

Case No: KB-2024-002210

IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION

Royal Courts of Justice
Strand
London
WC2A 2LL

Wednesday, 23 July 2025

[2025] EWHC 2489 (KB)

BEFORE:

MR JUSTICE TURNER

BETWEEN:

HEATHROW AIRPORT LTD

Claimant

- and -

PERSONS UNKNOWN

Defendant

MR T ROSCOE appeared on behalf of the Claimant
The Defendant did not appear and was not represented

JUDGMENT
(Approved)

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(Please note that due to the poor standard of audio recording it has not been possible to produce a high quality transcript in this case)

1. MR JUSTICE TURNER: On 9 July 2024 the claimant, Heathrow Airport Limited, was granted an injunction by Knowles J restraining certain persons unknown, identified as the first defendant, from entering or remaining on Heathrow Airport without consent in connection with Just Stop Oil or other environmental campaigns. The injunction was to continue for a period of five years but was made subject to successive annual review hearings, each of which was listed as close as conveniently possible to the anniversary of the original judgment. This is the first review hearing. I note in passing that I am satisfied that adequate notice has been given of the hearing and electronic access to the materials relied upon provided to all who may have an interest in the outcome.
2. The injunction was granted in circumstances in which persons, particularly those affiliated to the Just Stop Oil cause, were pursuing a campaign of direct action targeting UK airports in the summer of 2024. That campaign involved serious acts of trespass and disruptive actions at UK airports, including Heathrow. It was thought that without injunctive relief the disruption would be likely to continue.
3. Other major UK airports sought and successfully obtained similar injunctions at around the same time. There were some differences in the precise content but each was in the form of what is known as a newcomer injunction against persons unknown and each was also granted for a period of five years with annual reviews. Ten of those airports London City, Manchester, Stanstead, East Midlands, Leeds/Bradford, Luton, Newcastle, Birmingham, Bristol and Liverpool applied successfully for the review hearing of their respective injunctions to be heard jointly. The hearing took place before Bourne J on 24 June 2025. In all relevant respects the injunctions were ordered to continue and the reasons are set out with helpful and succinct clarity in the judgment to be found at *London City Airport Limited and Docklands Aviation Group Limited v Persons Unknown* [2025] 6 WLUK 499.
4. Of course, each such application must be approached on its own facts but the principles to be applied are the same. In particular, a renewal hearing such as this one is not rehearing of the original injunction application. It does, however, allow for the

claimant and all interested parties to make full disclosure to the court supported by appropriate evidence as to

1. How effective the order has been;
 2. Whether there are any grounds for discharge;
 3. Whether there is any proper justification for continuance; and
 4. Whether a further order should be made.
5. The court must therefore consider whether anything material has changed, or if the risks still exists, before the extension is likely to be granted. However, if material matters have changed the court must analyse those changes and determine whether the injunction should continue, be discharged or its terms amended. Where some further and similar injunctive relief is appropriate, it will often be the case that the court will not depart without the reason from the original wording and the original injunction because any potential defendants might already be aware of the wording of the original and confusion may otherwise arise if it is changed.
6. The detail of the factual background to the granting of the original injunction is set out in the judgment Julian Knowles J, which is recorded at [2024] EWHC 2599 KB. No purpose would be served by rehearsing that material here. However, I ought to point out by way of important background that Heathrow is the UK's busiest and most significant airport. An aircraft would be arriving or departing the airport about every 45 seconds. When assessing the potential egregious consequences of direct action, regard must be had to the significant issues of safety and security against the background of operations of considerable complexity. Acts of disruption which in other public environments might be expected to give rise to gross inconvenience and disturbance are liable to pose threats at a far greater magnitude at a major airport.
7. It will not always be possible to distinguish immediately between what is intended to be a solely peaceful direct action and threats of a more serious nature. An obvious example involves any incursion onto a runway, which is likely to be treated as a threat of the utmost serious risk from both security and safety perspectives. Furthermore, the complexity of the collective nature of Heathrow's operations mean that even small incidents can have significant knock on consequences, involving significant disruption to the travel plans of members of the public and consequent economic harm, stress and

the inconvenience that it entails. Part of the attraction of direct action in this context might well be the perceived benefits of gaining the attention of as many people as possible for the cause of the activists by achieving the maximum of high profile chaos from the minimum of effort and expense.

8. I now turn to the relevant developments over the past twelve months. The original injunction was breached by 26 individuals shortly after it was granted, in incidents which took place between 24 July 2024 and 1 August 2024. 25 of those 26 individuals have very properly now been joined as defendants to these proceedings. The first of these incidents was the most serious; certain individuals were arrested at the perimeter fence to the runways, equipped with tools to breach it. The later incidents were lower in grade but still amounted to clear breaches of the terms of the injunction. None of the named defendants now joined has today sought to suggest that there has been any material change of circumstance which would militate against the continuation of the injunction against any of them or indeed more widely.
9. The forecast for the future presents a mixed and unsettled picture. A Just Stop Oil press release on 27 March 2025 was to the effect that it was ceasing its campaign of direct action. From the perspective of the airport that is all well and good. However, there have been subsequent statements to the effect that it may return to its earlier activities. Other direct action groups have emerged, bringing with them the potential threats of more violent or damaging forms of action.
10. Of course, it may be argued that the fact of the breaches illustrate that the initial injunction was ineffective or, in the alternative, that the absence of later infringements might suggest that it is no longer needed. It will never be possible to achieve a conclusive answer to the question as to what the consequences would have been if the original injunction had not been granted. But I am satisfied that all the indications in this case are that the injunction worked and is likely to continue to work. The earlier breaches can most readily be explained by the fact they were carried out at a time when the perpetrators had yet to appreciate the existence or significance of the injunction, or that they remained so enthusiastic to further their campaign against UK airports that they did not, at that early stage, pause to reflect on the potentially serious consequences of their actions to them personally. I will also take into account that disruptive action

outside the geographical boundaries of the injunctions, or directly cause other airports and airfields, has persisted over the last 12 months which supports the proposition they are likely to continue to be popular targets for protestors.

11. Such incidents include: 25 June 2024, four Just Stop Oil activists were arrested at Gatwick Airport. 27 July 2024, a Just Stop Oil action which was planned for London City Airport was relocated to the Department of Transport on Horseferry Road. July 2024, eight Just Stop Oil activists were arrested at Gatwick Airport on suspicion of interfering with public infrastructure. 31 July 2024, Just Stop Oil and Fossil Free London took action at the Docklands Light Railway station at City Airport. 5 August 2024, five Just Stop Oil activists were arrested on their way to Manchester Airport equipped with bolt cutters, angle grinders, glue, sand and banners carrying slogans including "Oil Kills". 5 February 2025, Extinction Rebellion held a demonstration at Farnborough Airport following a consultation period in relation to Farnborough Airport's expansion plans which ended in October 2024. 27 February 2025, Extinction Rebellion held a demonstration at Inverness Airport waving banners to ban private jets and "We're in a climate emergency, we need to step up and take action". 27 June 2025, four people in connection with a pro-Palestinian group broke into an RAF base at Brize Norton and vandalised military aircraft.
12. On a different point, the claimants have brought to my attention the decision of Ritchie J in *Tendring District Council v Persons Unknown* [2024] EWHC 2237 KB, concerning the repeated failure by the applicant council in that case to enforce breaches of a person unknown injunction. That was a case in which two councils sought, for the seventh year in row, an injunction preventing parking or camping around the site of an airshow. The judge expressed concern that:

"These councils have never sought to enforce the injunctions that have been drafted for them."

And warned:

"Next year if a further injunction is applied for on the evidence that is put before this court on full and frank disclosure shows that, say, 10

caravans turned up and trespassed and no content proceedings are brought, it is likely that I at least would not grant a further injunction. These similar injunctions for nuclear weapons of civil law are not handed down willy nilly to be ignored. They are to be obtained seriously and enforced properly. If they are granted and they are not enforced, whether because the council does not consider a breach is seriously left to enforce or because of costs constraints, then they should not be granted in the first place and criminal law protection is the right protection".

13. In this case, committal proceedings were not, in the event, commenced against the alleged contemnors by the airport. However, the facts of this case are very different from those in *Tendring*. In that case, apparently informal and indulgent enforcement amnesty had gone on for far longer than here, and the judge entertained perfectly reasonable doubts as to whether the councils were serious about taking advantage of enforcing the injunctions for which they had repeatedly applied. His analogy with nuclear weapons was an instructive one. Just because you have them does not mean to say you should automatically detonate them at the slightest provocation. The alleged contents in this case took place quite soon after the injunction was granted, and had no reason to doubt that in inventive future infringements the airport would pursue committal proceedings in appropriate cases.
14. I am thus satisfied, on all the evidence before me, that there has been no material change in the threat of unlawful direct action at the airport such as would justify the injunction not being continued. It follows that, so for the fact of the joinder of the named defendants, I consider the proper order made should be in the same terms as the original, subject to more detailed submissions which I have been told I can expect.

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This transcript has been approved by the Judge