A. That's a scandalous misrepresentation of me saying it
 20 goes with the job. It goes with the job meaning this is
 21 not a potato factory. If I work here, which is my
 22 choice, then I can expect to be in the headlines and
 23 full of controversy. That's not an astounding point, is
 24 it? And you want -- it's as if these people have
 25 a special right in society to secrecy and anonymity.

1 Why?
 2 Q. No, Mr Curtin, no one is suggesting that. They are
 3 suggesting that they should be entitled to go to work
 4 without being caused alarm and distress and without
 5 being obstructed.
 6 A. And I have never set out to cause the workers alarm and
 7 distress, and I understand -- I know, if I was to put
 8 a poster up and make it personal, it would really,
 9 really aggravate any fears that they might have had. It
 10 would probably go through the roof.
 11 Q. I would suggest that putting up cameras to watch staff
 12 is making it personal. It's making it very personal to
 13 them.
 14 A. No, I don't accept that at all. There is 100 reasons to
 15 put up cameras here, health and safety, like -- the
 16 amount of -- thankfully, it's quite rare but we have had
 17 attacks against us.
 18 Q. And even just before the start of this trial, you put in
 19 evidence, at the beginning of this trial, of a post from
 20 23 April this year, and it's in the 11th defendant's
 21 evidence bundle at JC1, page 29.
 22 MR JUSTICE NICKLIN: I don't think I've looked at that
 23 bundle yet. Where is that?
 24 A. JC1/29.
 25 MR JUSTICE NICKLIN: Where have you got that?

1 A. I've got a JC. I've got my own small witness -- revised
 2 witness statement.
 3 MS BOLTON: We have one copy.
 4 MR JUSTICE NICKLIN: Have I got one?
 5 MS BOLTON: You should have, my Lord. It's the revised
 6 witness statement and evidence of John Curtin, is the
 7 bundle.
 8 MR JUSTICE NICKLIN: Okay.
 9 MS BOLTON: Do you have it, Mr Curtin?
 10 MR JUSTICE NICKLIN: Yes, JC1, what page?
 11 MS BOLTON: It's page 29, my Lord.
 12 You put in this as evidence, and we see the post on
 13 page 29, which says:
 14 "Join us at 2023 World Day for Animals in
 15 Laboratories march on Saturday 29 April at Huntingdon.
 16 "In the morning meet us at camp to greet the workers
 17 of MBR and to share some breakfast with us."
 18 A. Yes.
 19 Q. It was Camp Beagle's -- at the time you submitted this
 20 evidence -- pinned post, wasn't it?
 21 A. Yes, because it's World Day.
 22 Q. And the reference to greet the workers, that's
 23 a reference to being at the gates of MBR in time for
 24 when the workers arrive. That's correct, isn't it?
 25 A. Yes.

1 Q. To demonstrate to them your objection to what happens at
 2 MBR?
 3 A. Yes, if you notice, it doesn't say, "In the morning meet
 4 us at campaign to block the workers, to abuse the
 5 workers, to --"
 6 Q. It doesn't say, though, does it, "Let's meet at MBR for
 7 breakfast and to protest the activities of MBR," it
 8 makes a specific reference "to greet the workers"?
 9 A. It does, and share breakfast with us.
 10 Q. And the reason why it's to greet the workers is the
 11 focus of your protest is the workers, isn't it?
 12 A. Right. I've said it once and I'll say it again: it's
 13 never been my focus to focus on the workers. It just
 14 hasn't been. We have used the word "shit shovelers".
 15 You said that's condescending and abusive. I see the
 16 workers as unskilled -- relatively unskilled shit
 17 shovelers. It's my view. You get rid of one worker,
 18 another one will pop up. You are totally misreading
 19 something here. The main thrust of this article is to
 20 invite people to come for a beautiful demonstration we
 21 had in the middle of Huntingdon, where residents were
 22 coming out and they were clapping us, and we want people
 23 to come to the camp. We don't have -- you know, what we
 24 saw in August 14th, with like police issues and all the
 25 rest of it. That doesn't happen now. We are confident

1 in bringing people to the camp and not having large
 2 problems.
 3 So it is like a bonus for the camp. The
 4 demonstration is taking place in the town centre but,
 5 while you are at it, yes, I'm readily asking people --
 6 we are asking people, come, come, come, come, and see
 7 these workers go in and watch them leave. Perhaps,
 8 I think on this day ten o'clock --
 9 Q. You are going to be at (inaudible) in the afternoon?
 10 A. Yes, but you can -- I was going to say bloody. You can
 11 do both, you can watch the workers leave and you can
 12 still get to Huntingdon for 11am, and I wanted people to
 13 witness that, that you can see people finish a day's
 14 work and you can still get off to the start of the
 15 demonstration, which is 11 am, which is amazing.
 16 Q. The reference to "greet the workers" is just a further
 17 piece of evidence, like the ritual that we have seen in
 18 the videos, of the target of this campaign being the
 19 staff, just like when we looked at the incident earlier,
 20 with Employee V, again the target is the staff. The
 21 whole focus outside the gates of MBR, isn't simply to
 22 protest and shout your protest message, it's to focus on
 23 the staff, to such a degree that they become so harassed
 24 and so alarmed by your conduct that they leave. That is
 25 what you are trying to achieve.

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

1 them, stopping them, would be dealt with by the police.
 2 The injunction wouldn't stop a rogues' gallery, I don't
 3 think, would it?
 4 Q. Yes, we have seen today, Mr Curtin, video evidence of
 5 that happening.
 6 A. Of what happening?
 7 Q. Of people not being able to get out of the site.
 8 A. Ah, the Anglia Water? I thought we had gone into that.
 9 I didn't come here today, and I haven't -- I haven't
 10 spent 40 years in order to try and stop an Anglia Water
 11 man from getting out of there, I tell you now. And
 12 that's a ridiculous suggestion to make.
 13 Q. I just want to -- just to make sure I've not missed
 14 anything, my Lord, I think I'm going to be very quick on
 15 this. I'm just going to very quickly check a few points
 16 in Mr Curtin's witness statement. I think I've pretty
 17 much covered everything I need to put to Mr Curtin but
 18 I don't want to find later that there is something
 19 I should have picked up. (Pause)
 20 Mr Curtin -- I mean, my Lord, there are some very
 21 broad points, Mr Curtin suggesting that his protest has
 22 always been legal. I think I've sufficiently put points
 23 on that to him, Mr Curtin, but just for clarity's sake,
 24 we say -- and we have explored with you over the last
 25 few days -- that your protest isn't legal, that you've

1 crossed the line, that you've trespassed, you've
 2 obstructed and you've harassed and we have explored
 3 that, the reasons why. So I don't think I need to deal
 4 with that further.
 5 A. And I've rejected every one of those claims very, very
 6 vigorously. And I find it offensive.
 7 Q. And paragraph 7, you say:
 8 "In the second witness statement of Jane Read she
 9 talks of being aware that sources at work of crimes I'm
 10 alleged to have committed, as does David Manning and
 11 numerous other employees. These statements are from
 12 people who have already based an opinion on me shaped on
 13 gossip about me in the workplace."
 14 You have explored that with the witnesses, but it's
 15 right, isn't it, that the witnesses also gave evidence
 16 that your actions had specifically left them intimidated
 17 and harassed?
 18 A. For example, Employee V has the fact that I'm standing
 19 next to him and that becomes absolute terror. Other
 20 witnesses have talked about frightened about me, having
 21 dreams about me. I have been picked out. I actually --
 22 yes, I have been picked out on my behaviour. I may have
 23 let myself down, I'm not sure, once or twice, like the
 24 Anglia Water. I remember being frustrated about how
 25 badly it went so wrong. Went so wrong. It was just

1 like it was a typical example. I've tried -- I've
 2 endeavoured and it has been very, very difficult --
 3 every day is difficult there -- to conduct myself
 4 legally and not -- it has never been my intention to
 5 cause alarm, harassment and distress to workers, and
 6 I've conducted myself, yes -- I've tried to be really,
 7 really -- it's not just discipline -- I wanted to do it
 8 because of tactical reasons. That has been probably my
 9 main thing. I don't have to get to any morality about
 10 breaking the law. I, right from day one, thought,
 11 right, I'm going to be here and while I'm here, I'm not
 12 going to let them arrest me, I'm not going to fall into
 13 a trap.

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

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

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

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

11 Q. It's right, isn't it, Mr Curtin, that you yourself have
 12 taken us to evidence in your defence where you say that
 13 is you telling people to let the staff in, to clear the
 14 road, to have discipline. That's because you do take on
 15 a leadership role, isn't it?

16 A. No, because leaders are able to give commands and I have
 17 never been able to -- what --

18 Q. I suggest that when you tell people to get ready because
 19 staff are coming out or to move out the way, or to show
 20 them that they are angry through a loudhailer, you are
 21 taking on a leadership role?

22 A. I'm trying to use my experience, specially when working
 23 with people who are completely unexperienced and people
 24 who would not have the self-control that I would have.
 25 Who would tell you out loud, "I don't know how you do

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

1 MR JUSTICE NICKLIN: Right, okay. Don't worry, Mr Curtin.
 2 MS BOLTON: Bear with me, my Lord. (Pause)
 3 Mr Curtin, thank you very much. My Lord, I have no
 4 further questions.
 5 MR JUSTICE NICKLIN: Right. Thank you very much.
 6 Mr Curtin, you told me at the beginning of your evidence
 7 that you --- one of the earlier questions you were asked
 8 was about the fact that you hadn't --- you had said in
 9 your defence that you were willing to accept the
 10 injunction being continued but you didn't do that and
 11 then you told me in your evidence that you had your
 12 reasons for not doing that. Ms Bolton didn't ask you
 13 about that. You said you would like to come back to it.
 14 So here is your chance to tell me why it is you find
 15 yourself the last person standing.
 16 A. Yes.
 17 MR JUSTICE NICKLIN: Why is it that you have not been able
 18 to reach an agreement with the claimants, as you had
 19 indicated you were willing to in your defence?
 20 A. Yes. I sent a couple of bits of evidence this morning,
 21 which hopefully ---
 22 MR JUSTICE NICKLIN: I saw what you sent this morning.
 23 A. A couple of the bits were right back to August 18, as
 24 soon as I found out about the injunction.
 25 MR JUSTICE NICKLIN: It wasn't quite that far back,

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1 August 2021, I think.
 2 A. Yes, August 21. What did I say?
 3 MR JUSTICE NICKLIN: 18. It may feel like that but it was
 4 only 2021.
 5 A. Oh, yes. You have an injunction, with persons unknown.
 6 I knew from experience --- my experience of persons
 7 unknown was it was the worst sledgehammer ever used
 8 against us. So I wanted to be joined to this
 9 injunction. They refused until I was arrested for
 10 the --- for an incident on September 13th, where I was
 11 said to have hit a car and this --- I was acquitted of
 12 that. But I think they happily joined me. They sent me
 13 a message saying, no, the only people we are having on
 14 this injunction is people that were involved in illegal
 15 activities. I wrote them back, which is part of the
 16 evidence I sent in, but I don't understand that because
 17 Mel Broughton is sitting next to me, he is on the
 18 injunction, and what illegalities do you say that he has
 19 done?
 20 As the injunction went on, it dragged on at
 21 a snail's pace. As they began to add more and more
 22 people, there were people who were terrified, and I mean
 23 terrified and I was terrified. When people used to say
 24 to me, "What's this injunction about?" I would say,
 25 "It's complicated but, see that line over there, if you

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1 step over that, you might lose your house." "What?"
 2 But there were people on the injunction who --- and some
 3 of them were having a go at me if I came to court and
 4 started raising all sorts of points. Keep your head
 5 down, it's all right for you, you haven't got a house to
 6 lose, because indeed I haven't got a house to lose.
 7 I used to do --- because it was me doing the yabbing(?)
 8 sometimes on behalf of other people, unofficially.
 9 I was saying, "We can get this injunction sorted now.
 10 We can do this today. We can sign it off today."
 11 I didn't know that the persons unknown trial was going
 12 to go on anyway because I had taken it from your words
 13 that that was dead in the water. But that wasn't the
 14 case.
 15 MR JUSTICE NICKLIN: I don't think I've ever given that
 16 impression. I'm sorry if I did.
 17 A. I honestly wasn't --- I'm surprised but I get it, but
 18 I thought the persons unknown thing was dead in the
 19 water. So other people had --- again completely
 20 inexperienced people, who were finding themselves
 21 completely out of their depth. I was, like, "Okay,
 22 breathe, it's going to be okay." I asked from you
 23 a number of times deliberately, on behalf of the people,
 24 about costs and you had said, if people are reasonable,
 25 they will be reasonable costs. But that could still

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1 mean tens of thousands of pounds.
 2 So ---
 3 MR JUSTICE NICKLIN: Is that the thing that worries the
 4 protesters the most?
 5 A. Yes. Yes. And civil liberties, but if you've got
 6 assets and you are involved in this multimillion pound
 7 and counting that didn't seem to have any limits on
 8 it ---
 9 MR JUSTICE NICKLIN: From your knowledge, have people given
 10 up because they are worried about the costs?
 11 A. Definitely, no doubt about that. We are dying to get
 12 out of it, we are regretting ever seeing --- some of them
 13 regretting ever getting involved because of the case.
 14 So I'm not --- I've had a number of injunctions put
 15 against me but this is the first time I've actually
 16 given evidence in a case because before I used to give
 17 up and the persons unknown thing, made it pointless
 18 fighting it.
 19 MR JUSTICE NICKLIN: Why do you perceive that the persons
 20 unknown makes it pointless? Why do you say that the
 21 persons unknown injunction makes fighting yourself
 22 pointless?
 23 A. Because I'm always --- I'm an obvious persons unknown.
 24 You can't ever doubt that I'm going there, MBRA, because
 25 if I'm not named, I am a protester. So I can never

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1 escape the persons unknown.
 2 I'm used to the criminal -- back in the day, decades
 3 back in the day -- and when it comes to a deal, which we
 4 weren't allowed to speak to with you, I thought --
 5 MR JUSTICE NICKLIN: Let me just make the rules clear. If
 6 there have been what are called without prejudice
 7 discussions, then I'm not to know about those.
 8 A. Okay.
 9 MR JUSTICE NICKLIN: Ms Bolton has told me that there have
 10 been certain open offers made to you. I suspect they
 11 are in similar terms to some of the other defendants.
 12 A. Okay, I won't tell you specifics.
 13 Q. Don't tell me about without prejudice material.
 14 A. Can I give it the widest, vaguest point of view, in
 15 that, in criminal cases, when there is a deal -- and
 16 I've taken part in those deals -- say if there is ten
 17 defendants and there is a deal on offer to drop the
 18 case, all those ten defendants -- these things are not
 19 meant to happen officially but they happen in the real
 20 world, all ten people have to accept the deal, and
 21 I would have been prepared to accept a deal in the
 22 negotiations if it had been put forward, if Mr Curtin
 23 refuses or if anyone refuses, it's all or nothing.
 24 I was kind of expecting that and when I got the deal
 25 put to me, whack, straight away -- and when I saw some

1 of the statements about how terrified and how frightened
 2 they were and the horrible things people said about me
 3 and they wanted me to -- part of my -- which -- no,
 4 I don't know -- there was a drone element personally,
 5 which I won't go into specifics.
 6 MS BOLTON: My Lord, it's an open offer, Mr Curtin can talk
 7 about it.
 8 MR JUSTICE NICKLIN: Okay, it's an open offer. So you
 9 didn't like the drone element?
 10 A. Yes, that was like, if I was minded, and I do not regret
 11 fighting this case, why should I sit down and -- the box
 12 thing, I've even accepted the box thing, you know?
 13 Honestly, if I was ever to try and manage the ritual
 14 that used to take place every day, that didn't have my
 15 heart. I've partaken in it and it's not for me.
 16 The box actually had a massive impact. But why
 17 shouldn't I go and lay flowers at my choice at those
 18 gates? Let them -- if you are minded to give me that
 19 restriction, then you give me that restriction, but
 20 I didn't feel like accepting. I didn't feel like taking
 21 it, especially when I saw the horrible things that had
 22 been wrote about me by the witnesses.
 23 MR JUSTICE NICKLIN: Put to one side the history of the
 24 litigation and how we have got to where we are; you've
 25 heard that the principal complaints against you are that

1 you have been involved in repeated incidents where --
 2 I'll use the word "obstruct". You understand what
 3 I mean by this, which is that, for a period, that is
 4 usually measured in minutes, you have delayed a vehicle
 5 leaving or entering the Wyton site. That, Ms Bolton,
 6 submits, is to obstruct free access to the site. There
 7 is a legal right to have such free access and she says
 8 that you have in the past interfered with that and that
 9 it's not a necessary part of your protest rights to
 10 carry out such obstruction.
 11 The question would be, back in when you filed your
 12 defence, you said that you were willing to give
 13 undertakings or agree to restrictions that largely
 14 represented what the interim injunction imposed. Leave
 15 aside the question of the exclusion zone for the moment,
 16 but, for example, do you now -- are you now willing to
 17 give an undertaking to the court that you won't in the
 18 future obstruct vehicles like that?
 19 A. My problem is I've got one contempt hearing perhaps
 20 coming up and my case in that one -- I want to get the
 21 registration and I want to -- yes, I want to get the
 22 registration, and there may be times where, because of
 23 my -- for me to accept the injunction makes it an
 24 imprisonable offence to me to go --
 25 MR JUSTICE NICKLIN: You have to put -- to an extent,

1 Mr Curtin, it doesn't necessarily mean a prison sentence
 2 because it's for the judge ultimately -- first of all,
 3 there has to be a successful contempt application made
 4 and, secondly, the judge who hears that application has
 5 got to decide the right penalty to impose is a sentence
 6 of imprisonment. Night does not follow day in that
 7 respect. So there are certain safeguards in relation to
 8 that. But anyway, you are concerned -- I can understand
 9 an element of concern because that incident that you've
 10 told me about today where -- you say you told me you
 11 were crossing the road and the claimants are saying that
 12 was obstruction of a vehicle. That's a good example of
 13 how you might end up on the wrong end of a contempt
 14 application if you had given an undertaking not to
 15 obstruct vehicles. There is a grey area -- I don't know
 16 whether you tell me -- it may be that this is a point
 17 for your submissions but whether you tell me that you do
 18 believe you have the right to stop vehicles.
 19 A. No, I've got the right to slow them up. I still think
 20 I've got the right to slow them up. (Overspeaking) take
 21 a leaflet. I think I've still got that right. Here you
 22 are, mate, take a leaflet. Don't want it. Come on,
 23 leave it out, just give it to your boss. I've got the
 24 right to --
 25 MR JUSTICE NICKLIN: But in order to have that

1 conversation --

2 A. If the injunction wasn't here --

3 MR JUSTICE NICKLIN: In order to have that conversation --

4 because the vehicle could just drive off -- something is

5 impeding the vehicle for you to have that conversation.

6 A. Come on, that's obstructing? She would dive on me, "You

7 obstructed a vehicle." On a technical purist physics

8 thing, yes I have, so I -- I have not got any right to

9 stop anyone getting home to get their dinner getting

10 cold, but you said minutes, minutes would be the limit

11 to me of an acceptable obstruction. So I've gone this

12 far, so I don't feel like why I should sign on the

13 dotted line now.

14 MR JUSTICE NICKLIN: So your objections are to the exclusion

15 zone, that it prevents you from going and, for example,

16 laying flowers at the gates, as a symbolic act of

17 protest. And that you are concerned about the extent to

18 which an undertaking not to obstruct vehicles might put

19 you in risk of contempt applications in circumstances

20 which you are concerned wouldn't justify it?

21 A. Yes, and for example, say if a dog man come out and

22 people are actually blockading and I get involved, if

23 I saw someone involved in an altercation or a police

24 officer, I can't help it, I would maybe enter the scene.

25 MR JUSTICE NICKLIN: Right. Are there any other issues that

1 have meant that you have decided to fight the claim

2 rather than wanting to settle or settle on terms offered

3 to you?

4 A. I have -- justice must be seen to be done and I'm glad

5 that I have been here, and that's why I applied to join

6 the case right at the beginning, as a persons unknown,

7 because I have got things to be said. This case -- this

8 here is like a demonisation, a criminalisation. It

9 doesn't go into all the positive aspects that Camp

10 Beagle has done, the cup of tea and the cake and the

11 Parliamentary petitions and the research.

12 I have wanted to defend the camp publicly and, if it

13 had been possible to put vivisection under the

14 spotlight, I would have used every opportunity. You

15 stopped that just about point blank.

16 MR JUSTICE NICKLIN: Mr Curtin, I'm just the referee and

17 I apply the law fairly for everybody, which is that it's

18 just not relevant in this case, and I know that's

19 a disappointment to you but I have to be fair in

20 relation to the issues that the court deals with and it

21 just doesn't matter.

22 Going back to the point you said about travesty,

23 I notice -- I think you've got your page open. If you

24 go to page 30, I've just noticed -- have you got 29

25 open?

1 A. Yes.

2 MR JUSTICE NICKLIN: Page 30. This is your website where it

3 says:

4 "Speeches, food, stalls, placards."

5 I presume those are links.

6 A. Page 29?

7 MR JUSTICE NICKLIN: Page 30 -- turn over the page -- and in

8 purple text, under "Write a comment", it says "Speeches,

9 food, stalls, placards." Is that a description of --

10 I was imagining those were -- you could click on, you

11 could see speeches, or are you telling me that that's

12 what's going to be on offer at the event?

13 A. That's at the event.

14 MR JUSTICE NICKLIN: Okay, so there are going to be

15 speeches, food, stalls and placards.

16 A. Yes.

17 MR JUSTICE NICKLIN: Got it. Right.

18 A. And if -- I've got a number of issues that I want to

19 address you about.

20 MR JUSTICE NICKLIN: Are they issues about your evidence or

21 are they issues more generally about the case? The

22 first question is you will have felt it in

23 cross-examination. Are there any instances that you can

24 remember that you were being cross-examined and you

25 thought, I must say this because Ms Bolton hasn't

1 captured the real essence of what I want to say about

2 that or she has mischaracterised what I have said? Are

3 there any things that stick in your mind about that?

4 A. No, I'm relatively satisfied how the

5 cross-examination -- but there were already, due to my

6 mistakes -- I don't want to go back to the opening

7 statement but there are a couple of things that I feel,

8 if I'm going to have addressed to you, that I need to --

9 I've made a list of them. They won't take long but

10 I would like to do them.

11 MR JUSTICE NICKLIN: That's all right. I tell you what, you

12 can either do them tomorrow or -- I'm going to have

13 a discussion with Ms Bolton shortly about timetable, so

14 why don't you leave the witness box, go back to your

15 seat and then we will finish off for the day. All

16 right?

17 A. Yes.

18 MR JUSTICE NICKLIN: Ms Bolton, before I forget, please can

19 you send me an email identifying the references in the

20 claimants' witnesses where individuals refer to their

21 being distressed or aware of the camera that was fitted

22 outside the Wyton site.

23 MS BOLTON: My Lord.

24 MR JUSTICE NICKLIN: Then -- there was something else but

25 I've forgotten it.

1 Timetable.
 2 MS BOLTON: Yes, my Lord.
 3 MR JUSTICE NICKLIN: We are about to embark now upon the
 4 persons unknown phase.
 5 MS BOLTON: Yes, my Lord. I was actually going to suggest
 6 that we rejig the timetable a bit. I was going to
 7 suggest that we had a non-sitting day tomorrow because
 8 we would just like to get everything, so I can go
 9 through which instance we are going to --
 10 MR JUSTICE NICKLIN: There is a time pressure that I need to
 11 make you aware of, which is that I have ... (Pause)
 12 Because of pressures of other cases, the last
 13 sitting day that we can have is Tuesday, 23rd.
 14 MS BOLTON: My Lord.
 15 MR JUSTICE NICKLIN: What I was going to suggest is we need
 16 to -- I'm a little bit uncertain as to how the persons
 17 unknown case is going to be presented. I suspect we are
 18 both in that camp together.
 19 So I thought we would try and see how we go with one
 20 of them and we may learn what shortcuts there are
 21 available.
 22 MS BOLTON: Yes.
 23 MR JUSTICE NICKLIN: Because, largely, there is not a lot of
 24 point in us sitting in court watching videos. What
 25 there is is potentially an opportunity for you to

1 present, as it were, some of the illustrative themes in
 2 relation to each of the categories, to present, as it
 3 were, best case evidence and give me the references to
 4 the rest, which I can then look up myself, and we will
 5 do it that way because it doesn't seem to me that we
 6 need to sit through hours and hours of footage.
 7 MS BOLTON: My Lord, two points. As I think I indicated, we
 8 have schedules. What I would like to do is cut some of
 9 those schedules down a bit, otherwise, yes, there is
 10 quite a lot to go through.
 11 And I was going to suggest that there are some
 12 incidents that you probably need to see.
 13 MR JUSTICE NICKLIN: Yes, I think the key ones are probably
 14 the most important. It's your chance, as it were, for
 15 you to give me the highlights of the evidence that you
 16 have.
 17 MS BOLTON: That was one of the exercises I wanted to do
 18 tomorrow, was to cut some of those back, and one of the
 19 things I wanted to canvass with the court, which will
 20 help me on the timetabling, is: am I understanding that
 21 the court is content for us not to formally close at all
 22 on persons unknown until we hear from the Supreme Court?
 23 MR JUSTICE NICKLIN: Yes.
 24 MS BOLTON: Because it seems to me I'm going to be making
 25 submissions that could radically change otherwise.

1 MR JUSTICE NICKLIN: Potentially. It seems to me likely
 2 that we are going to need to take stock after the
 3 Supreme Court decision.
 4 MS BOLTON: Yes.
 5 MR JUSTICE NICKLIN: It profits neither of us very much
 6 really speculating.
 7 MS BOLTON: Yes.
 8 MR JUSTICE NICKLIN: It could vary widely from no change at
 9 all, in which case your evidence is sufficient, your
 10 order that you want is legally sound and you can make
 11 the claim based upon that.
 12 MS BOLTON: Yes.
 13 MR JUSTICE NICKLIN: At the other end of the spectrum, the
 14 Supreme Court may take this totally off the table.
 15 MS BOLTON: Absolutely.
 16 MR JUSTICE NICKLIN: And there is no point in making any
 17 further submissions.
 18 MS BOLTON: Indeed.
 19 MR JUSTICE NICKLIN: But we will have to look at the Supreme
 20 Court decision and we will have to take stock and see
 21 what happens.
 22 MS BOLTON: Yes.
 23 MR JUSTICE NICKLIN: I think I've said before, to the extent
 24 that the Supreme Court come up with something which
 25 means that there was a need to provide further evidence,

1 then I would give you that opportunity to get that
 2 evidence or provide it, if you could, because there is
 3 no point in us having to go back to the start.
 4 MS BOLTON: I'm glad to hear that, my Lord.
 5 MR JUSTICE NICKLIN: We will see what can be done.
 6 Happily -- I put that in inverted commas -- because
 7 there are no defendants, there is nobody in theory to
 8 prejudice as a result of this.
 9 MS BOLTON: Yes.
 10 MR JUSTICE NICKLIN: But, you know, we will just take stock
 11 and we will decide what's going to happen. So, yes, you
 12 can leave the case open against persons unknown and we
 13 will do it on the way I've outlined.
 14 MS BOLTON: In that case, my Lord, and subject to something
 15 that has been ... (Pause)
 16 In that case, I think, considering what you are
 17 indicating is the approach you want to take and that we
 18 won't be closing persons unknown, I would suggest that
 19 we don't sit tomorrow.
 20 MR JUSTICE NICKLIN: Okay.
 21 MS BOLTON: Because that allows me to re--arrange it a bit to
 22 how you are thinking of it --
 23 MR JUSTICE NICKLIN: Yes, I think it would be helpful for
 24 both me, your team and Mr Curtin, to have a rejigged
 25 timetable, setting the parameters that we have just

1 discussed. The important thing Mr Curtin needs to know
 2 is when is he going to have to do his closing speech.
 3 MS BOLTON: Originally that was timetabled for Friday.
 4 MR JUSTICE NICKLIN: Yes.
 5 MS BOLTON: Let me ... (Pause)
 6 It is being raised with me, my Lord -- I think we
 7 probably can deal with it but is there any reluctance
 8 for closing to happen before the committal? That's the
 9 only thing that I would raise. Has anybody -- I think
 10 we can probably deal with it because it's --
 11 MR JUSTICE NICKLIN: Yes, it's a pod of evidence which
 12 either gets slotted in -- it isn't going to make any
 13 wild difference to your submissions. (Overspeaking)
 14 Your broad submissions, I could write out on the back of
 15 one page of A4 now. That's not to do a disservice to
 16 the valuable role that you provide because you are going
 17 to fill in all of the necessary evidential material
 18 behind all of that but, broadly, I understand your case.
 19 MS BOLTON: Yes.
 20 MR JUSTICE NICKLIN: So it seems to me that the fairest
 21 thing for Mr Curtin is for you to give me a reliable, as
 22 it were -- reliable estimate of when you can get either
 23 a closing submission or a closing skeleton, something
 24 that gives Mr Curtin something to aim at. Essentially
 25 he will do a better job in defending himself if you give

1 him the target.
 2 MS BOLTON: So you are asking for us to close Mr Curtin
 3 first .
 4 MR JUSTICE NICKLIN: Yes. I want you to say, "This is what
 5 we are asking the judge for. This is why, on the basis
 6 of the evidence that we have heard, we say we should be
 7 granted that." And it's broadly that structure. That
 8 will enable Mr Curtin to target his fire on those parts
 9 that he disagrees with because he may say, "Well,
 10 I agree that the video evidence shows me delaying cars
 11 for however long it is, a matter of moments. I never
 12 barricaded anybody in but this was an important part of
 13 my protest right," et cetera, et cetera. So it gives
 14 him, as it were, the proper target to aim at.
 15 Otherwise, he will find the job of having to author
 16 a closing submission, blind or free without that,
 17 extremely difficult .
 18 MS BOLTON: Right. In which case, that probably puts
 19 Mr Curtin's closing on the last day. That gives
 20 Mr Curtin the heads up. That will be 23 May. And
 21 I will work around --
 22 MR JUSTICE NICKLIN: If you can work around that.
 23 MS BOLTON: We want a weekend, so my mind is thinking
 24 probably next Monday.
 25 MR JUSTICE NICKLIN: So have a think and just let's talk --

1 send something round by email when you are ready
 2 tomorrow, about proposed timetable, we can all have
 3 a look at it .
 4 MS BOLTON: My Lord.
 5 MR JUSTICE NICKLIN: Mr Curtin, you understand that the
 6 phases of the trial that are left -- if we were just
 7 dealing with you, we would move on to the closing
 8 submissions.
 9 MR CURTIN: Yes.
 10 MR JUSTICE NICKLIN: Ordinarily, the claimant gets the last
 11 word but it's always subject to the judge to decide what
 12 happens. In your case, the fairer way of dealing with
 13 it is to require Ms Bolton to set out what she is saying
 14 about you and to give you an opportunity to respond to
 15 it . That enables you then to ensure that you understand
 16 what is being alleged against you as a result of all of
 17 the things that we have heard during the trial. You
 18 will see how Ms Bolton draws the evidence together that
 19 we have heard and how she uses it to support her
 20 arguments.
 21 That will then give you an opportunity, a fairer
 22 opportunity, to then look at that and say, "Well,
 23 I accept that and that and that but I reject that
 24 conclusion and I reject that argument. My argument is
 25 this. I say the facts show this." And you can point me

1 in the direction of any evidence that you say is
 2 important on the issues that Ms Bolton has raised.
 3 Largely, there is not a dispute as to the issues
 4 that are involved. Largely it's a question of looking
 5 at the evidence that the various witnesses have given
 6 and what it amounts to.
 7 MR CURTIN: Yes.
 8 MR JUSTICE NICKLIN: All right.
 9 MR CURTIN: Yes.
 10 MR JUSTICE NICKLIN: What we are going to do is circulate
 11 a revised timetable. You will then know that you've got
 12 practically the remainder of this week, because you are
 13 perfectly able to come if you want to the persons
 14 unknown phase of the litigation but you may find that
 15 your time is more valuably spent working on your closing
 16 submissions.
 17 MR CURTIN: Yes. Two things to say. One, I'm not sure what
 18 to do about the persons unknown because I feel, if
 19 I partake in it or listen to it, I validate it in some
 20 way but can I have the option of --
 21 MR JUSTICE NICKLIN: You can listen to it. You can join via
 22 CVP. There is no question of you -- well, subject to my
 23 determination of what the law now decides, if I were
 24 untrammelled by authority, I would say I only need to
 25 deal with your case and your order will be what I say it

1 is. You won't be subject to any — if, having
2 participated in this trial, and the court having made
3 a decision in your case, that is the decision the court
4 has made. If, untrammelled by authority, it would be my
5 conclusion that that puts you in the category that you
6 don't need to worry about persons unknown injunctions,
7 but Ms Bolton has at least advertised earlier in the trial
8 to the fact that it might not be as straightforward as
9 that, but I'll need to look at that.

10 MR CURTIN: So I will monitor —

11 MR JUSTICE NICKLIN: You can listen in but the important
12 thing is you will have got the transcripts. I don't
13 know whether you have printed them out. If you wanted
14 hard copies of them — would you want hard copies of
15 them?

16 MR CURTIN: I've got them.

17 MR JUSTICE NICKLIN: That's fine. All you are doing is what
18 a barrister would do, or another advocate, which is go
19 back through the transcripts. Because you will remember
20 the bits. You may have been noting this as you go
21 along. The important thing is extract from the evidence
22 of the witnesses or your own testimony those parts of
23 the evidence which you think are important and which
24 demonstrate the points that you wish to make.

25 MR CURTIN: Yes.

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1 MR JUSTICE NICKLIN: Okay? That's the key thing about going
2 back through the evidence of the trial but the important
3 thing is you are trying to use the evidence to support
4 ultimate arguments, which is it is wrong that I am the
5 leader of the camp for these reasons. I said in my
6 evidence this, you should accept my evidence. Other
7 people have not suggested anything which could be
8 construed as me being a leader and their own impression
9 of whether I am a leader or not is irrelevant. So
10 things like that.

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

14 MR CURTIN: Yes.

15 MR JUSTICE NICKLIN: All right.

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

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1 I was bailed, so the camp started July 21. I didn't
2 want anything to do with Facebook until I got back to
3 the camp in January 22.

4 So I would always keep an eye on it and make sure
5 there was no rogues' gallery or whatever but it was
6 a mystery to me and I did not have anything to do with
7 it. Instagram — so the evidence I gave to the court is
8 I think I said after about six weeks I got involved but
9 it's not correct because I have been going through old
10 Facebook posts to try and find things. So it's
11 post—January 2022, whereas Instagram is the opposite.
12 I got involved because I had an Instagram account and
13 I knew how it worked. I think Instagram nearly straight
14 away by the beginning of the first week in July.
15 I already had some input into the social media. So the
16 answers — what I told you was wrong and that's the
17 correct version from my point of view. But Facebook not
18 until January 2022 and then Instagram nearly straight
19 away. So I was worried in case I had said something
20 that's wrong.

21 MR JUSTICE NICKLIN: Okay, right. I think that deals with
22 everything for today.

23 MS BOLTON: My Lord, I also have Chief Inspector Sisson's
24 statement to hand up.

25 MR JUSTICE NICKLIN: Have you seen this, Mr Curtin?

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1 A. Pardon? No.

2 MR JUSTICE NICKLIN: I think he is a superintendent, isn't
3 he?

4 MS BOLTON: You might be right.

5 MR CURTIN: Can I give an answer why I haven't called any
6 witnesses. One of the things I felt like people have
7 offered to be witnesses for me. And my understanding of
8 the criminal law is the only reason I would need to
9 provide witnesses would be what I would call mitigation,
10 "John is such a nice guy."

11 MR JUSTICE NICKLIN: I understand why you think that.

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

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

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

22 MR JUSTICE NICKLIN: Yes. (Handed).

23 Thanks very much.

24 (Pause)

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

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1 Essentially what I wanted to know -- you know what I got
 2 previously from the superintendent about information
 3 about the policing response to the demonstration, and
 4 particularly what arrests there have been and what the
 5 results of those arrests were. So it gives me a picture
 6 of the engagement of the police and what has happened in
 7 relation to criminal prosecutions, okay? It just helps
 8 me with -- because there are -- in the authorities, the
 9 Court of Appeal in Canada Goose said that sometimes the
 10 better way of -- sorry, that civil proceedings are not
 11 necessarily the best or only way of controlling
 12 demonstrations and that the police often have a very --
 13 they do have a very important role to play but that they
 14 have an advantage because they make decisions on the
 15 ground.

16 Me, sitting in court 13 in central London, it's very
 17 difficult for me to make minute decisions about how the
 18 protesters' behaviour ought to be regulated.

19 MR CURTIN: Yes.

20 MR JUSTICE NICKLIN: That's one of the difficulties with
 21 this type of litigation and so one of the factors that
 22 it seems to me -- and Ms Bolton will make her
 23 submissions -- that is at least relevant for me to
 24 consider, particularly when it comes to the terms of any
 25 injunction that I might grant, is the extent to which

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1 it's better to leave these matters to the police.

2 MR CURTIN: Yes, what hasn't been brought out by the
 3 evidence, apart from I brought it out -- and to me it
 4 wasn't challenged -- that I have acted as an
 5 unofficial --

6 MR JUSTICE NICKLIN: I've got the very clear thrust of your
 7 evidence, which is that you have told me that you have
 8 played an important liaison role with the police. You
 9 expressed your frustration, I think yesterday -- well,
 10 on Friday, on the occasion where the gold command had
 11 turned up and decided to police the protests and that
 12 your channel of communication between you and what you
 13 regard as the usual liaison officers was essentially no
 14 good because somebody else was calling the shots that
 15 day. I've got that.

16 MR CURTIN: Okay.

17 MR JUSTICE NICKLIN: You haven't been challenged in relation
 18 to that evidence and, subject to anything Ms Bolton will
 19 say to me, to which you will get a chance to respond,
 20 I would accept that evidence.

21 MR CURTIN: If you could bear with me. This is the last
 22 point I'm going to make. I was trawling through the
 23 Facebook yesterday to find the bits where there is me
 24 talking to the cops and, to be honest, I can't find
 25 anything because it's not the most sexiest thing in the

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1 environments we deal with protesters, advertising the
 2 fact that we do talk to the police on a daily basis.
 3 I was going to submit it as evidence and I know -- but
 4 maybe I might want to refer to it if my defence is
 5 finally going to be closed. He is a person and he has
 6 got an ACAB tattoo. It's the only thing I could find
 7 and it's in my personal pictures. He is smiling and he
 8 is next to the police liaison officer, who has also got
 9 a big smile on his face. It relates to a memory I have
 10 of the conversation between those two but I was able to
 11 have a useful role there. Because I was there, this
 12 guy, who's clearly got a view about the police with his
 13 ACAB -- I imagine you know what that means. Do you?

14 MR JUSTICE NICKLIN: No.

15 MR CURTIN: All coppers are bastards.

16 MR JUSTICE NICKLIN: Oh.

17 MR CURTIN: He was telling the policemen of his feelings,
 18 and I was there and I was sort of like a mediator, but
 19 that summed everything up, because I understood why he
 20 has got the ACAB. I absolutely relate to that. I'm
 21 a million miles away from him but he is the sort of guy
 22 that I had to negotiate and they have both got big
 23 beaming smiles on their face. Can I put that in as
 24 evidence tonight or is it too late?

25 MR JUSTICE NICKLIN: Don't worry about it. It's not

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1 a point --

2 MS BOLTON: I think we challenged that there was no evidence
 3 of that role.

4 MR JUSTICE NICKLIN: He has given evidence of that.

5 MS BOLTON: My Lord, we can't really take that any further.
 6 So that's our position.

7 MR JUSTICE NICKLIN: Right.

8 MS BOLTON: So if that helps Mr Curtin on clarification, but
 9 I'm not entirely sure that it's going to take us much
 10 further anyway.

11 MR JUSTICE NICKLIN: Right. Okay. So we are not sitting
 12 tomorrow. And you are going to circulate a revised
 13 timetable.

14 MS BOLTON: Yes.

15 MR JUSTICE NICKLIN: Provide me with the references to the
 16 evidence and on the camera.

17 MS BOLTON: Yes.

18 MR JUSTICE NICKLIN: And we will sit again on Wednesday.

19 MS BOLTON: My Lord.

20 MR JUSTICE NICKLIN: Right. Thank you very much.

21 (4.57 pm)

22 (The court adjourned until 10.30 am on Wednesday,
 23 17 May 2023)

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