

Dear Mr Ruddock

Re: My email dated 19 February 2007.

We had wanted Shell to have the opportunity to comment on a draft article based on information from documents in our possession and were prepared to take into account in a final draft, any comments made by Shell, particularly in relation to factual accuracy.

To give you some idea of the content, the following are extracts from the current comprehensive draft which contains devastating allegations and commentary about Shell and its senior management: -

- Campbell says that Shell's Chief Internal Auditor, Jakob Stausholm, admitted to him in a taped telephone conversation that the allegations made by Shell against Campbell in the releases were known by him (Stausholm) to be "*false and misleading*".
- Stausholm also clearly stated in the recorded conversation from June 2004 that the EP internal communiqué did not take into account factual evidence from his investigation report. The evidence was ignored as a conscious decision to strengthen the rebuttal to allegations attributed to Campbell in an article published by UpstreamOnline. Stausholm accepted that this had the secondary effect of punishing Campbell.
- In the same taped conversation, Stausholm disassociated himself and his colleague, Richard Sykes, the EP Group Environmental Advisor, from the formation of the wording in the press release and EP internal communiqué.
- Missing files: Campbell says that files held in the Internal Audit department in Aberdeen and at the EPS-HE library in The Hague relating to the PSMR disappeared. Related records of interviews with senior Brent Bravo management when important admittances were made had also conveniently disappeared. The same applied to logbooks, maintenance records, statements by inspectors etc.
- That contrary to Shell press statements no audit was carried out on Brent Bravo in 2000.
- **Jeroen van der Veer has sent a Letter of Censure to Brinded.** It concluded that Brinded was wrong to dismiss Campbell as SIEP Lead Auditor. Brinded was also required to apologise personally to PSMR team members. A note to be issued by Brinded to EP staff and audit

professionals was drafted. The tone implied that Brinded was on first name terms with "Bill". In fact they had not spoken for a decade.

Kieron McFayden admitted at a meeting with Campbell in the presence of a witness, David Richmond (a retired Shell platform manager), that when he learned about the "touch fuck all" policy, he was **"thoroughly ashamed"**.

Campbell says: *"I have been thoroughly sickened by the whole process that a Company with such published principles and standards can lie, cheat, falsify and corrupt and defame the character of a respected employee who has been commended various times throughout his long career."*

Campbell has continued to publicly campaign about the alleged disregard for safety out of concern that unless past wrongdoing is exposed and culprits punished, another major accident is inevitable and that more preventable deaths will be the outcome.

Since we have not even received the courtesy of an acknowledgement, it seems reasonable to conclude that Shell is not interested in the offer. Consequently, unless we hear from you by 2pm UK time today we will assume that Shell does not wish to take up the offer and will not bother Shell further on the matter.

While writing, I would also like to draw your attention to the following article.

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<<http://royaldutchshellplc.com/2007/02/20/shellnewsnet-update-on-lawsuits-against-royal-dutch-shell/>>

No doubt Shell will let us know if it disputes what we say in this article.

Regards

John Donovan

Ruddock, Keith KA SI-LSEP

From: John Donovan [john@shellnews.net]
Sent: 20 February 2007 16:21
To: Ruddock, Keith KA SI-LSEP
Cc: Ollila, Jorma SI-RDS/CH; van der Veer, Jeroen J RDS-CEJV; Brinded, Malcolm A RDS-ECMB; Wiseman, Richard RM SI-LMAPF
Subject: RE: Brent Bravo Scandal

Dear Mr Ruddock

I acknowledge receipt of your email. As it happens, publication is no longer imminent. A UK national newspaper has expressed an interest in the story. We have already supplied them with the draft article and will forward on the documents received from our source. There will likely be a brief respite while the newspaper in question speaks to our sources and also tries to make contact with Mr Campbell to verify facts. No doubt they will also get into contact with Shell if a story is to be published this weekend. Otherwise we will publish.

I note that you took no issue with the statement about Shell's acknowledgement of our freedom to publish candid articles about Shell on the Internet.

Coincidentally we have also been in correspondence with a well known Russian newspaper who approached us today about the prospect of publishing an article about our involvement in the Sakhalin-2 debacle.

We manage to keep busy.

Regards

John Donovan

From: keith.ruddock@shell.com [mailto:keith.ruddock@shell.com]
Sent: 20 February 2007 13:31
To: john@shellnews.net
Subject: RE: Brent Bravo Scandal

Dear Mr Donovan

We disagree fundamentally with the factual basis and interpretation of the material you have produced but believe that no useful purpose would be achieved by engaging in a detailed rebuttal. We continue to expressly reserve our position in respect of these matters.

Regards

Keith Ruddock

Keith Ruddock
General Counsel Exploration and Production
Shell International Exploration and Production B.V.
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Tel: +31 70 447 4323 Fax: 4380 Email: Keith.Ruddock@shell.com
Internet: <http://www.shell.com/>

-----Original Message-----

From: John Donovan [mailto:john@shellnews.net]

Sent: 20 February 2007 10:17

To: Ruddock, Keith KA SI-LSEP

Cc: van der Veer, Jeroen J RDS-CEJV; Brinded, Malcolm A RDS-ECMB; Ollila, Jorma SI-RDS/CH; Wiseman, Richard RM SI-LMAPF

Subject: Brent Bravo Scandal

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· Missing files: Campbell says that files held in the Internal Audit department in Aberdeen and at the EPS-HE library in The Hague relating to the PSMR disappeared. Related records of interviews with senior Brent Bravo management when important admittances were made had also conveniently disappeared. The same applied to logbooks, maintenance records, statements by inspectors etc.

· That contrary to Shell press statements no audit was carried out on Brent Bravo in 2000.

· **Jeroen van der Veer has sent a Letter of Censure to Brinded.** It concluded that Brinded was wrong to dismiss Campbell as SIEP Lead Auditor. Brinded was also required to apologise personally to PSMR team members. A note to be issued by Brinded to EP staff and audit professionals was drafted. The tone implied that Brinded was on first name terms with "Bill". In fact they had not spoken for a decade.

· Kieron McFayden admitted at a meeting with Campbell in the presence of a witness, David Richmond (a retired Shell platform manager), that when he learned about the "touch fuck all" policy, he was **"thoroughly ashamed"**.

· **Campbell says: "I have been thoroughly sickened by the whole process that a Company with such published principles and standards can lie, cheat, falsify and corrupt and defame the character of a respected employee who has been commended various times throughout his long career."**

Campbell has continued to publicly campaign about the alleged disregard for safety out of concern that unless past wrongdoing is exposed and culprits punished, another major accident is inevitable and that more preventable deaths will be the outcome.

Since we have not even received the courtesy of an acknowledgement, it seems reasonable to conclude that Shell is not interested in the offer. Consequently, unless we hear from you by

2pm UK time today we will assume that Shell does not wish to take up the offer and will not bother Shell further on the matter.

While writing, I would also like to draw your attention to the following article.

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No doubt Shell will let us know if it disputes what we say in this article.

Regards

John Donovan

Ruddock, Keith KA SI-LSEP

From: Ruddock, Keith KA SI-LSEP
Sent: 27 February 2007 12:31
To: 'John Donovan'
Cc: van der Veer, Jeroen J RDS-CEJV; Brinded, Malcolm A RDS-ECMB; Ollila, Jorma SI-RDS/CH; Wiseman, Richard RM SI-LMAPF; Brandjes, Michiel CM RDS-LC
Subject: RE: Brent Bravo and Mr Bill Campbell

Dear Mr Donovan,

In your email to me of 20th February, 2007, you stated, inter alia, that:

"Jeroen van der Veer has sent a Letter of Censure to Brinded. It concluded that Brinded was wrong to dismiss Campbell as SIEP Lead Auditor. Brinded was also required to apologise personally to PSMR team members. A note to be issued by Brinded to EP staff and audit professionals was drafted. The tone implied that Brinded was on first name terms with "Bill". In fact they had not spoken for a decade."

In response I can confirm that there was no letter or other communication from Mr van der Veer concluding or indicating that Mr Brinded had been wrong to dismiss Mr Campbell as SIEP Lead Auditor. Equally, when Mr Brinded spoke to the Shell members of the PSMR team at the end of last year, he did so entirely of his own volition. No one instructed him to do so. The proposed statement to EP staff was being prepared by Shell in joint consultation with Mr Campbell, as an attempt to find a mutually acceptable way forward with him - at the same time taking this as another opportunity to re-stress critical safety messages internally, and associating Mr Campbell with them positively. The contents of that proposed statement were discussed at some length with Mr Campbell, and the more familiar use of "Bill" was intended to make the tone more engaging for staff - especially as this was how Mr Campbell was known by former colleagues, including by Mr Brinded - and not to imply that Mr Campbell had been in direct contact with Mr Brinded in recent years.

Accordingly, I do not believe that there is any basis for you including reference to any such purported communication in your article.

Yours sincerely,

Keith Ruddock

Keith Ruddock
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-----Original Message-----

From: John Donovan [mailto:john@shellnews.net]
Sent: 27 February 2007 09:45
To: Ruddock, Keith KA SI-LSEP
Cc: van der Veer, Jeroen J RDS-CEJV; Brinded, Malcolm A RDS-ECMB; Ollila, Jorma SI-RDS/CH; Wiseman, Richard RM SI-LMAPF
Subject: RE: Brent Bravo and Mr Bill Campbell

Dear Mr Ruddock

We note the usual blanket denial.

We are however publishing an article today which includes reference to a Letter of Censure involving Mr Jeroen van der Veer and Mr Malcolm Brinded. This is obviously an important matter in its own right.

If you are able to categorically state that there is no substance whatsoever to any such letter or communication, then we will remove all reference to it.

The article will be published this afternoon.

Regards

John Donovan

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[Handwritten signature]

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Ruddock, Keith KA SI-LSEP

From: John Donovan [john@shellnews.net]
Sent: 27 February 2007 15:05
To: Ruddock, Keith KA SI-LSEP
Cc: van der Veer, Jeroen J RDS-CEJV; Brinded, Malcolm A RDS-ECMB; Ollila, Jorma SI-RDS/CH; Brandjes, Michiel CM RDS-LC; Wiseman, Richard RM SI-LMAPF
Subject: RE: Brent Bravo and Mr Bill Campbell

Dear Mr Ruddock

I am grateful for your response. We will not publish this story until we have considered your response carefully and we will certainly take into account the information you have kindly provided. We may seek further clarification from you on the same issue after checking with our sources and information already in our possession.

In this connection, it might be helpful for you to see one of the three documents recently supplied to us by a source (not Bill Campbell). The Making of Amends document (printed below) is the main reference source for our draft article. I may be able to let you have sight of the other documents which run to over a hundred pages if you would like to see them prior to publication (we will be publishing all three documents).

We would ideally like Shell to have a proper opportunity to clarify, rebut, or correct any such information, particularly if you are able to do so on a categorical basis. We are prepared to delay publication to this end.

An indication of the importance of this matter can be gauged from the fact that you have now included Michiel Brandjes in the correspondence. We realised the significance of the story immediately we received the documents and want to deal it on a responsible basis. Hence our approach to Shell in the first place.

Regards

John Donovan

DOCUMENT STARTS...

Proposed Defamation Proceedings

The Making of Amends

In reaction to general press releases issued by Shell and to the internal communications to EP staff in June 2006 I notified Jeroen van der Veer, the CEO of Shell that it was my intention of taking Shell to Court for defamation of character

Why did you do this?

The EP Crisis team issued the following communiqué in June 2006 to the worldwide EP population. The communiqué is false and misleading to the point of being deceitful, with statements considered by me to be defamatory. In addition newspapers were given disclaimers known to me to be also false and misleading, some examples

My claim that Brent Bravo in 1999, and a significant number of other North Sea offshore installations were operating in 2003 at that time with high risk levels was met with robust rebuttal from Shell quote the allegations regarding operating with high risk levels is untrue, and we absolutely refute this unquote

The CEO issued statements internally and carried up by the press that in 1999 there was no verified evidence of falsification of maintenance records

In response to questions from media sources * that in 1999 senior managers allowed a goal widening approach to extend Safety Critical Equipment performance criteria for ESD valves and deluge systems with no prior approval or assessment of risk Shell state quote That this is simply not true unquote

* Rebuttal from Stuart Bruseth, Head of Global Media Relations – Shell International to journalists

Why do you think these press statements are defamatory?

Shell Legal Counsel as part of the mediation process which I cover below state that it was never the intention of Shell to defame my character, and lack of intention is a defense against defamation in Law. It will be up to a judge and jury to determine this, but in simple terms if you accuse someone of not telling the truth then you are effectively calling them a liar. Anyway, in the electronic attached document 'Progress with Safety' I cover these examples in detail.

Why do you think the EP Communiqué is defamatory?

Because of some of its content, quote you may be aware that the Upstream magazine published an article making a number of very serious allegations against Shell in its operation of the Brent field and, very personal, and completely unjustified, attacks on current and former members of Shell's staff and management. Shell strongly refutes these allegations. Safety is Shell's foremost priority at all times and we absolutely reject any suggestion that we would compromise safety offshore.

In 1999, Shell initiated the Platform Safety Management Review, in which Campbell was asked to participate, and responded vigorously to its findings.

A follow up implementation audit conducted at the end of 2000 confirmed significant progress had been made on both asset integrity and management systems.

This contributed to the continuous improvement in Shell's safety performance that has been achieved since 1999 in the North Sea.

In late 2004, Mr. Campbell made allegations to Shell about his perception of a lack of follow-up to the PSMR. Shell took his claims very seriously and a thorough investigation concluded

*his perception was not supported by the evidence, and

*neither was the serious allegations concerning individuals

We are currently reviewing our legal position and reserve all our rights in respect of resorting to legal action to protect our reputation and that of our current and former staff. Safety is, and will remain our first priority at all times unquote

What action did you take in response to the EP and press releases?

On the 23rd September I wrote to the CEO and copied to Greg Hill who is understood to have been the leader of the EP Crisis team directly responsible for the transmission of communiqué.

See below extract of letter to Jeroen van der Veer

I informed Jakob Stausholm that his unexpected call to me, at the time of the newspaper articles being released in June, **had been accidentally recorded**.

In this conversation, where he repeatedly asks what can be done to bring an end to these matters etc I reiterate to him the true account of his investigation findings.

He does not on the taped conversation refute any of this and quickly disassociates himself from the EP crisis team media releases and internal memos to staff. He says 'it was done without his input', he 'was not involved', thus excusing himself and Richard Sykes from the formation of the wording of the releases. It appears they were simply told to sit on the sidelines and not get involved.

All this is very damaging since here we have your Chief Internal Auditor, and leader of the internal investigation, essentially agreeing that the releases are known by him to be false and misleading, I offered to send him the tape recording, but to date that offer has been declined. You now are personally involved since your reply to me on the maintenance records falsification issue* is post the notification and warning to Stausholm not to perjure himself because this tape existed.

There are two roads ahead, either

you, and others will be required to give testimony before a Judge and Jury at Edinburgh Court of Sessions in a defamation hearing where this recorded evidence and some 154 pages of copied data, internal memos and reports will be presented to support my case, or you

can compromise by discussing another way ahead.

I have no stomach for putting good people like Merry, Madden, Mutimer and many others into court to testify (as they surely will) against their employer.

In a later telephone conversation with Keith Mutimer, who had been asked to contact me by Greg Hill, Mutimer requested if I would sit down with Hill to bring an end to all this.

Keith Mutimer informed me that he together with Madden and Merry had discussed the press releases with Hill. They had indicated clearly (as they did I understand in 2005 when interviewed

[REDACTED]

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by Stausholm & Sykes), that they supported my claims, including that maintenance records etc were falsified etc, (because it was essentially their audit findings also). They pointed out to Hill that the EP press and internal releases brought their character into question also.

I have been thoroughly sickened by the whole process that a Company with such published principles and standards can lie, cheat, falsify and corrupt and defame the character of a respected employee who has been commended various times throughout his long career.

When challenged by me in a note directed to him that indeed maintenance records had been falsified the CEO got personally involved by replying that there was no verified evidence of this.

Thus you have the CEO, perched at the pinnacle of the organization, with oversight over the Company, the Rule Maker if you like, in denial of an audit report produced as part of his own Company business controls framework. That is what the 1999 PSMR audit findings stated, that is what also is stated in the briefing note from the Shell Expro Internal Audit Manager to the Oil and Gas Director on 20th and 22nd October 1999.

Is the CEO really saying that his loyal and dedicated current employees Hoskins, Mutimer, Merry and Madden, and his retired Audit Manager Gerbrand Moeyes are lying. Is that what he is saying?

We don't live under the third Reich or in some totalitarian banana republic where history can be airbrushed out of existence, so although the truth may be unpalatable to the CEO, and his Executive Director it will not go away. His actions are reminiscent of the Phil and Walter affair, where the latter wanted an internal report buried out of sight, because it was dynamite, nothing seems to have changed at the top, where non-compliance rules ok.

What was the reaction of the CEO?

He instructed his legal counsel to commence an arbitration or mediation process with me to reach a compromise without me reverting to legal action, what the legal people call 'making amends' to reach a situation acceptable to both parties. This mediation process commenced in September/November last year and the EP Legal Counsel Keith Ruddock contacted me. We have met twice near my home.

What can be reasonably inferred by this decision by the CEO?

That there was a case to answer and it was in his interest, and Shell's interest to reach a compromise rather than going to law. I think the readers can agree you do not enter into a

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mediation process voluntarily to make amends to a person claiming defamation if you are innocent of that defamation, after all I am supposed to have made unjustified attacks on employees past and present. Would you deal with someone who did that?

What were the implications of your conversation with Stausholm?

Jakob, in the post oil reserves debacle era had a key role as EP Chief Internal Auditor in a Company which was said by him, and supported by public statements, to have strengthened its business controls framework significantly.

He had a role in the new governance and controls regime to investigate any claims of impropriety against Shell executives. Thus he, assisted for a time by Richard Sykes, the EP Group Environmental Advisor, carried out an investigation into the followed up from the 1999 PSMR audit.

What Jakob clearly and unambiguously states in the recorded conversation is that the EP communiqué did not take into account the factual evidence from his investigation report. His report was ostensibly ignored. This he implied was a conscious decision to give strong rebuttal to the Upstream magazine outpourings but as a consequence he accepted this had the secondary effect as a punishment against me.

Why would the CEO and the Executive Director subvert their own internal investigation?

I think in the outpourings from Upstream magazine they were taken by surprise and the press releases were robust in extremis to counteract this, a sort of knee jerk reaction. They could not believe the level of denial necessary if they took the investigation findings into account, so they ignored it because the truth was very inconvenient.

Who was responsible for this?

Well the immediate responsibility was the EP Crisis team. However Greg Hill, who is generally well regarded, had in the interview with BBC Scotland agreed that the PSMR follow-up was handled badly and that individuals had falsified maintenance records. So he must have known his press releases were false and misleading but I can only assume, like Stausholm & Sykes, he was instructed to toe the line in the common good.

The coercion to do this must lie with the Executive Director and/or the CEO or both, these officials having oversight over the process. I am in no doubt that Hill, Stausholm and Sykes were complicit

in this cover-up but I bear them no malice, as obedient officers, I assume they were responding to the commands of their generals.

What does this mean with reference to enhanced business controls framework post the oil reserves debacle?

24 months or less after the oil reserves debacle, we are again witnessing the purposeful act of Shell deceiving their employees, stakeholders and Society as a whole. As in 2004, when the truth is inconvenient to your chief executives, they simply corrupt their own oversight processes by subversion of their own internal investigation report.

The published improvements in the business controls framework, the increased involvement of the non-executives, the role of the Chief Internal Auditor, the golden rules, the modification of the SGBP to include a clause on compliance have all been demonstrated to have been a waste of time and effort.

The only difference between the reserves debacle, and the Brent Bravo scandal, is the latter is not about commercial ethics, it's about the unlawful killing of two young men, and hiding from public scrutiny, the culpability of the then Shell Expro Directors in those deaths.

What then was the true account of the Stausholm/Sykes investigation?

The investigation found no evidence that the short term measures in 1999 recommended to immediately reduce risk on Brent Bravo were ever carried out - The investigation found that the long term actions to reverse the negative safety culture were truncated when only 20% complete

The investigation reported that in general the members of the PSMR team interviewed were supportive of me and corroborated in great measure what I alleged, and, like me had this abiding sense of failure, abject failure, that our attempt in 1999 to get Directors of Shell to accept the validity of their own internal audit findings was unsuccessful

That the Oil Director Chris Finlayson has never answered the charge of why he did not revoke his misleading remarks to media, workforce and HSE re the Touch Fuck All instruction and it appears he only reluctantly accepted the findings in 1999 'to prevent a bun fight between Auditors and the Brent team'

That the decision of Malcolm Brinded to keep the Brent Asset Manager in position because he was concerned about his mental wellbeing was described by Richard Sykes as 'astonishing' and

'inexplicable', no explanation was given why he did not consider the position of the General Manager, and Deputy Asset Manager

That Peter Wyatt, in 1999 the HSE Manager in Shell Expro could not remember in 2005 the contents and discussion of a prolonged meeting at which he arbitrated between the audit team and the Brent General Manager. At that meeting the Deputy Asset Manager admitted, amongst many other things, that ESDV leak-off tests had been purposely falsified. Richard Sykes stated he was 'disappointed' by Peter Wyatt during his interview with him. My assumption was that he considered Peter was being economic with the truth rather than suffering from amnesia.

That Malcolm Brinded's decision to dismiss the SIEP Lead Auditor was because the Brent Management team would not be perceptive to his continued involvement in the audit follow-up and remedial action planning – but that this decision had never been communicated to the Lead Auditor at the time, or since

That the General Manager of Brent refused to attend the 22nd October meeting although he knew most of the serious findings were coming his way. Despite my plea to the Oil Director to postpone the meeting, in line with Shell Group audit principles (that is not to discuss the findings of an audit without the principal auditee being present), the meeting went ahead

That almost no files were now available in UEFA (Internal Audit) department in Aberdeen related to PS MR, they had gone unexplainably missing

That the PS MR files held by EPS-HE library in the Hague had to be replaced in 2003 by me as they had also gone missing

That contrary to recent Shell press statements, no audit was carried out on Brent Bravo in 2000, but on Brent Charlie. Richard Sykes discussed his disappointment in that fact as the Brent Charlie audit did not throw much light on whether, or whether not, improvements had been made post the PS MR findings

Was the CEO fully aware of these findings?

At the meeting on 25th July, 2005 with the CEO and the senior EP legal counsel all the above was discussed. Legal counsel had not prepared a summary of the investigation and would not discuss the findings with me, or say what impact these findings may have. He indicated when he had completed a summary that this would be presented to the CEO. Some months later Stausholm informed me that the CEO had written to Malcolm Brinded (I understood this to be a letter of censure) covering at least two points, namely

That

1. Shell Expro should have completed the immediate actions to reduce risks on Brent Bravo as recommended to management on 22nd October 1999 , and

2. That Malcolm Brinded should not have dismissed the SIEP Lead Auditor. If he had concerns with the PSMR findings, or the role of the Lead Auditor, or the singular recommendation by the Lead Auditor to suspend from duty the Brent Management team, he should have discussed these with him as a minimum explaining the rational behind his decision

In the mediation with Shell what terms of settlement did you indicate would be satisfactory to stop defamation proceedings?

My terms for settlement put to Shell EP legal Counsel was in four parts – not particularly onerous and not putting Shell at unacceptable risk

Shell EP would issue a statement to the same audience as the EP communiqué. This statement would demonstrate in some part atonement and apology – this is the draft Note from Malcolm Brinded in the Appendix

As a condition of settlement Malcolm Brinded was to apologize personally to the PSMR team members Liz Hoskins, John Madden, Ken Merry (the Deputy Lead Auditor) and Keith Mutimer

Shell were to apologize to the enforcing authority (the HSE) for the failure in 1999 of the Oil Director Chris Finlayson to retract the statement given to the HSE on 9th September 1999 with reference to the so called, touch fuck all instruction

Shell was to make reparations with their workforce for their failure to notify the workforce on Brent Bravo in 1999 of the unacceptable risks on that platform at that time. This failure to notify the workforce was repeated in 2003 when chronic weaknesses were highlighted by the post fatality Technical Integrity Review team on 14 other offshore installations and reparations were requested here also

What progress has been made to date?

With reference to part (1)

The process with the Malcolm Brinded statement (see Appendix) was going reasonably well, although it was 'soft' and to a great degree let Shell 'off the Hook' I was prepared to accept this as the only realistic outcome. I did not expect Shell to prejudice themselves by making a stronger statement, for example that there were 'significant shortcomings'. This would have been my preferred wording.

Unfortunately to date, the mediators in the process, Kieron McFadyen and the Shell EP legal counsel Keith Ruddock, have been unable to get Shell to agree on the final wording of the statement. The process has been dragging on and I indicated to Shell that if we could not get agreement by 26th January I would withdraw from the settlement process. The stumbling block is based on one word (shortcomings). It would appear that Malcolm Brinded could not stomach this mild rebuke.

I got an update from Keith Ruddock on 26th January where Shell want to replace the sentence containing shortcomings with the following quote I also recognize that though follow up to the 1999 PSMR was vigorously pursued at the time, I am sure there are areas where, with the benefit of hindsight, we could have done better unquote.

What was your reaction to this Proposed change?

I am afraid I cannot accept this. It appears to me evidence of continuing denial. The reality is that the PSMR was not vigorously pursued. What vigor was expended was wasted energy, as it was ineffective.

In the electronic attachment in the form of PowerPoint I tell something of the story questioning whether there was Progress with Safety, or whether this progress was illusionary, a fable worthy Hans Christian Andersen at his best.

It's up to others to judge, just look at the facts

Have Shell explained why they want to remove 'shortcomings'?

To soften the message, a form of wordsmithing, a skill in which Shell are world class. Legal counsel has explained why Malcolm Brinded wants to drop the word shortcomings quote on the follow up to the PSMR, I think that the reference to "shortcomings" may cause concerns as it is not clear whether these were major failings or small oversights but as it concerns safety it is nonetheless a statement which will raise questions and would be picked up by the press and could re-open the whole debate unquote

[REDACTED]

From: [REDACTED]
Sent: 13 June 2007 09:57
To: [REDACTED]
Cc: [REDACTED]
Subject: Posting on Donovan Website

I just wanted to make you aware of the following posting today on the Donovan website:

[REDACTED] comments on former Royal Dutch Shell Group Auditor, [REDACTED]
<[http://royaldutchshellplc.com/2007/06/12/\[REDACTED\]-comments-on-former-royal-dutch-shell-group-auditor-\[REDACTED\]](http://royaldutchshellplc.com/2007/06/12/[REDACTED]-comments-on-former-royal-dutch-shell-group-auditor-[REDACTED])>

Posted by Royal Dutch Shell Plc.com at June 12th, 2007

June 12th, 2007 07:55

Comment by [REDACTED] on the article...

The Wall Street Journal: Shell's Safety Record is Worse than BP's
<<http://royaldutchshellplc.com/2007/03/21/the-wall-street-journal-shell%E2%80%99s-safety-record-is-worse-than-bp%E2%80%99s/>>

Dear Mr John Donovan,

I am pleased that Shell accepted liability for the deaths of the two men on Brent Bravo. I can remember that night, like it was yesterday. In fact I can remember it vividly!

The Shell Management of the platform were culpable in every way, why some people may ask? Well, they were in charge of the site. However, employees also have a responsibility, not just to the employers, but, to their families and their co-workers. What makes a qualified technician, with many years experience in the installation, carry out a task which the management did not know about? Did he have a permit? Did he carry out activities as per the procedures he WAS trained in? Did he remove himself from the area as per evacuation procedures he WAS trained in?

Perhaps he did. Read the court transcripts and the HSE report properly.

Yes Shell has cut its maintenance budgets in recent years. Yes, I know of contract staff falsifying records. Was it reported, yes it was, verbally.

Did one of the deceased technicians carry out a task several years before and cause a gas release?

Was he reprimanded?

How did it happen again?

The next time you carry out a task at home, or employ a tradesman to carry out a task, ask yourself this question: Am I qualified to do this, do I know the law? Are my contractors qualified?

[REDACTED]

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Comment by [REDACTED] on the article...

Upstreamonline: From the start of his working life to retirement from Shell, [REDACTED] was a safe pair of hands <[http://royaldutchshellplc.com/2006/06/19/upstreamonline-from-the-start-of-his-working-life-to-retirement-from-shell-\[REDACTED\]-was-a-safe-pair-of-hands/](http://royaldutchshellplc.com/2006/06/19/upstreamonline-from-the-start-of-his-working-life-to-retirement-from-shell-[REDACTED]-was-a-safe-pair-of-hands/)>

June 12th, 2007 09:03

[REDACTED] subsequently became Shell Expro's head of production operations and maintenance strategy from 1993 to 1996, responsible as head of a department that set the standards of competence for essential training and emergency response.

Mmmmmmmmm.....I went Offshore for the first time in 1993 for Shell. Thanks for the legacy [REDACTED]. Your strategy led to all the maintenance changes which happened since then.

Were you not involved in the Maintenance and Engineering Integrated Services Contract, which basically removed Shell from responsibility of maintenance and put it in charge of garage mechanics?

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Internet: <http://www.shell.com>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 13 March 2007 08:27
To: [REDACTED]

Subject: RE: Upstream content

All

FYI, in case not seen from elsewhere, pasted in below is an article from the Donovan site published late yesterday, on safety - with "an insider" giving fatality figures for 2006 and for Jan Feb this year....

Regards

Alfred Donovan and John Donovan

We recently published an article focused on corrupted safety practices at Shell which resulted in the unlawful deaths of Shell workers: -

The Brent Bravo Scandal Returns to Haunt Royal Dutch Shell
(AKA Shell CEO Jeroen van der Veer issues Letter of Censure to Malcolm Brinded, Executive Director of Shell EP)

<<http://www.mondaq.com/article.asp?articleid=46640&searchresults=1>>

After we brought matters to their attention, The Guardian newspaper published a related article on 5 March.

"Shell safety record in North Sea takes a hammering"

<<http://business.guardian.co.uk/story/0,,2026499,00.html?gusrc=rss&feed=24>>

Confidential information leaked to us the following day, Tuesday 6 March 2007, by a Shell insider must be a cause of significant further concern if the fatality figures quoted are correct.

Reminder of what the Shell insider said...

"... there were a total of 29 fatalities in Shell's operations in 2006. There have been 9 fatalities during January and February 2007."

"throughout Shell those fatality numbers are provoking some serious soul searching – regrettably there are always some fatalities, but these numbers are horrific. There are plenty of people who see a connection between Brinded's and Botts' style of management and the fatalities. Three years ago, Botts promised a 30% increase in production with a 30% reduction in costs by 2007. Instead, there has been a 30% increase in costs with a 30% reduction in production....."

"Shell's other accident/incident statistics (which are easily massaged/unreported) all suggest an improvement in HSE. It is rather harder to massage fatality numbers."

This appears to be further concrete proof that the fears of Bill Campbell, the former Group Auditor of Shell International, about a ruthless Shell senior management which puts production (and profits) before the safety of Shell workers, are well founded.

We have already published our email to Shell General Counsel Keith Ruddock (also sent to Jeroen van der Veer, Malcolm Brinded etc) enquiring about this matter.

<<http://royaldutchshellplc.com/2007/03/08/in-the-pipeline-%e2%80%98horrific%e2%80%99-fatalities-statistics-at->

We never received the courtesy of a response.

This was a comment received from a Shell insider after we sent the email to Ruddock.

Judging from the comment about BBQ in the live chat, I would guess that your emails to Ruddock et al have caused quite a stir, and have been circulated widely around Shell.

There are probably a few "headless chickens" running around the Hague at the moment – Even when Nokia was in the logging business, I doubt whether they ever managed to achieve 38 fatalities in 14 months....so this is probably a new dimension for Ollila – and under some jurisdictions he could be held to account.

In 2005, the last year for which we have confirmed Shell safety statistics, there were 36 fatalities. This important information was buried on page 68 of the Shell 2005 report. That fact gives some indication of the low priority given by management to Shell employee's lives and confirms its long standing policy of hiding unpalatable facts from Shell stakeholders.

Systemic safety problem

Shell has not denied or confirmed the quoted fatality statistics for 2006, or the alarming revelation of 9 fatalities in the first two months of 2007. If accurate, these statistics must presumably relate to a series of accidents involving single fatalities since there has been no major incident. If so, that signifies a systemic safety problem rather than a lax or corrupted safety regime at one location, as was the case with Brent Bravo. The further fatal accident on 1 January 2005 at Brent Bravo of another worker, electrician Graeme Burns (who died while carrying out maintenance work) and the deaths of two workers on 31 May 2005, in a water condensate tank explosion at a Shell/NAM gas production facility near Warffum in The Netherlands, provided more evidence of a systemic safety problem.

The following are extracts from a leaked Shell internal email dated 17 July 2006, from Shell Group CEO Jeroen van der Veer containing admissions about Shell's "safety problem".

Let's be perfectly clear. Our safety performance has reached a plateau – and remains below best-in-class in our industry. Our statistics show it. We know it. What does this mean? Are we not trying hard enough, focusing hard enough, or haven't we accepted that we have a problem? I think it is a mixture. All these aspects are probably part and parcel of the safety problem. The solution rests on willpower, behaviour and taking action.

And the world around us sees us as not safe enough.

In the past weeks, there have been media reports focusing on our safety performance in the North Sea, especially the Brent field. Part of the background is a debate around whether we, as a company, acted in sufficient depth and breadth on recommendations made in our own 1999 review of platform safety management. We genuinely believe we did. Nonetheless, there were two tragic deaths on the Brent Bravo in September 2003.

Although a one-billion-dollar improvement programme is underway in our North Sea operations, the debate in the media is likely to continue about whether we have done enough to ensure the technical integrity, safety standards and safety behaviour in that area of operations.

Jeroen van der Veer
Group Chief Executive

As is evident from The Guardian article published on 5 March 2007, nearly nine months later, Shell does not appear to have made any progress despite Van der Veer's confession about a safety problem. Shell management has apparently still not realised that it is deeds, not words, which count.

Extracts from the article "Shell safety record in North Sea takes a hammering"...

As recently as November 13, Shell - one of Britain's largest companies - was served with a rebuke and a legal notice that it was failing to operate safely.

"Shell have failed to implement a suitably resourced maintenance regime to achieve compliance with their maintenance strategy.

"...the HSE website shows Shell was issued with 10 improvement notices during 2006".

Last year, Shell was embarrassed when Bill Campbell, one of its senior safety consultants, claimed the company was operating a weak safety regime and said some employees had been falsifying documents. Shell denied the charges, but Mr Campbell has been threatening the company with a defamation case.

At the time Van der Veer sent his confessional email about lax safety standards, Shell was already engaged in secret discussions with Bill Campbell trying to keep a lid on his extremely serious allegations and warnings.

Shell had acted in a reprehensible way by removing Campbell as lead auditor of the 1999 Brent Bravo Platform Safety Management Review (PSMR) and subsequently issuing malicious defamatory statements about him – a classic example of shooting the messenger. The errant managers responsible for falsifying safety records kept their jobs. Shell threatened defamation proceedings against Campbell when he exposed what had been going on after the unlawful deaths on Brent Bravo in 2003 which resulted in a record breaking fine being imposed on Shell.

As a result of the preventable deaths, there have been calls to change Scottish law so that corporate manslaughter charges could be brought against directors responsible for such crimes. However, no such law was in existence, so Malcolm Brinded, CEO of Shell EP, escaped with a secret Letter of Censure from Van der Veer and no doubt a nice bonus for keeping the profits flowing even though his failure to take proper remedial action cost the lives of two innocent Shell employees.

There are a number of similarities between the cases of Bill Campbell and another famous Shell whistleblower, Dr John Huong. Both had worked for Shell for decades. Both were very fond of Shell and are men of the highest integrity who believed the pledges of honesty, integrity and openness enshrined in Shell's Statement of General Business Principles. Both warned Shell management in writing about serious safety issues putting worker lives at risk. Neither received a satisfactory response. Both appealed directly to Brinded for his intervention. Both were ignored. Both have been shamed, humiliated and subjected to a vilification campaign for being men of high principle and moral conscience. Both were threatened with defamation proceedings. In the case of Dr Huong, eight Shell group companies subsequently issued proceedings against him. It is therefore laughable that Shell has had the audacity to set up a Whistleblowers Helpline given these shocking examples. Who will dare blow the whistle having seen the frightening consequences visited on Bill Campbell and Dr Huong by a vengeful multinational?

Even setting aside the alleged shocking fatality figures for Jan/Feb 2007 which Shell has neither confirmed nor denied, it is evident from the 5 March Guardian newspaper article that contrary to the feigned concern displayed in the leaked Jeroen van der Veer email, Shell's North Sea safety record is continuing to deteriorate. Note that this is 8 years after Bill Campbell's dire warnings arising from the PSMR safety audit which he led.

It is an unfortunate irony that Shell senior employees of high integrity such as Bill Campbell and Dr John Huong were forced out and threatened by these ruthless managerial comen who have little or no regard for the lives of Shell employees. Instead of being charged with manslaughter, as he deserved, Brinded no doubt awaits a knighthood to add to his CBE.

→ "profits before safety" / "Touch Fuck All" corporate mentality isn't a crime, it ought to be.

Subject: Upstream content

Please find enclosed the Upstream content as requested. If you have any problems with the format please feel free to contact me on 0131 656 7200. I am available throughout tonight.

Shell hits a fresh problem at Brent. Troubled field suffers new incident as oil mixes with produced water

By Upstream staff <<mailto:editorial@upstreamonline.com>>

Shell's much-troubled flagship Brent field has suffered a pollution incident with the accidental release of oil-contaminated produced water into the sea beyond the permitted levels from its Brent Charlie platform in the UK northern North Sea.

The company confirmed it had "an oil ingress" into its produced water system on 28 February, causing an oil carry over to sea in its produced water.

"This was a process upset, not an integrity issue. The ingress was quickly stemmed," said Shell in a statement to Upstream.

The UK Department of Trade & Industry (DTI) said there had been a "produced water upset" on Brent Charlie, which means a release beyond the permitted levels of oil-contaminated water over a period of about three days.

"The DTI is now investigating how it happened and there will be meetings onshore and offshore," said a spokesman.

Sources revealed about 42 tonnes (about 313 barrels) of oil had somehow got into the platform's produced water system over a period of time.

It is believed at some point in the past oil had accidentally overflowed from one or two of the storage cells around the base of the concrete legs into the system.

It is understood that a similar problem happened on Brent Charlie about two years ago, which resulted in an extraction system and skimmer being fitted in the utility leg to take the oil out of the produced water.

Shell has started an internal investigation into the incident, which was spotted after an oil sheen appeared beside the platform.

It pointed out that all safety systems were working, and there was no risk to personnel. Production was not shut down.

However, the sources indicated that Shell was now likely to carry out further mitigation measures on the platform's produced water system which are likely to be implemented this year.

This will most likely involve more pumping measures carried out within the platform's utility leg.

It emerged this week that Shell was served with 10 improvement notices relating to its offshore operations last year by the Offshore Division of the government's Health & Safety Executive (HSE) the highest number of any of the UK North Sea's main operators.

An HSE spokesman said the number of safety notices served on Shell reflects the continuing concerns it has had about the company's safety performance offshore.

Two years ago the company was fined a record £900,000 (\$1.74 million) for safety failings that led to a massive gas escape in 2003 in the Brent Bravo utility leg in which two men died.

"The HSE's Offshore Division has been engaged in a number of interventions to examine the company's performance and identify areas for improvement. The company recognises that action is required and has already implemented changes to key safety performance indicators.

"Both HSE and Shell, however, recognise that there is more room for improvement and HSE continues to monitor progress closely. It is too early to say how long this process might take," added the HSE spokesman.

Shell said the notices the HSE refer to have all been closed out and the situations rectified.

"We work continuously, both internally and with the HSE, on our offshore safety performance. We expect the HSE to have appropriate concerns about the safety performance of every offshore operator that is their role as a regulator," the company said.