

Press Release

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Founder and CEO of the Islam Channel awarded £140,000 in libel damages over “baseless” terrorism allegation

In a Judgment of Sir David Eady handed down yesterday, the High Court has awarded £140,000 in libel damages to Mohamed Ali Harrath, the CEO and Founder of the Islam Channel, against the Stand for Peace website and its director, Samuel Westrop.

The proceedings concerned an article published by Stand for Peace on 27 October 2014, which alleged that Mr Harrath was guilty of terrorism.

As the Court has acknowledged, the allegation was completely untrue. It is the case that, in 2005, under the dictatorial Ben Ali regime, Mr Harrath, who is Tunisian but who came to the UK in 1995 and received refugee status and indefinite leave to remain in the UK in 2000, was purportedly the subject of some form of conviction *in absentia* in Tunisia (albeit he was never notified of what any such “conviction” related to). However, as the High Court’s judgment observes, there was subsequently an amnesty which constituted an acknowledgement of Mr Harrath’s innocence. Indeed Interpol, in withdrawing a Red Notice against him which had previously been issued at the request of the Ben Ali regime, recognised that any criminal proceedings against Mr Harrath had been political in nature.

Mr Westrop and Stand for Peace (which purports to provide a platform for discussion of “the topics that drive the Muslim and Jewish communities apart”) repeatedly refused to remove this libellous allegation from the website, or to apologise for it. Accordingly, Mr Harrath was left with little choice but to issue proceedings in the High Court.

Much of the Defence was struck out following a hearing before Mr Justice Warby in March 2016. The Defendants failed to satisfy the resulting costs order against them, following which the Court made an order debarring the Defendants from defending the claim.

The matter then came before Sir David Eady for a full hearing to assess damages.

Proceeding on the basis that the readership of the article was to be measured in only the hundreds or low thousands, the Judge nevertheless took the view that such was the gravity of the allegation, and the Defendants’ conduct of the litigation, that it was appropriate to make a very substantial award of damages.

Importantly, in his judgment Sir David observed that “*there simply was no evidence to support the allegation of terrorism or to rebut [the Claimant’s] evidence to the contrary*” and that “*I can safely proceed, in the light of the evidence before me, on the basis that the Claimant is not a terrorist.*”

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Sir David also added that *"...the sum awarded should be such as to leave interested onlookers in no doubt as to the baselessness of the Defendants' charge against him"*.

Speaking today, Mr Harrath said:

"I am delighted by this result and I would like to thank the Judge, and the High Court, for its rigorous review of the evidence and its conclusions that the allegation against me was completely unfounded.

I hope that in future any media or other entity that chooses to comment about me will take careful note of Sir David Eady's observations. Mr Westrop and Stand for Peace had previously lauded themselves as experts on subjects of this kind and had been cited widely in the mainstream media. Yet, when it came to trying to excuse his conduct in publishing this grave libel, it became clear that the research that Mr Westrop had undertaken had been wholly inadequate and he tried to explain himself on the basis that he was "self-taught" rather than a professional journalist. The Court clearly had little sympathy for such excuses."

A link to the judgment can be found at:

[http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/QB/2017/653.html&query=\(harrath\)](http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/QB/2017/653.html&query=(harrath))

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