Claim No : 8624/2005

IN THE HIGH COURT OF JUSTICE

QUEEN’S BENCH DIVISION
ADMINISTRATIVE COURT

B E T W E E N :

The Queen on the application of

ANDREW WOOD

Claimant

-v-

COMMISSIONER OF POLICE FOR THE METROPOLIS

Defendant

This is exhibit ‘AW1’, referred to in the second witness statement of Andrew Wood.

Signed:………………………………………

Date:………………………………………..
Okay, it was perhaps the longest banner drop in the history of banner drops (over 8 hours to unfurl) but it was worth it...

"protesters? where?"
"there's no way I'm going up there after them!"

Going up
.. and up

"yeahh!! protesting IS fun!!"
"which one do I pull to unfurl the banner?"

"here it comes, honest"
While BP was announcing record earnings of £2.9 billion pounds, protesters were occupying two trees opposite their London HQ in St James Park. The oil giant profits leapt 29 per cent higher than the same period last year and came as the UK’s biggest corporation
continued to benefit from surging oil prices since the invasion of Iraq.

The haul, equivalent to earnings of £1.3 million an hour, comes two months after BP posted a record annual surplus of £8.7bn, a figure that stoked calls for a windfall tax on energy companies who have benefited from public spending on the ‘war on terror’ inflating oil prices.

Because of the increase in oil prices, profits from its exploration and production division stood at £3.4bn, a gain of 53 per cent.

The protesters occupying the trees outside BPs corporate HQ aimed to highlight the company's appalling environmental and social record.

Press release from LONDON RISING TIDE

"Climate campaigners target ‘Blair Petroleum’ in protest at record profits

Protesters have occupied trees outside the headquarters of oil giant BP today, in protest at the company’s environmental and social record. This comes on the day that the company announces its highest ever profits, in its financial results for the first quarter of 2005.

Sam Sutherland, one of the tree-bound protesters, commented,

“We’re taking this action to draw attention to what is missing from those results: spiralling climate chaos, systematic human rights abuses and untold ecological carnage. With profits of well over $2 million every HOUR, BP is not making a living – it’s making a killing”. [1]

The protesters – from London Rising Tide – cite as their reasons for action not just BP’s impact on climate change [2], but also the company’s reported connections with death squads in Colombia [3], its efforts to gain access to Iraqi oil reserves [4], and the ‘environmental timebomb’ of its Baku-Tbilisi-Ceyhan Caspian Sea pipeline [5].

Tony Blair – who is known to be close to BP – will be hoping that public sensitivity over oil company profiteering does not rub off on his election campaign. But protester Joe Olver commented,

“It’s not hard to see why they call it Blair Petroleum. While the Prime Minister’s rocky relationship with one Mr Brown may have improved publicly pre-election, with Lord Browne of BP, it’s always been all smiles.”

The protesters argue that the Prime Minister’s relationship with the oil company may prove difficult to square with his stated concern for climate change and the plight of Africa. Protester Olver added,

“If Blair were serious about climate change and Africa, he would pay more attention to the
company he keeps. He is going to have to make a choice between helping BP executives or the millions displaced by drought in Africa.

The activists will spend the night there, to confront BP staff with their message for a second time on Wednesday morning."

"Notes for editors
1: BP has announced profits of $5.5 billion for the first 3 months of 2005. More info: see www.bp.com Investor Relations section
2: In spite of its environmental brand, BP invests about 1% of its capital on renewable energy (Ranging between $100 and 200 million, out of total investment of around $15 billion, the rest being spent on climate-altering oil and gas).
3: BP has been widely reported to have paid military units in Colombia to protect its facility, despite their involvement in human rights atrocities. More info: see www.colombiasolidarity.org.uk
4: Prior to the invasion of Iraq, BP asked Prime Minister Blair to ensure that there would be a “level playing field” for British companies wanting oil opportunities in post-war Iraq, as well as American companies (FT, 11/3/03). In December 2004, BP was awarded its first contract in the country, managing data on one of Iraq’s biggest oilfields.
5: Substantial evidence has been brought to light by senior engineers working on the pipeline of shoddy technical standards and incompetent construction management, leading to a high risk of spills. See Independent, 26/6/04. More info: see www.baku.org.uk"

For more info see http://www.londonrisingtide.org.uk

HI-RES DIGITAL PHOTOS AVAILABLE FOR PUBLICATION

ben

an account of London Rising Tide’s treesit
at BP HQ, April 26-29th 2005

23.05.2005 15:55
Bringing the climate message home:
an account of London Rising Tide’s treesit at BP HQ, April 26-29th 2005

Very early on April 26th 2005, eight concerned squirrels nipped over the gates of the park in the centre of St. James’ Square, and scampered up two imposing London plane trees which happened to overlook the headquarters of one of the world’s largest oil companies. (Actually, the phrase ‘scampered up’ doesn’t do justice to the way they threw a rope over a strong branch, climbed up it and into their tree while wearing seriously loaded-down backpacks. It also doesn’t do justice to the way one brave member of their group had to climb a smaller tree in between the two planes to free the banner rope, without which their action would have been completely stripped of meaning. She also deserves being mentioned in dispatches for the way she spoke convincingly to the police who clambered over the gates about twenty minutes later that the group was indeed carrying out a survey of the trees’ insect population, as they had discovered from a document abandoned on the grass which attested to this fact.

‘So there’s nothing political about this, then?’ fumbled an officer of the law, still trying to ascertain for sure that our intentions were entirely entomological. (It means ‘the study of insects’ by the way; we had to look it up as well.) Not that we were giving him many clues about our intentions, since our banner – which read ‘BP fuels climate chaos’, in case you were wondering - was still in its rucksack, and wouldn’t be fully unveiled for at least another 6 hours, due to various arboreal and technical difficulties.

Having saved the banner, the last, courageous climber joined her other three friends up one of the trees, (four being in the other, 90 feet away), and was finally and fantastically free of
police interference. By this time it was coming up to 8am and eager BP beavers were already rolling in to work through the intermittent drizzle. There was one noisy ranter in each tree, so in a kind of call and response they sang out their critique of BP in hoarse headlines: ‘BP is killing the planet’, ‘BP fuels climate chaos’ etc. Then one started getting more ambitious: ‘We know you need to make a living, but BP is making a killing – isn’t it time you took your not inconsiderable talents out of this sunset industry?’

This was partly a reference to the fact that on this very day, BP was set to announce yet more record profits as part of its 1st Quarter Results. And it didn’t take long for a similar quote to appear in a London Rising Tide press release: “We’re taking this action to draw attention to what is missing from those results: spiralling climate chaos, systematic human rights abuses and untold ecological carnage. With profits of well over $2 million every HOUR, BP is not making a living – it’s making a killing”.

Meanwhile, as this one way dialogue with BP workers carried on, interspersed by greetings called out to passers-by as well as to the ground crew busy leafleting below, a crucial task was being carried out in the branches above: hanging the banner. For various very good reasons, most of which were entirely invisible to the bemused ground crew, it took until after 2pm for the sumptuous banner, pink and black lettering on a green gauzy background, to flutter massively, beautifully and legibly for all BP employees to see as they left their office or stole a glance out of the window. Once it was up, it was there for four days and three nights, driving said employees to distraction with any luck, until it was delicately removed by police climbers on Friday afternoon, and returned with all the climbing gear to LRT with a smile. (After all, there’d been no arrests, so there were no grounds for the seizing any property.)

The main downside of the delay in the Great Unfurling, (one agile climber having had to shimmy from his tree to the opposite tree, grappling with ropes and banner to free it from various branches), was the fact that photographers from the Guardian and the Daily Telegraph came and went, with nothing to send back to their picture editors as their deadlines slipped away. Partly for that reason, (and partly also because Greenpeace climbers had that same morning scaled John Prescott’s house and hung a banner reading ‘Oi, 2 Jags! Hit targets not voters’), mainstream press coverage of the action was limited to 3 small mentions in the Guardian newspaper, a brief flash on a national commercial TV channel, and a few mentions on BBC London radio. (Oh, and we mustn’t forget the interview with the Korean TV film crew which just happened to be grabbing some establishing shots in the Square one afternoon for a completely unrelated story.) Not that the action had been designed primarily with corporate media coverage in mind – it was thought of primarily as a way to cast some inspiration into the hearts of oil and climate activists around the world, flagging up the July 8th G8-triggered day of climate action, as well as a way to clamber directly into the consciousnesses of BP employees, which was doubtless amplified many times over for each night one of the crew stayed in the trees.

It may be worth quoting the first Guardian mention, as it speaks volumes about the patronising thoughts of BP boss Lord Browne, as well as his ingenious way of belittling his adversaries with faint praise: ‘The profits triggered a tree-top protest outside BP
headquarters by environmentalist group Rising Tide...Lord Browne refused to criticise the
green activists saying he thought it "very good" that people in Britain were allowed to
express their opinions in a non-violent way.’ (‘BP pumps record first-quarter profits’,
Guardian, 27.4.05.) (Note the way the media always dubs Rising Tide as
‘environmentalist’, even though the group always describes itself as a ‘climate justice
direct action group’ or similar, and is at great pains to say that climate change is an issue of
social justice as well as of the environment.)

Back to Tuesday afternoon – with the banner happily hung, and with threatening rain-filled
clouds having dissipated a little, the noisiest crew member unleashed his latest toy: a high-
powered megaphone with built-in siren. The anticipation of the deployment of this piece of
equipment, redolent of dutiful demos where tired and tinny slogans struggle desperately to
rally the faithful, was less than fever pitched. But by some accounts it was used
successfully to highlight the issues as well as to knock out the occasional gently random
one-liner to passers-by, pulled out of their pavement-staring reverie by a surreal voice
buried within the foliage above. It was also on hand when BP Chairman Peter Sutherland
(also ex-head of the WTO and current Chairman of Goldman Sachs) emerged from the
building and was assailed with amplified cries of ‘Shame on you, Peter Sutherland’ before
disappearing inelegantly into one of BP’s fleet of silver Mercedes.

By 6pm, all but two of the climbers had abseiled down to a patiently waiting police
presence, each giving his or her name and address in order to avoid arrest then heading to
the local pub of braying suits for the slaking of a righteous thirst. One of the two remaining
calmly ‘pitched’ his hammock between 2 branches, hung a waterproof sheet above it, lit his
nightlight then settled in for a quiet, comfortable evening with a radio beaming in the
football commentary for company. He came down on Wednesday morning having had a
good night on high. The other stayer, on his own in the opposite tree, decided to stay not to
use his hammock and to stay instead on his branch. It’s still not clear how he slept, or even
if he slept at all during his 77 hour watch.

Over 2000 leaflets were given out through day and night from 7am Tuesday to 3pm Friday,
with the LRT folk constantly surprised at the support for the action and general antipathy to
BP from all ages and incomes, often from people living or working in the rarefied and
monied surroundings of London’s (gentleman’s) clubland. One man working in the Square
spoke angrily about the way the oil industry has destroyed his native Niger Delta, and
strongly supported the treeisit. Another told them that he had contacted various media
outlets as soon as he saw the trees’ new occupants.

A retired employee of Esso – he spent 40 years with them – pootled back and forth from
his club to his bookie, refusing to take the impassioned critique of a female leafleter as
anything but flirtatious banter. The funniest and saddest was a hollow-eyed and harassed
man who flashed past saying ‘I have to work twelve hour days – that man on the
megaphone yesterday made my life a living hell!’ A seriously posh woman triggered no
empathy when she effed and blinded at us for the way the police had shut her local patch of
green space, a situation we apologised for to those denied their tiny green lunchtime lung.
One local worker rang the treephone excitedly to say “Well done! This is the most exciting
thing that’s happened here since we had a fire drill last summer. Do you need food? Should we catapult some up to you?” (An offer we turned down, in case you were wondering.) Friday’s good weather, a relief after bracing cold earlier in the week, caused the cops to tape off the occupied tree and open the park as we’d been suggesting all along.

BP employees either took leaflets in passing or didn’t – they rarely showed whatever irritation they might have felt at what was turning into a 24 hour picket what with supporters of the final treesitter sleeping overnight in doorways to show their support for their lonesome compatriot. Occasionally a BPer would stop to explain how much good the company was doing on the route of its Baku-Ceyhan pipeline or some other sliver of greenwash which the speaker seemed to believe passionately in the face of serious evidence to the contrary.

Many insisted that BP was simply supplying a product demanded by the modern world. ‘What choice do we have but to comply?’ they seemed to say. ‘Does that put you in the same league as heroin dealers?’ I would have said if I’d come up with the riposte at the time. Another went out of his way to say “I love this planet, I love my two kids and I think this company is doing good in the world,” listening politely to the arguments before offering his hand to shake. A sudden Robert Mugabe-Prince Charles dilemma? Well, the hand was taken and shaken – after all, the quarrel isn’t with individual employees – or is it? Perhaps it does get personal at some point in the hierarchy? Dilemmas, dilemmas…

The main point being made to employees was ‘You’re talented and well-qualified enough to find work somewhere less destructive, unlike the Grangemouth refinery workforce for example, who have far fewer opportunities.’ As to whether this approach sprouted in the hearts and minds of BP HQ, we’ll probably never know – they never seem to communicate, anonymously or otherwise.

So what of the police presence? Well, they were sometimes accommodating, sometimes bullying and sometimes childish. They allowed food to be sent up to the one man left in the tree on Wednesday afternoon, (two having spent the night on Tuesday night), with little parcels being winched up to the branch on which he sat and stood, owl-like, for much of his epic sojourn. Then on Thursday the police chief said this was to be stopped. After some powerful words from LRTers gathered on the pavement for their regular weekly meeting, said chief reinstated the food delivery until the whole action was declared illegal on Friday afternoon.

There were constant meetings between police and harassed, chain-smoking BP security chiefs, as well as ongoing liaisings with the rank and file BP security, identifiable by their ridiculous beige suits, occasional friendliness and wristwatches that they spoke into shyly from time to time, seemingly embarrassed by their flash new technology. There was a semi-flashpoint on Wednesday when the police, after being happy to see one or two people leafleting in a friendly way outside the BP front door, insisted everyone move to the other side of the road where there were pretty much no passers-by. Half listening to reason, the chief cop said to one person “OK, you and no one else can stand here and leaflet”, only to consult BP security, then turn round and say, ‘No, BP security have made it clear that they
consider that there is a risk that their workforce may feel intimidated by your presence, so over the road you go.” They enforced this for a while, but it seems the best tactic in these situations is to melt away, so as not to force the issue, then gradually to regain your ground when the melodramatic moment has been defused.

From time to time, more crash barriers would be delivered for the hordes of supporters who sadly never materialised, but which were extremely handy during the small but shambolically spirited noise demo on Thursday afternoon.

By Friday, yet another version of the original leaflet was hastily produced, copied and handed out, headed ‘BP TREESIT: DAY FOUR!’ And the update sent round electronically went on to report that

‘A noise demo has been called by Sir Brian O'Bosanquet, Secretary, St. James' Square Climate Justice Treesit Appreciation Society for 5pm, Friday April 29th, outside BP HQ in St. James' Square, London SW1. This is to celebrate the fact that one lone treesitter will still be up there, after 3 nights and over 80 hours on his perch, calling for 'No New Oil', 'No G8' and 'climate justice now', not forgetting our old favourite, a post-corporate, fossil fuel-free future. He needs our support!

Bring pots, pans and other noisy stuff to greet BP employees as they leave their office for the weekend. Earplugs optional. Or come by any time.’

Which was not to be, as wasn’t the planned visit at 8pm by Critical Mass on its monthly outing, since the police decided that ‘You’ve had your fun’ or ‘You’ve made your point’, and imposed a 3pm cut-off for the street protest as well as the last climber, both of whom were threatened with arrest using some sort of bogus ‘threat of intimidation’ law, not apparently drawn from the most recent and most draconian legislation passed only days before by those spineless hacks in the House of Commons.

The last climber had wanted to draw solidarity parallels with arrested anti-oil activists in Argentina (link?), but since they had already been released, and the threat of arrest wasn’t one he relished, he agreed to come down. This was a tense moment, as the police climbers had arrived, and the police bosses didn’t want to see him gathering any of his kit but to come down immediately…which he did, still maintaining his dignity and taking his time, as another LRTer was threatened with arrest for leafleting in the park after the 3pm deadline. A little earlier, a bloody-minded policeman had been heard to remark inaccurately to BP’s two security heavies “You know, it used to be much more straightforward in the old days. Back then, the fire brigade would have been called out and they’d’ve hosed an idiot like that off his perch in no time!” When finally said ‘idiot’ abseiled gently to the ground, to the whoops of support from his friends behind the police tape, he sauntered over to us and chatted away as if he’d only been away from terra firma for a moment or two.

So it was finally over, allowing this writer’s weariness to kick in finally, it’s full extent having been hidden by the excitement of the action and all the positive interaction until that
point. All in all an amazing experience that we’ll probably never really know the full effect
of, (like most of what we do.) It certainly had its fair share of luck, good and bad, and
really helped to recharge my belief that most people are perfectly well aware that BP et al
are not a force for good in the world, that climate chaos is kicking in and we need to act on
it, and fast, and that there really is a fundamental decency in most of the people you meet.
That’s an invaluable message to be reminded of in these days which often seem darker than
any we’ve faced up to now.

For some nice pictures and other info from the action, go to
http://www.indymedia.org.uk/en/2005/04/309840.html and
www.londonrisingtide.org.uk
www.risingtide.org.uk
www.dissent.org.uk/g8climateaction
www.artnotoil.org.uk
www.nationalpetroleumgallery.org.uk
See also: www.carbonweb.org

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