

Party: Claimants

Name: Andrew James Todd

Number: Sixth

Date: 1 May 2025

CLAIM NO: KB-2025-000136

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

B E T W E E N

(1) WM MORRISON SUPERMARKETS LIMITED

(2) SAFEWAY STORES LIMITED

(3) WM MORRISON PRODUCE LIMITED

Claimants

- v -

**(1) PERSONS UNKNOWN WHO ENTER AND REMAIN UPON ANY OF THE
DISTRIBUTION CENTRES WHICH ARE DEFINED IN SCHEDULE 1 TO THE
CLAIM FORM WITHOUT THE CONSENT OF THE CLAIMANTS IN
CONNECTION WITH AGRICULTURAL PROTESTS**

**(2) PERSONS UNKNOWN WHO CREATE OR CAUSE BLOCKADES AND OTHER
OBSTRUCTIONS TO THE ACCESS ROADS TO THE SAID DISTRIBUTION CENTRES,
WHICH ARE SHOWN ON THE PLANS AT SCHEDULE 2 TO THE CLAIM FORM, WITH
OR WITHOUT VEHICLES, INCLUDING TRACTORS OR OTHERWISE, IN
CONNECTION WITH AGRICULTURAL PROTESTS**

Defendants

SIXTH WITNESS STATEMENT OF

ANDREW JAMES TODD

I ANDREW JAMES TODD of Eversheds Sutherland (International) LLP, Water Lane, Leeds LS11 5DR **WILL SAY** as follows:-

1. I am a Senior Partner in the firm of Eversheds Sutherland (International) LLP and am responsible for the overall conduct of these proceedings on behalf of the Claimants.
2. Following the Claimants' application for an injunction in respect of the Claimants' Regional Distribution Centres ("**RDCs**") dated 15 January 2025, the Claimants were granted an injunction by way of an order dated 16 January 2025 ("**Collins Rice J Order**") which was then continued by an order dated 20 January 2025 ("**First Fordham J Order**").
3. A subsequent injunction was then granted by way of an order dated 21 January 2025, which was amended on 24 January 2025 ("**Second Fordham J Order**").
4. The Second Fordham J Order (as amended) listed a further return date on 29 January 2025 at 12pm ("**Further Return Hearing**"). Following the Further Return Hearing, the Claimants were granted a continuation of the injunction by way of an order dated 29 January 2025 ("**HHJ Tindal Order**"), which operates with immediate effect until varied, discharged or extended by further order.
5. The HHJ Tindal Order grants an injunction which, in general terms, prohibits the Defendants from:
 - 5.1 entering, occupying or remaining upon any part of the Distribution Centres without the consent of the Claimants in connection with agricultural protests;
 - 5.2 creating or causing blockades, obstructions of traffic and/or otherwise impeding, preventing or interfering with the passage by the Claimants, its agents, servants, employees, licensees, invitees to, from, with or without vehicles, including tractors or other agricultural vehicles and equipment, over and across the Access Roads in connection with agricultural protests.
6. A further return date hearing has been listed on 12 May 2025 (the "**May Return Date Hearing**").
7. I make this statement to confirm the steps taken to serve the Defendants with documents relating to the May Return Hearing and pursuant to the HHJ Tindal Order, including the discharge of the undertakings given to the Court at Schedule 3 to the HHJ Tindal Order.
8. This witness statement has been produced by me with the assistance of my colleagues, Alex Wright and Simran Bhamra.

9. The statements in this witness statement are from my own knowledge, save where I state otherwise. Where statements are matters of information or belief, I provide the source of that information or belief.
10. For ease of reference, this witness statement is divided into the following sections:
- 10.1 Section 1 – Service of the May Return Date Hearing
- 10.2 Section 2 - FTA's continued commitment to their demands. The core ambition of FTA remains to protest so that the UK government abolishes the proposed 20% inheritance tax on agricultural assets over £1 million from April 2026.
- 10.3 Section 3 –Continuing Threat Since Further Return Hearing
- 10.4 Section 4 – Full and Frank Disclosure
11. I refer to exhibit marked "**AJT7**" in this statement. It has been produced to me and I verify that the documents in those exhibits are true copies of the documents.
12. It is evident that FTA remain fully committed on a continuing basis to their core objective, a protest movement to pressurise the UK government to abolish the proposed 20% inheritance tax on agricultural assets over £1 million. The mini budget of March 2025 did not alter the UK Government's position and the intent to legislate in April 2026 remains. As can be seen from the Farmers to Action X account, who on 3 April 2025 posted the following with an image of a tractor protest:

"The tractors are mobilising...

But who? And why? Farmers are saying NO to Labour's direction for Britain.

Will you stand with them?"

(exhibited at "**AJT7**" and available at <https://x.com/FarmersToAction/status/1907754118069813598>).

13. On 14 April 2025, @farmersweekly and @farmerstoaction jointly posted the following:

"Farmers To Action has pledged to continue its campaign until the proposed farm tax is scrapped or significantly altered.

Alan Hughes, a fourth-generation tenant farmer from the

Shropshire/Herefordshire border at Leintwardine, who owns 26ha of land, says

IHT will devastate his family farm.

He urged farmers to get involved to show their opposition to Labour's IHT plans.

"Get on to the Farmers To Action socials, Facebook, Instagram, TikTok and X and see where your nearest action is to you and join in," Mr Hughes said.

"Now is the time to stand up to this Labour government and say 'enough is enough' before it's too late.

"We have to get this sorted by November, otherwise this will start to take effect by April," he explained.

"This is our last chance, so we need to step up, stand up and push hard against Labour before it's too late.""

(exhibited at "AJT7" and available at <https://www.instagram.com/farmersweekly/p/DIau8PLvBtk/>)

14. In light of the continued commitment of FTA, the Claimants believe it is necessary for the Revised Injunction to continue in effect until April 2026. That is intended to be a reasonable and proportionate period of time for the Claimants to protect their RDCs from unlawful protest activity.
15. As will be evident from Section 2 to this witness statement, there is an ongoing threat of impact to the Claimants were the Revised Injunction to be lifted especially in light of the fact that FTA remain fully committed to their protest movement. The court will note from p228 of AJT 7 and paragraphs 22 - 35 below that there is a clear threat to continue protesting, and in particular target food distribution centres.

SECTION 1 – SERVICE OF THE RETURN DATE HEARING

16. Paragraph 15 of the HHJ Tindal Order states that service on the Defendants of any further applications or documents in the proceedings by the Claimants shall be validly effected by:
 - 16.1 Uploading copies of the documents to the Claimants' Website; and
 - 16.2 Sending an email to the Farmers to Action Email Address stating that the documents can be found at the Claimants' Website. There has been no response to this email.
17. From conversations and emails exchanged with relevant individuals providing instructions to this firm, I can confirm that:

- 17.1 the Notice of Hearing for the May Return Date Hearing on 12 May 2025 was uploaded to the Claimants' Website at 09:07 on 4 March 2025; and
- 17.2 the same Notice of Hearing for the May Return Date Hearing was served on the Defendants by email to the Farmers to Action Email Address on 3 March 2025 at 19:46.
- 17.3 As is clear from my 5th witness statement, all documents relating to the HHJ Tindal Order have been served in accordance with paragraph 15 of the HHJ Tindal Order.

SECTION 2 – FTA CONTINUED COMMITMENT TO THEIR DEMANDS

18. A summary of the protest is set out at paragraphs 63-73 of the first witness statement of Andrew Todd, with 2025 having been stated to be the "Year of Action". As set out in paragraphs 12 - 15 above, the protest movement is ongoing and it is likely to continue up until the implementation of the Government's inheritance tax policies on 6 April 2026 and possibly thereafter.

SECTION 3 – CONTINUING THREAT SINCE RETURN DATE

19. Since the Further Return Hearing, various commentary has been made across social media sites, indicating a threat of future protest action at the Claimants RDCs, which are the subject of the Revised Injunction ordered pursuant to the HHJ Tindal Order. Farmers to Action remains fully committed to its protest movement as is evident from paragraphs 12 – 15 above.
20. I can confirm that the Claimants do not have access to the WhatsApp group/groups identified in the first witness statement of Ms Sophie Throup. I understand the individual who provided those messages referenced at pages 2-11 of exhibit ST2 is no longer a participant in the WhatsApp group. The Claimants have no other means of accessing those groups.
21. On 7 February 2025 a Farming Forum member posted the following comment on the thread entitled "Westminster Tractor Rally Monday 10th February" in relation to protest action against Morrisons and distribution centres:
- "The fuel blockade worked not really because of how effective it was but because of the panic buying.*
- That's the way we could still force their hand with distribution centres (especially now Morrisons lawyers have drawn us a load of great maps* 🗺️🗺️ 🗺️)- the panic would spread as people worried about not having food to shove into their gobs.*

I'm not sure they worry about what happens to it afterwards 🤔 🤔 🤔

Hi Morrisons Lawyers and MI5 counter terrorism unit- I'm joking of course 😊.

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/%F0%9F%9A%9C%F0%9F%9A%9C-westminster-tractor-rally-%F0%9F%9A%9C%F0%9F%9A%9C-monday-10th-february.421225/page-10#post-9680308>).

22. On 24 February 2025, Instagram user @stevehathway.1 posted the following comment on a farmerstoaction post, dated 10 February 2025, in relation to a protest in London:

"Need a few tanks in Downing Street and Westminster. And watch problems magically vanish."

(exhibited at "AJT7" and available at https://www.instagram.com/p/DF4_1wSvZAU/?igsh=cHQ4Y3djd2J4cGxr).

23. On 27 February 2025, Instagram user @richardlangley55 posted the following comment on a farmerstoaction post, dated 10 February 2025, in relation to a protest in London:

"The tank needs live ammunition and a visit to Downing Street."

(exhibited at "AJT7" and available at https://www.instagram.com/p/DF4_1wSvZAU/?igsh=cHQ4Y3djd2J4cGxr).

24. On 2 March 2025 a Farming Forum member posted the following comment on the thread entitled "Polite protests are not going to win" regarding protesting

"These type of protests take more than 5 minutes,,,,,,,,,,,,,,,,,,,,,months into years, April 25 to April 26 will have meaning with effect"

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/polite-protests-are-not-going-to-work.419610/page-5>).

25. On 26 February 2025 a Farming Forum member posted the following comment on the thread entitled "You don't know what you're doing" regarding distribution centres:

"I will put my ass on the line. Somebody close to a distribution centre leave a tractor and trailer conveniently loaded with fym with the keys in and I will "steal it". The deal is give me enough time to get close before phoning it in and then refuse to press charges due to it not being damaged."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/you-dont-know-what-youre-doing.422612/page-7#post-9707279>).

26. On 2 March 2025 a Farming Forum member posted the following comment on the thread entitled "Polite protests are not going to win" regarding protesting

"There are plenty of other ways and places to protest They will find it very hard to ban every farmer because there is no one single organisation or company to serve injunctions on If they pick on any individual of group another will fill it's place There are 10 of thousands of address with farm in the name many not owned by farmers even the supermarkets have brands with farm in the name

We also need to remember this is a family business tax that affect businesses the employ 14 million people National Economic growth relays on those businesses"

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/polite-protests-are-not-going-to-work.419610/page-4#post-9712408>).

27. On 4 February 2025 a Farming Forum member posted the following comment on the thread entitled "Suffolk a14 tractor run" regarding protest action at distribution centres:

"Protests probably won't force change, it might. We don't want to upset public with slow moving traffic. Blocking food distribution centres will force change, I'm guessing court injunction can't be imposed until at least one food distribution blockade per distribution centre. Then if there is any way of covertly or strategically continuing blockade without prosecution from court injunction then we are in business. I guess diplomacy first with supermarkets and government to change IHT and written in law the buyer must accept UK non-assured food milk, eggs, fruit, meat, vegetables, grains etc. and illegal for buyer to coerce UK farmer into any assurance scheme and UK farmer has legal right to reject a

premium offered by buyer for assured food. If supermarkets and government disagree or ignore then they are corrupt and farmers have every right to block food distribution centres to fight against corruption and what is morally and legally right. There will be other potent powerful tools to discover like blockades in order to force change from corruption to truth, justice, what is morally and legally right."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/suffolk-a14-tractor-run.421273/#post-9676208>).

28. On 1 March 2025 a Farming Forum member posted the following comment on the thread entitled "You don't know what you're doing" regarding distribution centres:

"Only one answer block the distribution and empty shelves"

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/you-dont-know-what-youre-doing.422612/page-11>).

29. On 26 February 2025 a Farming Forum member posted the following comment on the thread entitled "You don't know what you're doing" regarding strikes, targeting distribution centres:

"All hot air guys. As before forget taking Joe public with you. Name me any strike in last 40 years that did that and won. The train and tube drivers won 69k a year for a four day week. They inconvenienced millions including MP s so the mps got a double dose. Couldn't commute easily and oodles of constituents giving them grief. Target roads around distribution centres far enough away to negate morrison's injunctions. As soon as you shout shortages the vultures will empty the shelves within 24 hours and within 48 hours Rachel from accounts will back down. Stop being nice it hasn't worked in the last 50 years and won't now."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/you-dont-know-what-youre-doing.422612/page-6#post-9707267>).

30. On 19 February 2025 a Farming Forum member posted the following comments on the thread entitled "NFU meeting with treasury" in response to the comment set out at paragraph 34:

"No. We need the element of surprise. It's better if they don't know where we will be protesting next."

"Also what about flying pickets. We don't need to have 100 s tractors at a distribution centre just 8 or ten like at MK but with a couple of hundred bodies to assist. No excuse then about too far to travel on a tractor. 🤖"

(exhibited at **"AJT7"** and available at <https://thefarmingforum.co.uk/index.php?threads/nfu-meeting-with-treasury.422074/page-31#post-9697079>).

31. On 7 February 2025 a Farming Forum member posted the following comment on the thread entitled "Farm assurance enquiry results" in response to a comment regarding protest action:

"It won't take many to block a food distribution centre. If it can be successfully coordinated mass resignation of RT would be another way to go. However if it was written in law then we couldn't possibly get back to the position we are in now. They won't listen or change significantly because Moseley and co know they will be on the dole. The only reason they keep dreaming up new farm assurance standards is because farmers are imorally and illegally coerced into assurance scheme. I can only see farmers having to force change so farmers can sell non-assured UK standard food, the buyer must legally accept non-assured food, illegal for buyer to coerce farmers into assurance scheme food, and farmer has legal right to reject premium for assured food and buyer therefore must buy non-assured food."

(exhibited at **"AJT7"** and available at <https://thefarmingforum.co.uk/index.php?threads/farm-assurance-enquiry-results.421025/page-27#post-9680590>).

32. On 1 February 2025 a Farming Forum member posted the following comment on the thread entitled "Tesco, ASDA, Morrisons, LIDL, Aldi, Co-op, Sainsburys all backing stopping Rachel Reeves IHT policy" regarding blocking distribution centres:

"Supermarkets and government wake up when you block food distribution centres and if the supermarkets and government aren't corrupt they agree with what is morally and legally right. If supermarkets and government are corrupt then it won't take many further blockades to force change."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/tesco-asda-morrisons-lidl-aldi-co-op-sainsburys-all-backing-stopping-rachel-reeves-iht-policy.421165/page-8#post-9673067>).

33. On 7 February 2025 a Farming Forum member posted the following comment on the thread entitled "Farm assurance enquiry results" in response to a comment regarding Red Tractor:

"The only chance of a premium is when the farmer has choice to reject joining an assurance scheme and therefore reject a premium offered for assurance and therefore buyer must purchase non-assured food. Its fantasy land as they won't pay a worthwhile premium for the majority of farmers and once it's written in law that's the finish of Moseley and co and they know it. To get it written in law potent tools at our disposal such as blocking food distribution centres will bring it about. Diplomacy first with supermarkets and government before forcing change if they are corrupt and disagree to write it in law. Until then Moseley and co will continue as a criminal organisation."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/farm-assurance-enquiry-results.421025/page-27#post-9680590>).

34. On 7 February 2025 a Farming Forum member posted the following comment on the thread entitled "Farm assurance enquiry results" in response to a comment regarding protest action:

"Therefore I'm saying Moseley and co, buyers such as supermarkets and the government are corrupt if after diplomacy they disagree. Therefore if they choose corruption we farmers know we are on the right side of justice, morally and legally, we have every right to fight and force change with food distribution blockades and other potent tools at our disposal in order to have it rightfully written in law."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/farm-assurance-enquiry-results.421025/page-27#post-9680590>).

35. On 26 February 2025 a Farming Forum member posted the following comment on the thread entitled "You don't know what you're doing" in response to a comment about policy change from the Government:

*"Pressure on the supply side
And dont come back and say, they can import, thats not the point,,,,,,,,,,,,,its
the distribution, involving others in the food supply other than Farmers
And if that will upset the public,,,,,,,,,cant make an omlette without cracking a few
eggs
ME,,,,,,,,,,,,, Id withhold supply on
periods, ,,,,,,,,,,,,,,Selfpresevation/self is overuling our quest to be
united."*

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/you-dont-know-what-youre-doing.422612/page-7#post-9707279>).

36. On 11 February 2025, a Facebook user posted the following comment on a Farms and Furious post, dated 11 February 2025, in relation to a protest in London:

"They should block the whole of the city to make Starmer and his cronies ignoring the."

(exhibited at "AJT7" and available at https://www.facebook.com/story.php?story_fbid=122153479874346482&id=61560394467242&rdid=a25H9evqgSZauh3h#).

37. On 10 February 2025, Instagram user @rfarmerstoaction posted the following comment on a farmerstoaction post, dated 10 February 2025, in relation to a protest in London:

"The Farmer Army are on their way into London."

(exhibited at "AJT7" and available at https://www.instagram.com/p/DF4_1wSvZAU/?igsh=cHQ4Y3djd2J4cGxr).

38. On 23 March 2025 a Farming Forum member posted the following comment on the thread entitled "Farmers to Newbury Races" regarding protest action:

"My personal goal is to keep the wider public loathing the government as deeply as possible, to make 'farmer protest-gate' as big a stain on their copybook as possible (to help insure against re-election) and to try and unleash a bit of nationalistic pride in our countryside and agricultural industry. Other people (especially those having sleepless nights over the specific tax issues) will have different objectives."

I don't envisage a government IHT U-turn or any other major fig leafs in the budget.

But I also simultaneously think the tractor protest movement that has spread across the globe is one of the most inspiring things I've ever witnessed let alone been a part of."

39. On 19 February 2025 a Farming Forum member posted the following comment on the thread entitled "NFU meeting with treasury" in response to a comment regarding protest action:

"Have a national action day, just go on roads driving slowly. Could grind everything to a halt."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/nfu-meeting-with-treasury.422074/page-31#post-9697079>).

40. On 19 February 2025 a Farming Forum member posted the following comment on the thread entitled "NFU meeting with treasury" in response to the comment set out at paragraph 34:

"Yes. All the extended family could join in that one across the country. Concentrate on choking up the busiest points. Take off the support farming sticker in the rear window so public don't associate that it's another farmers annoying demo. Bring the place to a standstill."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/nfu-meeting-with-treasury.422074/page-31#post-9697079>).

41. On 19 February 2025 a Farming Forum member posted the following comment on the thread entitled "NFU meeting with treasury" in response to the comment set out at paragraph 35:

"I have posted this a few times. If farmers A C and E are at the other side of town to farmers B D and F. At around the same time same day farmer A drives his tractor to farmer B to borrow an implement. Farmer B drives his tractor to farmer C to borrow an implement. Farmer C drives his tractor to farmer D to borrow an implement. And so on. Not illegal, I suppose it can be done on red diesel, and if you all coincidentally happen to be on the road at the same time (?)"

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/nfu-meeting-with-treasury.422074/page-31#post-9697079>).

42. On 26 February 2025 a Farming Forum member posted the following comment with an image of empty supermarket shelves on the thread entitled "You don't know what you're doing":

"Until this happens we are getting no where."

(exhibited at "AJT7" and available at <https://thefarmingforum.co.uk/index.php?threads/you-dont-know-what-youre-doing.422612/page-7#post-9707279>).

SECTION 4 – FULL AND FRANK DISCLOSURE

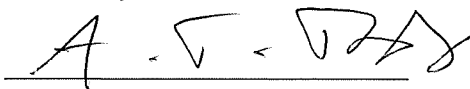
43. I am aware that the Claimants have to give full and frank disclosure and I confirm that the Claimants have given full and frank disclosure of all facts, matters and arguments which, after reasonable research, they are aware or could with reasonable diligence ascertain and which might affect the decision of the Court whether to grant the order or the terms of the order it is prepared to make.
44. With that duty in mind, there were a series of what appeared to be peaceful protests which did not take place at distribution centres. I note that between 7 April 2025 and 27 April 2025, the Farmers to Action Facebook page uploaded a number of posts advertising planned protests in various locations across the country (exhibited at "AJT7").

Statement of truth

I believe that the facts stated 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.

I am duly authorised to make this statement on the Claimants' behalf.



Andrew James Todd 1 May 2025