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William Bennett KC

£

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Defamation

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Wright v McCormack

[2022] EWHC 2068 (QB)

£1

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John Ware v Paddy French

[2022] EWHC 3030 (KB)

£90,000

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24 February 2021, meaning determined (Saini J):

“Mr Ware is a rogue journalist who had engaged in dirty tricks aimed at harming the Labour Party’s chances of winning the General Election by authoring and presenting an edition of Panorama in which he presented a biased and knowingly false presentation of the extent and nature of antisemitism within the party, deliberately ignoring contrary evidence. “

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24 Feb 2021 - statement by PF:

"I remain resolutely committed to defending this action. My legal team believe I have a strong defence . . ."

PF pleaded truth and public interest defences.

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Crowdfunder messages of support:

"Ware is a rogue scumbag, who, along with Zionist, anti-socialist interlopers in the Labour Party, need exposing for the frauds they are."

"Don't let the bastards grind you down! Let's get Ware."

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2022

23 June: Truth defence withdrawn, no apology/acknowledgement of falsity.

26 October: PF stated would not attend the trial

28 October: PF public statement/press release: stymied by Saini J

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136. The Defendant's behaviour in publishing the Press Release and crowdfunding statement has very seriously exacerbated the damage caused to the Claimant, by seeking to ensure that any judgment in his favour would be seen by his publishees as arising from some sort of unwarranted or unfair judicial intervention, as opposed to the reality, namely, that the Defendant had no defence.

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142. . . . not as serious as an accusation of being a terrorist, or organising a contract killing, but in their context they were still extremely serious. . . . The Defendant's conduct was intentionally calculated to harm the Claimant. There was extensive publication running into the many thousands. There are serious aggravating features. Taking matters in the round, I award the Claimant total damages for publication of the Article in all its forms, and for the Defendant's aggravating conduct, of £90 000.

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Lachaux v Independent Print Ltd [2021] EWHC 1797 (QB)

231. Where a defendant is advancing a bona fide defence to the claim, the failure to apologise or publicly to acknowledge the falsity of the allegations may not be an aggravating factor, but it depends upon the circumstances. Here, the refusal to acknowledge the falsity of the allegations . . . has understandably upset and frustrated the Claimant. . . . Undoubtedly, a failure to acknowledge the falsity of seriously defamatory allegations and/or the failure to apologise deprives a defendant of what would otherwise be significant mitigation. It also means that the element of vindication can only be provided by the award of damages and the court's judgment.

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Rachel Riley v Laura Murray

[2021] EWHC 3437 (QB)

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Rachel Riley  
@RachelRileyRR

Good advice.  



Owen Jones  
@OwenJones84

Oh: I think an egg was thrown at him actually. I think sound life advice is, if you don't want eggs thrown at you, don't be a Nazi. Seems fair to me.

10:14 · 10/01/2019 · [Twitter for iPhone](#)

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[Laura Murray](#) 🌹👉

@LauraCatriona

Takip et



Today Jeremy Corbyn went to his local mosque for Visit My Mosque Day, and was attacked by a Brexiteer.

Rachel Riley tweets that Corbyn deserves to be violently attacked because he is a Nazi.

This woman is as dangerous as she is stupid. Nobody should engage with her. Ever.

13:03 - 3 Mar 2019 [Camden Town, London](#) konumundan

1.584 Retweet 4.883 Beğeni



736

1584

4883

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152. . . . Lord Hailsham LC in Broome v Cassell & Co [1972] A.C. 1027 , 1071 where the latter said:

“The bad conduct of the Plaintiff himself may also enter into the matter, where he has provoked the libel, or where perhaps he has libelled the defendant in reply. What is awarded is thus a figure which cannot be arrived at by any purely objective computation. This is what is meant when the damages in defamation are described as being ‘at large’.”

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Privacy

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FGX v Stuart Grant

[2023] EWHC 419 (KB)

- Misuse of private information
- Intentional infliction of injury

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General damages: £60,000

Special damages: £37,041.61

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Special damages included:

- Hotel when C left the D
- Medical treatment, incl. dentistry due to teeth grinding
- Cost of wasted holiday
- Cost of removing images from internet
- Future medical treatment

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35.7 As a result of the Defendant's conduct the Claimant suffers from chronic PTSD. She is one of a minority of cases in which PTSD becomes chronic over several years, causing an enduring personality change.

35.8 Separately, the Claimant has suffered a relapse of an existing mixed Anxiety and Depressive disorder, of which greater than 50% is attributable to the Defendant's conduct.

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35.9 The continued existence of the images online is a significant source of ongoing distress to the Claimant and a barrier to her recovery.

35.10 The Defendant's conduct has had a serious impact on the Claimant's private life and lifestyle. She has lost trust in people and become reclusive, to the extent of changing her job and refraining from personal relationships.

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50. . . . the impacts of the abuse have manifested themselves in a diagnosis of chronic PTSD with an enduring personality change and consequent impact on her private life and lifestyle. Her diagnosis is supported by medical evidence. I treat the PTSD as her primary injury. The Claimant has become reclusive, to the extent of changing her job so she can work from home and refraining from personal relationships.

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Judicial College Guidelines

- Psychiatric and psychological damage consequent on sexual abuse: £27,570 - £45,000
- Moderately severe PTSD £23,150 - £59,860