

Made on behalf of the Claimants  
Witness: Philip Keith Spencer  
Number of Statement: Second  
Exhibit: PKS2  
Dated: 4 October 2022

**IN THE HIGH COURT OF JUSTICE**

**Claim No. QB-2022-001952**

**KING'S BENCH DIVISION**

**BETWEEN:**

**(1) ALMACANTAR CENTRE POINT NOMINEE NO.1 LIMITED  
(2) ALMACANTAR CENTRE POINT NOMINEE NO.2 LIMITED**

**Claimants**

**– and –**

**(1) ALEXANDER FARRELL  
(2) [REDACTED]  
(3) OWEN REECE (AKA "TRIKKSTAR")  
(4) HARRY DAVIES  
(5) PERSONS UNKNOWN ENTERING OR REMAINING ON THE EXTERNAL  
ROOFS OR STRUCTURES (EXCLUDING BALCONIES) OF CENTRE POINT (AS  
DESCRIBED IN PARAGRAPHS 2-4 OF THE PARTICULARS OF CLAIM)  
WITHOUT THE CLAIMANTS' PERMISSION  
(6) PERSONS UNKNOWN ENTERING OR REMAINING AT CENTRE POINT (AS  
DESCRIBED IN PARAGRAPHS 2-4 OF THE PARTICULARS OF CLAIM) WITH THE  
INTENTION OF GAINING ACCESS TO THE ROOFS OR EXTERNAL STRUCTURES  
(EXCLUDING BALCONIES) AT CENTRE POINT WITHOUT THE CLAIMANTS'  
PERMISSION**

**Defendants**

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**SECOND WITNESS STATEMENT OF**

**PHILIP KEITH SPENCER**

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**I, PHILIP KEITH SPENCER** of Bryan Cave Leighton Paisner LLP, Governor's House, 5 Laurence Pountney Hill, London EC4R 0BR, **will say as follows:**

1 I am a solicitor of the Senior Courts and an assistant solicitor practising at Bryan Cave Leighton Paisner LLP ("**BCLP**"). I am instructed on behalf of the Claimants and have conduct of this matter subject to the supervision of Akhil Markanday, a partner in BCLP. I am duly authorised to make this witness statement on behalf of the

Claimants.

2 I make this witness statement in support of an application by the Claimants for injunctive relief.

3 Except where I state to the contrary (in which case I give the source of information upon which I rely) I am able to state the matters in this witness statement from my own knowledge.

4 Where facts and matters referred to in this statement are not within my own knowledge they are based on instructions, documents and information supplied to me in my capacity as solicitor for the Claimants and are true to the best of my knowledge and belief.

5 I refer to a paginated bundle of documents, attached as Exhibit "PKS2" (with pagination bottom centre); where it is necessary to refer to a document, I shall refer to the document by its date and page number within Exhibit "PKS2".

6 I have prepared this witness statement myself.

7 The material background to the present claim is set out in detail in the Particulars of Claim.

### **BACKGROUND**

8 On 3 October 2022, I filed my First Witness Statement in support of the Claimants' claim. After that statement had been filed, further correspondence was received from [REDACTED] the Second Defendant.

9 [REDACTED] is not legally represented but shared with me various documents [REDACTED] wished to place before the Court to support the request that [REDACTED] should be removed as a named Defendant. It should be clear from the Claimants' skeleton argument dated 4 October 2022 that the Claimants agree with this request.

10 Given the hearing in this case is set for tomorrow, 5 October 2022, and given the difficulties [REDACTED] may have in filing [REDACTED] documents, I believe it would assist the Court if I make this additional witness statement as a means of exhibiting the correspondence and documents in question.

### **CORRESPONDENCE AND DOCUMENTS**

11 Various emails have been exchanged with [REDACTED] most recently on the

morning of the date of this statement [3].

12 On the evening of 3 October 2022, [REDACTED] sent me an email containing links to several Google Docs files [10].

13 I was able to retrieve these files, consisting of:

- (a) First Witness Statement of [REDACTED] [11];
- (b) Exhibit [REDACTED] to the First Witness Statement of [REDACTED] [14];
- (c) First Witness Statement of [REDACTED] [36];
- (d) First Witness Statement of [REDACTED] [37]; and
- (e) Character Reference [38].

#### **COMMENT ON SERVICE**

14 At paragraph 18 of the First Witness Statement of [REDACTED] [13], [REDACTED] notes that documents could have been provided to [REDACTED] email address not via Instagram. [REDACTED] refers to page 137 of the Hearing Bundle (part of Exhibit JDW1) which contains the research by the Claimants' security team into the identities of the named Defendants and lists [REDACTED] email address as [REDACTED]

15 The Claimants acknowledge that [REDACTED] is correct on this point. This was overlooked during the process of trying to find a consistent method of contacting all named Defendants where each person had slightly different accounts, save for Instagram which was the common platform between them.

16 The Claimants note email addresses for the other named Defendants are not, at the present time, available to them in the same way (see pages 136, 138 and 139 of the Hearing Bundle).

## **CONCLUSION**

- 17 The Claimants hope this short witness statement and exhibit will assist the Court in understanding the submission the Claimants intend to advance that the Second Defendant be removed from the claim.

## **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.

A handwritten signature in blue ink, appearing to read 'Philip Keith Spencer', is written over a horizontal dotted line.

**Philip Keith Spencer**

4 October 2022



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**SECOND WITNESS STATEMENT OF  
PHILIP KEITH SPENCER**

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