Donovan Campaign Against Shell

ISSUE DESCRIPTION

Alfred Donovan and his son John, long-time critics of Shell because of a dispute over a marketing promotion in the UK many years ago, run a website http://royaldutchshellplc.com that is critical of the Shell Group, and which they wanted 'to become a magnet for people who had a problem with the company'. They also are the main drivers of a Wikipedia site 'Controversies surrounding Royal Dutch Shell'.

Over the past year the Donovans have: claimed that they provided the Russian government with Sakhalin II documentation which was subsequently used against Shell; criticised Shell's Safety Record, most specifically related to North Sea safety and allegations made by [ ]; supported [ ], an ex-employee of Shell Malaysia who, the Donovans claim, was unfairly sacked; and reported that a number of Shell insiders provide them with information on company activities. They have recently been publishing large amounts of information relating to the reserves litigation which have already been posted by the US Court service on its Internet site and accordingly are already in the public domain.

The Donovans recently obtained a large amount of information from Shell under the UK Data Protection Act; one email was subsequently the basis for an article in the *Daily Mail* newspaper.

KEY MESSAGES

- We are familiar with the activities of Messrs Alfred and John Donovan, who are longstanding critics of Shell.
- Although Shell disagrees fundamentally with the factual basis and interpretation of much of the information on which the Donovans base their various allegations, the company has always refrained from commenting on specific issues raised by the Donovans and will continue to do so [*except in the most exceptional of circumstances, such as where the Donovans intended engaging in speculation*].

SUPPORTING STATEMENTS

- Shell went well beyond the strict call of duty in ensuring that Mr Donovan's claims were fully investigated and more than fully settled many years ago. It is therefore disappointing that the Donovans continue their long-running and acrimonious campaign against Shell on a wide range of subjects.

BRIDGING

Did you avoid disclosing certain information to the Donovans in response to their Data Protection Act requests?

We complied fully with the Data Protection Act request while making legitimate use of the ability under the Act to withhold information in certain limited circumstances, for example where it is legally privileged or to protect the identities of third parties.

We also informed the RDSplc website that we do not use codewords in internal documents relating to their activities.

Is there any communication between Shell and the Donovans?

There has been some communication relating to legal matters/issues *[the only approved Shell contacts are* . However, we do not comment on specific issues raised by the Donovans. Our legal position, as conveyed to the RDSplc website, is: "The lack of a rebuttal from, or comment by, Shell does not in any way constitute an acceptance on Shell's part of the accuracy of any of the points made by you whether now or in the future, and whether on this or on any other matter, and we continue to reserve our position accordingly in respect of those matters."

Why do you not comment on the specific issues raises by the Donovans?

We have found that attempts on our part to have a constructive debate have been unproductive, as their sole objective is to criticise Shell. They will portray any information provided to them in the most negative light possible or draw inferences from it which are outside its natural meaning. This should hopefully be clear to anyone accessing the site. Mr (John) Donovan, in an unofficial transcript of an interview on Radio Essex 11 October 2007 posted on their website, makes clear that he spends much of every day on the site: as he says, "other people might call it an obsession".

Why do you not sue the Donovans for libel?

Ever since the "McLibel" case, any large corporation suing an individual is likely to lose reputationally by being perceived to be a bully, however justified a legal claim would be. Accordingly, while we do not exclude this as a possibility, this is an approach to be adopted only after the most careful consideration.