

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION**

CLAIM NO. KB-2024-004175

B E T W E E N :

TELEDYNE UK LIMITED

Claimant

-and-

(1) JULIAN ALLEN GAO

(2) RUBY HAMILL

(3) DANIEL JONES

(4) NAJAM SHAH

(5) RICKY SOUTHALL

(6) AMAREEN AFZAL

(7) SERENA FENTON

**(8) PERSONS UNKNOWN WHO ARE WITHOUT THE CONSENT OF THE
CLAIMANT ENTERING OR REMAINING ON LAND AND IN OR ON
BUILDINGS ON ANY OF THE SITES LISTED IN SCHEDULE 2 TO THE
CLAIM FORM, THOSE BEING:**

- A. THE 'SHIPLEY SITE' (TELEDYNE UK LIMITED, AIREDALE
HOUSE, ACORN PARK, SHIPLEY BD17 7SW);**
- B. THE 'LINCOLN SITE' (TELEDYNE UK LIMITED, 168 SADLER
ROAD, LINCOLN LN6 3RS);**
- C. THE 'WIRRAL SITE' (TELEDYNE UK LIMITED, UNIT A, 6 TEBAY
ROAD, BROMBOROUGH, BIRKENHEAD, WIRRAL CH62 3PA);**
- D. THE 'CHELMSFORD SITE' (TELEDYNE UK LIMITED, 106
WATERHOUSE LANE, CHELMSFORD CM1 2QU);**
- E. THE 'PRESTEIGNE SITE' (TELEDYNE UK LIMITED, BROADAXE
BUSINESS PARK, PRESTEIGNE LD8 2UH); AND**
- F. THE 'NEWBURY SITE' (TELEDYNE UK LIMITED, REYNOLDS
NAVIGATION HOUSE, CANAL VIEW ROAD, NEWBURY RG14
5UR).**

(9) PERSONS UNKNOWN WHO FOR THE PURPOSE OF PROTESTING ARE OBSTRUCTING ANY VEHICLE ACCESSING THE ‘SHIPLEY SITE’ (TELEDYNE UK LIMITED, AIREDALE HOUSE, ACORN PARK, SHIPLEY BD17 7SW) FROM THE HIGHWAY

(10) PERSONS UNKNOWN WHO FOR THE PURPOSE OF PROTESTING ARE OBSTRUCTING ANY VEHICLE ACCESSING THE HIGHWAY FROM THE ‘SHIPLEY SITE’ (TELEDYNE UK LIMITED, AIREDALE HOUSE, ACORN PARK, SHIPLEY BD17 7SW)

(11) PERSONS UNKNOWN WHO FOR THE PURPOSE OF PROTESTING ARE CAUSING THE BLOCKING, SLOWING DOWN, OBSTRUCTING OR OTHERWISE INTERFERING WITH THE FREE FLOW OF TRAFFIC ON TO, OFF OR ALONG THE ROADS LISTED AT SCHEDULE 3 TO THE CLAIM FORM

Defendants

**THIRD WITNESS STATEMENT OF
NICHOLAS JAMES WARGENT**

I, **NICHOLAS JAMES WARGENT**, of 106 Waterhouse Lane, Chelmsford, Essex, CM1 2QU, state as follows:

1. I am a director of the Claimant, Teledyne UK Limited (**‘Teledyne UK’**). Teledyne UK is a wholly owned subsidiary of Teledyne Technologies Incorporated, a New York Stock Exchange listed company (together the **‘Teledyne Technologies Group’**). The Teledyne Technologies Group’s operations are primarily located in the United States, the United Kingdom, Canada, and Western and Northern Europe.
2. I am also an in-house solicitor and General Counsel for the Europe, Middle East and Africa, and Asia-Pacific regions for the Teledyne Technologies Group, and I am duly authorised to make this witness statement on behalf of Teledyne UK.
3. I make this witness statement pursuant to paragraph 9 of the Order of Bourne J dated 20 December 2024 (the **‘Interim Injunction Order’**), which requires any evidence in support of the continuation of the Interim Injunction Order to be filed by 17 January 2025. I make this witness statement in support of the continuation of the Interim

Injunction Order, and in support of the Application to add further Named Defendants to the Claim.

4. The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief. This witness statement has been made following exchanges of emails with Teledyne UK's legal advisers.
5. There is now produced and shown to me a paginated bundle of true copy documents marked **NJW-3**. All references to documents in this statement are to Exhibit **NJW-3**. References are in the format **NJW-3/page number**.
6. In this statement, I shall address the following:
 - (a) An update on matters since my second witness statement dated 19 December 2024;
 - (b) The Application to add further Named Defendants to the Claim and the Interim Injunction Order;
 - (c) Service of the proceedings, Interim Injunction Order and CPR 31 Orders;
 - (d) The need for the continuation of the Interim Injunction Order;
 - (e) Directions.

UPDATE

23 September 2024

7. As a result of the initial disclosure received from West Yorkshire Police (which I shall explain further below), an additional incident has come to my attention that I did not cover in my first witness statement dated 13 December 2024. I did not explain that incident as it has not been reported through to our UK Security lead officer (for reasons

of which I am unsure), and I was unaware of it. I have now made enquiries in relation to the incident, and report as follows.

8. In summary, I understand from security staff at Teledyne UK that shortly before 17:00 on 23 September 2024, a female drove onto a premises that neighbours the Shipley Site (the Myers Building and Timber Supplies yard). The yard was due to close at 17:00. I am further informed that the Myers staff were concerned that something untoward was occurring, as the female asked to drive around their yard (which has apparently never happened – vehicles do not drive around the yard), and they followed the female. She was observed to stop alongside the fence that borders the Shipley Site and use a camera phone to film the site. The police disclosure shows that a person (who I assume is female) was later arrested on 25 September 2024. I am informed by Teledyne UK security staff who have been in contact with West Yorkshire Police that four burner phones were recovered, and a no-comment interview was given. The phone used in the incident on 23 September at the Shipley Site was not located. The recovered phones, and the female's laptop, contained evidence that she had undertaken reconnaissance at other similar sites. It is believed that she was undertaking reconnaissance for Palestine Action. I have now viewed CCTV footage of the incident, but unfortunately it shows nothing other than an obscured view of the car, and a Myers employee following it.
9. I have updated the spreadsheet that records the incidents of protest at Teledyne UK's sites to now include that protest (and two others), and exhibit the same at **NJW-3/1 – 4**.

The 19 December 2024 protest at the Shipley Site

10. My second witness statement dated 19 December 2024 described an incident that occurred on the Shipley Site on that day, which took place just as the first hearing at which Teledyne UK sought interim injunctive relief occurred (which hearing, as described in that witness statement, was not effective).
11. West Yorkshire Police have informed Teledyne UK that the individual arrested is known as 'Luke Carter'. He is included within the Application to add further Named Defendants to the Claim and Interim Injunction Order, and West Yorkshire Police have

provided Teledyne UK with an address for Mr Carter within their initial CPR 31 disclosure. Further, West Yorkshire Police have also informed Teledyne UK that Mr Carter has been released on bail, subject to the condition that he is not to approach or enter any Teledyne UK site, and that the alleged locking-on offence will need to be reviewed by the Attorney General.

12. Security staff at the Shipley Site have also provided to me four additional photographs of the incident, which were captured by the security cameras at the site. I exhibit these at **NJW-3/5 – 8**. Three of those images show the car parked across the gates. The fourth image is a long-range shot that shows a male in a grey hooded-jumper stood outside the ‘Toolstation’ retail unit on Acorn Park. I understand from security staff at the Shipley Site that this is believed to be Mr Carter, and that he was observed visiting both the nearby Screwfix and Toolstation retailers in the hour preceding his actions at the Shipley Site, but that he appeared to leave both retailers empty handed.

Further acts of protest at Teledyne UK sites

13. As I explained at length in my first witness statement dated 13 December 2024, Teledyne UK sought interim injunctive relief in part on the basis that it apprehended further and imminent acts of protest over the Christmas holiday period.
14. I also explained in my first witness statement that a protest, which was expected to be peaceful, had been arranged at the Chelmsford Site for 22 December 2024 (that being the protest that was re-arranged from 8 December, which did not take place because of bad weather). A protest did take place on 22 December 2024, but was instead held on the A1060 ‘Parkway’, and not on Waterhouse Lane (on which the Chelmsford Site is located). The location of the protest was closer to the centre of Chelmsford, and is a main route into the city centre. I do not know why the protest occurred on Parkway and not Waterhouse Lane. The protest did not in any way affect the Chelmsford Site and, to my knowledge, was peaceful; I have viewed a video on the Instagram page hosted by the Chelmsford branch of the Palestine Solidarity Campaign, posted on 22 December 2024. That video shows protestors standing on the pavement of the main A-road, holding placards. I exhibit some still images of the video at **NJW-3/9 – 11**. Even if this protest had occurred on Waterhouse Lane outside the Chelmsford Site, it would

not have been captured by the terms of the Interim Injunction Order. As I have repeatedly stated; both Teledyne UK and myself personally respect the important right to protest peacefully, and that right should be protected. Only acts of unlawful protest should be prohibited.

15. On 6 January 2025, the Chelmsford branch of the Palestine Solidarity Campaign also advertised on Instagram a march through Chelmsford that will take place on 8 February 2025, and which will conclude with a series of speeches and a one-minute silence. The advertised route does not pass by the Chelmsford Site. I exhibit a copy of the post at **NJW-3/12**. It again appears that this protest will be peaceful, and Teledyne UK (at this time) takes no issue with the planned protest at all; I mention it only as a point of full and frank disclosure, and for context.
16. Fortunately, there have been no further acts of unlawful protest at any of Teledyne UK's sites since 19 December 2024. As I shall explain below, acts of unlawful protest (taking the form of aggravated trespass) did occur on Christmas Day at a site operated by Elbit Systems Ltd. Whilst it is impossible to prove a negative, I invite the Court to infer, as I do, that the Interim Injunction Order played at least some part in protecting Teledyne UK over the Christmas period.

Christmas Day protest: Elbit Systems Ltd

17. As I explained in my first witness statement dated 13 December 2024, Elbit Systems Limited ('**Elbit**') is an Israel-based company engaged in defence and security work, and which develops and supplies airborne, land and naval systems). The Palestine Action group often gravitates around the slogan of "shut Elbit down", although it is clear (including from the so-called Underground Manual exhibited to my first witness statement) that the focus and targets of Palestine Action is wider than just Elbit.
18. I understand from Palestine Action's website that on 25 December 2024, at around 12:30pm, protestors used two cherry-pickers to access the walls of the UAV Engines Ltd factory at Shenstone (UAV Engines Ltd is a subsidiary of Elbit, and Palestine Action understand that the factory at Shenstone is involved in the manufacturing of drones that are used in the Gaza conflict). The protestors used demolition tools on the

factory walls and the drivers of the cherry-picker vehicles secured themselves inside the vehicles and used locking-on devices to remain in position. I exhibit a copy of the relevant 'news' article from the Palestine Action website, dated 25 December 2024, at **NJW-3/13 – 14**: <https://palestineaction.org/christmas-elbit/>.

19. That news item was followed up by a second article dated 27 December 2024, which I exhibit at **NJW-3/15 – 16**: <https://palestineaction.org/bryn-remanded/>. That article describes how four protestors arrested for the action at Shenstone were released on bail on 26 December 2024, whilst a fifth (named as 'Bryn') was remanded into custody (seemingly as he had targeted the same site in an earlier action on 31 July 2024).
20. Palestine Action covered the Christmas Day action extensively on its social media channels (both in photographs and videos). I have in particular viewed the Instagram page used by the group. I exhibit at **NJW-3/17 – 21** a copy of one of the posts as an example. That post is dated 25 December 2024 and contains several photographs of protestors wearing the familiar red Palestine Action overalls whilst in the buckets of cherry-pickers and using drills and hammers to damage and destroy the factory walls. I also exhibit at **NJW-3/22 – 25** a copy of another post dated 26 December 2024, which contains photographs of a protestor wearing the red Palestine Action overalls in a cherry-picker bucket and using a hammer and chisel to demolish a wall, as well as pictures of the parked cherry-picker vehicle.
21. To my knowledge, neither Elbit (nor its subsidiaries) have sought or obtained injunctive relief that would prohibit such acts, as Teledyne UK have.

Other Palestine Action protests

22. It is clear from Palestine Action's Instagram page that it continues to remain active, and that its supporters engage in unlawful acts of protest generally. For example, the Instagram page contains a post dated 6 January 2025, which documents an incident in which the premises of Elbit's accountants were targeted with spray paint and the smashing of windows (with the post alleging that this was not the first time that the company had been targeted). I exhibit a copy of the post and its photographs at **NJW-3/26 – 28**. By way of further example, the Instagram page also contains a post dated 29

December 2024 in which the premises of ‘Leonardo’ (another defence and security company) has been spray painted, apparently by activists associated with Palestine Action. I exhibit a copy of the post at **NJW-3/29 – 31**.

CPR 31 Orders

23. As the Court will be aware, Teledyne UK made two applications for disclosure pursuant to CPR 31 and the Senior Courts Act 1981, s34 to obtain the names and addresses of those who were arrested at the Shipley and Wirral Sites (and any relevant evidence in support), so that those persons could be named as Defendants to the proceedings. These Applications were prepared with the co-operation of the relevant police forces, and the Draft Orders were jointly produced. The Applications were included in the bundle used at the hearing on 20 December 2024, at which the Interim Injunction Order was granted.
24. Bourne J made the Order in relation to the Shipley Site (to which the Chief Constable of West Yorkshire Police was the Respondent) at the hearing. As the Application in relation to the Wirral Site (to which the Chief Constable of Merseyside Police is the Respondent) had not yet been processed on the Court file (as it was filed after the other Application), this was dealt with by Bourne J on the papers shortly after the hearing. Sealed copies of all three Orders (the Interim Injunction Order and the two disclosure Orders) were received on 20 December 2024. I understand from Teledyne UK’s legal advisers that these Orders will be included within the hearing bundle to be used on 24 January 2025.
25. Later on 20 December 2024, Teledyne UK’s legal advisers received from the Court a further sealed copy of an Order made in relation to the Wirral Site. The Order was made by Johnson J, and will also be included with the hearing bundle for the return date. I assume that the Court did not realise that Bourne J had already made the Order earlier in the day. It appears to me that the Orders are identical in terms, save that the Order of Johnson J included an additional paragraph (paragraph 6), giving liberty to apply. As I shall explain later in this statement, both the Bourne J and the Johnson J Order have been served.

26. When serving the disclosure Orders, Teledyne UK's legal advisers advised the relevant police forces of the return date listing, and the need for evidence in support to be filed by 17 January 2025. The police forces were asked to provide the names and addresses of the arrestees as a matter of priority, with the further evidence to follow (which, under the terms of the disclosure Orders, must be provided by 28 February 2025).
27. As I shall explain below, on 10 January 2025, Merseyside Police provided the names and addresses of the six people arrested at the Wirral Site on 5 July 2024 and 2 October 2024. Teledyne UK now applies to add these six persons as Named Defendants to both the Claim and the Interim Injunction Order.
28. On 13 January 2025, West Yorkshire Police confirmed the names of the First to Seventh Defendants, and Luke Carter (the proposed Eighteenth Defendant), and provided addresses for each.

APPLICATION TO ADD FURTHER NAMED DEFENDANTS

29. Following the initial disclosure from Merseyside Police, Teledyne UK applies to add the following persons as Named Defendants to the Claim, and include them within the scope of the Interim Injunction Order at the return date hearing:
- (a) Defendant 12 – **Cheryl Leanaghan;**
 - (b) Defendant 13 – **Mais Robinson;**
 - (c) Defendant 14 – **Autumn Taylor-Ward;**
 - (d) Defendant 15 – **Annabella Barringer;**
 - (e) Defendant 16 – **Lara Downes;**
 - (f) Defendant 17 – **Gabrielle Middleton.**
30. Addresses and dates of birth have been provided by Merseyside Police for each of these persons, which I will not include within this statement. Based on the information with which Teledyne UK has been provided, it appears that each of these persons is over the age of 18. Each of these persons was arrested at the Wirral Site on either 5 July 2024 or 2 October 2024 in relation to the protest incidents that occurred on those dates (as described in my first witness statement). The initial disclosure from Merseyside Police

does not make it clear which Defendant was arrested on which day (but it is known that three persons were arrested on each of the two days); further details will follow in the full police disclosure.

31. Further, by reason of his actions at the Shipley Site on 19 December 2024, Teledyne UK applies to add **Luke Carter** to both the Claim and the scope of the Interim Injunction Order as Defendant 18.

SERVICE

32. Paragraph 3 of the Interim Injunction Order permits the alternative service of the documents in this Claim, including the Interim Injunction Order itself.
33. As to paragraph 3(i), the relevant webpage can be found here: <https://www.teledyne-injunction.co.uk>. The webpage went live on 20 December 2024. I note that the link is the first Google search returned if “Teledyne Injunction” is used as a search term. A link to the webpage is included on the homepage of the main Teledyne UK website – with the relevant linked text reading “Notice of Injunction”.
34. As to paragraph 3(ii), I am informed by Teledyne UK’s legal advisers that:
 - (a) Prior to the hearing on 20 December 2024, the Claim Form, Application Notice and all evidence in support of the Claim and Application were sent to the email addresses set out in paragraph 3(ii);
 - (b) On 20 December 2024, copies of the Interim Injunction Order, and the three disclosure orders were sent to the email addresses set out in paragraph 3(ii). That email also included a link to the webpage set up in accordance with paragraph 3(i); and
 - (c) On 13 January 2025, further copies of the Interim Injunction Order, Claim Form, Application Notice, and all evidence in support of the Claim and Application were sent to the email addresses set out in paragraph 3(ii) by way of a reminder (and to ensure that the Claim Form, Application Notice and all

evidence in support of the Claim and Application had in fact been properly served following the making of the alternative service order).

35. The signs required by paragraph 3(iv) of the Interim Injunction Order were erected at all six sites. The signs were erected at the Wirral, Shipley, Presteigne and Lincoln Sites on 20 December 2024 (in relation to the latter, these were temporary laminated copies, which have since been replaced by the permanent signage). Large signs were erected at the entrances to the Chelmsford Site on 20 December 2024, with further perimeter signage being added on 23 December 2024. The signs were erected at the Newbury Site on 23 December 2024. I exhibit at **NJW-3/32 – 38** a plan of each of the six Teledyne UK sites that are the subject matter of this injunction, on which the perimeter of the sites and the location of the erected signs are marked. Further, by way of example of a sign in situ, I exhibit at **NJW-3/39** a photograph of one of the signs attached to the front gates of the Chelmsford Site.
36. As to paragraph 3(iii), Teledyne UK only came into possession of the addresses of the First to Seventh Defendants on 13 January 2025, after the initial CPR 31 disclosure by West Yorkshire Police. I am informed by Teledyne UK's legal advisers that these Defendants will be served with all of the existing documents in the Claim, as well as with the documents for the return date hearing, by first-class post this week.
37. Further, the Application to add the further Named Defendants, as well as all documents in this Claim (including the Interim Injunction Order) will be sent by first-class post to those persons who Teledyne UK is applying to add as Named Defendants.
38. I am informed by Teledyne UK's legal advisers that the relevant certificates of service will be included within the hearing bundle for the return date.

THE NEED TO CONTINUE THE INTERIM RELIEF

39. In support of the need for the continuation of the Interim Injunction Order, Teledyne UK continues to rely on the evidence set out in my first and second witness statements, as well as the first witness statement of Manan Singh dated 13 December 2024, all of

which explain why injunctive relief is required at this time and prior to any final determination of the Claim.

40. As I have set out above, the group known as Palestine Action remains active, and its followers continue to engage in unlawful direct action protest. As such, Teledyne UK continues to apprehend that, absent injunctive relief, it will suffer further acts of unlawful protest at its sites, and resulting harm. The incident on 19 December 2024 at the Shipley Site shows that Teledyne UK's apprehension is clearly well-founded.
41. It is notable that Elbit, which does not have the benefit of injunctive relief, suffered the aggravated trespass incident on Christmas Day; I invite the Court to infer that the Interim Injunction Order, at least in part, acted as a deterrent to unlawful activity at Teledyne UK's sites over the Christmas period. Indeed, since the grant of the Interim Injunction Order, no further unlawful acts of protest have been experienced at Teledyne UK's sites, that is despite the upward trajectory of incidents occurring towards the end of 2024, especially at the Shipley Site; I again invite the Court to draw the inference that the Interim Injunction Order has a deterring effect on the commission of unlawful acts of protest by activists.
42. Further, it is notable that, whilst the only protest of which Teledyne UK currently has intelligence is expected to be peaceful (that being the march in Chelmsford), the protest at the Shipley Site on 19 December 2024 began as a peaceful protest, before one lone-protestor (Mr Carter) undertook unlawful acts.
43. It is clear that Palestine Action continues to encourage its followers to engage in unlawful acts of protest (remembering that Teledyne UK is listed as a target on both the group's website and in its so-called Underground Manual), and that it intends for unlawful direct action protest to be continued into 2025. For example:
 - (a) I exhibit at **NJW-3/40** a copy of the homepage of the Palestine Action website, accessed on 13 January 2025. That webpage shows that the group is still recruiting new activists, as the application form to 'Join Palestine Action' appears on the homepage (as well as on the 'Join the Resistance' page). Three direct action training days are advertised on the homepage. Additional training

days and online ‘crash courses’ on direct action are advertised on the ‘Training Days’ page of the website (<https://palestineaction.org/training/>), exhibited at **NJW-3/41**;

- (b) On 31 December 2024, Palestine Action posted to its Instagram page a promotional video, with the accompanying text: *“2024 was our most intense year of direct action against Israel’s biggest weapons producer yet. Palestine Action blockaded, occupied and destroyed Elbit’s factories, whilst also targeting their whole supply chain. Join us in 2025 to chase Israel’s war machine out of Britain for good!”*. I exhibit a copy of the post at **NJW-3/42**.
44. Teledyne UK therefore continues to apprehend, absent injunctive relief, further and imminent acts of unlawful direct action and resulting harm at its six sites advertised as targets by Palestine Action.

Persons Unknown: the Order sought

45. As explained in Mr Singh’s first witness statement and counsel’s skeleton argument for the hearing on 20 December 2024, Teledyne UK seeks at this return date hearing a five-year order against Persons Unknown, subject to an annual review. Accordingly, any final hearing in this Claim will relate only to the Named Defendants. I understand that counsel will address the Court at the return date hearing as to why this is the proper order to make in the circumstances of this case.
46. In the alternative, Teledyne UK limited seeks a continuation of the Interim Injunction Order as against Persons Unknown until the final hearing of the Claim against the Named Defendants, at which time the five-year order with an annual review will be sought. However, I should say that, in the interests of furthering the overriding objective, Teledyne UK is hoping to resolve these proceedings by way of the Named

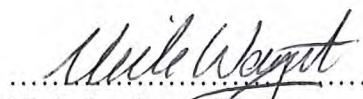
Defendants giving undertakings to the Court, in which case no such final hearing in relation to the Named Defendants would be required.

DIRECTIONS

47. I understand that the appropriate directions in these proceedings is a matter for submissions at the return date hearing. Therefore, I only here respectfully ask the Court to consider that Teledyne UK is not yet in receipt of the full police disclosure, such that it is not yet in a position to put that evidence before the Court in advance of a final hearing.
48. Further, as the addresses of the First to Seventh and Eighteenth Defendants, and the identities and addresses of the Twelfth to Seventeenth Defendants, has only become known this week, further time is needed to allow important steps in these proceedings to occur. In particular, the Named Defendants shall now be served by first-class post, and may require time to consider those documents and whether they wish to defend the proceedings (that is especially the case for the Twelfth to Eighteenth Defendants, who have not yet been served with any documents in the Claim by way of the alternative service order). Further, it would be usual in a case such as this to attempt to settle the proceedings with the Named Defendants by way of them offering undertakings to the Court; Teledyne UK intends to explore this avenue with the Named Defendants, once they have been served and have had an opportunity to consider their position.
49. Accordingly, I respectfully ask that Teledyne UK is given a window of time following the receipt of the police disclosure to both explore the possibility of undertakings with the Named Defendants, and then assemble any trial evidence should any Named Defendant not be willing to give an undertaking.

Statement of Truth

I believe that the facts set out in this Witness Statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

.....
Nicholas James Wargent
Dated this 15th day of January 2025