

Press Release

Date: 3 August 2015

Leading Enfield school and Headmistress awarded £95,000 damages and injunction over false petition

St. John's Preparatory School, Enfield and its Headmistress Mrs. Calliope Tardios have been awarded £95,000 in damages against Pamella Linton (also known as Pamella Linton-Ramsay) at the High Court. His Honour Judge Moloney QC also granted the Claimants an injunction and ordered Ms Linton to pay their legal costs. St John's Preparatory School and its sister school St John's Senior School were founded in 1988 by Calliope and Andrew Tardios and the school was ranked 35th in the Times's list of Top 500 Independent Schools in January 2014. The school was rated "outstanding" in its most recent Ofsted inspection in 2012.

The case arose from a defamatory petition posted by Ms Linton, a former parent at the school, on US website www.change.org, under the false alias "Patricia Carpenter", purportedly based in Zimbabwe. The petition contained a series of highly defamatory allegations about Mrs Tardios and St John's Preparatory School which were false and, the Judge noted, Ms Linton had at no point made any attempt to prove were true. Instead, Ms Linton had "*lacked the courage and honesty to make the criticisms in her own name*" and had chosen to publish the petition under the false alias "Patricia Carpenter" from internet cafés. Ms Linton – who lives in North London, not Zimbabwe – participated in the litigation under the alias "Patricia Carpenter", but failed to enter a Defence.

After detailed forensic investigations, including in Zimbabwe, the Claimants obtained evidence that "Patricia Carpenter" was in fact Pamella Linton and applied to join her as the correct Defendant to the proceedings. Ms Linton then appealed against this decision on the basis that she was not "Patricia Carpenter"; Ms Linton also attempted to appeal against Court Orders obliging Google to give disclosure of electronic information including IP data relating to Gmail addresses used by "Patricia Carpenter" – email addresses with which she claimed to have no connection.

Ms Linton's appeals were dismissed and Mr Justice Dingemans held that there was "*no disputable issue*" that Ms Linton was in fact "Patricia Carpenter"; a further attempt by Ms Linton to appeal to the Court of Appeal was dismissed as being "*wholly without merit*". In assessing damages, HHJ Moloney QC noted that Ms Linton had persisted over a two-year period with a "*fantasy*" of "Patricia Carpenter" having a separate identity in an

Partners

Alasdair Pepper

Guy Martin

Nigel Tait

Ruth Collard

Cameron Doley

Claire Gill

Adam Tudor

Isabel Martorell

Stephen Loughrey

Partnership Secretary

Helen Burrluck

Regulated by the
Solicitors Regulation
Authority

SRA No. 44769

attempt to avoid liability and her “*deliberate and dishonest refusal*” to admit her responsibility for publication of the petition had greatly prolonged the litigation and had considerably aggravated the original damage caused by the publication of the petition. HHJ Moloney QC noted that there had been no conduct on Ms Linton’s part which would reduce the adverse effects of this libel and no mitigating factors which he could see at all.

HHJ Moloney QC noted that Mrs Tardios had devoted her life to the school and that the petition had caused her very significant injury to feelings; evidence was also placed before him which showed that the petition had become common knowledge in the school and the local community. Furthermore, for a significant period of time the petition had been the top search result in Google searches for the school.

Because of the gravity of the libels and the manner in which they had been published, and taking into account the aggravating factors relating to Ms Linton’s conduct of the litigation, HHJ Moloney QC held that it was appropriate to award Mrs Tardios the sum of £70,000 in damages and St John’s Preparatory school the sum of £25,000. HHJ Moloney QC also held that there was a significant risk that unless restrained, Ms Linton would be likely to repeat the libels and he therefore granted an injunction.

In case of further enquiries, please contact Adam Tudor or Lawrence Northmore-Ball at adam.tudor@carter-ruck.com / lawrence.northmore-ball@carter-ruck.com or on +44 (0)207 353 5005.