

IN THE HIGH COURT OF JUSTICE

Claim No: HQ08X04988

QUEEN'S BENCH DIVISION

BETWEEN

(1) MARK McLAUGHLIN

(2) GREG MARTIN

(3) ALAN JOHN (JIM) DAVIES

- v -

(1) LONDON BOROUGH OF LAMBETH

(2) MOHAMMED KHAN

STATEMENT IN OPEN COURT

Claimants' Counsel (Justin Rushbrooke)

May it please your Lordship:

The Claimants in this action for libel are respectively the Head Teacher, the Director for Educational Development and the former Chairman of the Governors of Durand Academy, a primary school based in Stockwell, South London. Durand was formerly a foundation school.

The Defendants are the London Borough of Lambeth and Mr Mohammed Khan, its recently retired Chief Internal Auditor.

Durand achieves well above average academic results for its pupils and was classified as Outstanding in its most recent Ofsted inspection report (2008). One of the ways in which the School has been able to raise educational standards is by developing its assets so as to generate substantial income through a trading subsidiary, which is then passed back to the school. This in turn has enabled the school to reduce class sizes, amongst other benefits. All these financial arrangements have been carefully considered and approved by the Governing Body.

The school also regularly commissions independent assessments of its training and support for Newly Qualified Teachers (NQTs), a large number of whom are trained at the school every year and whom it sees as an important part of the school's success.

In late 2007 the Defendants received a request from the Department for Children, Schools and Families (now the Department for Education) for assistance in responding to communications it had received from the father of a former teacher at Durand.

In response to this request, Mr Khan sent an email with a briefing note to the DCSF, on which this action is principally based. The Claimants objected to the briefing note as making, in particular, a serious allegation of financial impropriety against them in connection with the operation of the school's trading activities.

The Defendants wish to make it clear that it was never Mr Khan's intention to make such an allegation, which they accept would have been quite untrue. The Defendants also accept that the Claimants were upset by the contents of the briefing note, and they regret this. They wish to stress that Mr Khan wrote what he did in good faith and in accordance with his duty as the Council's Chief Internal Auditor.

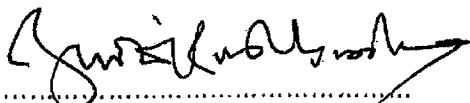
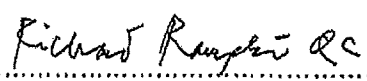
In those circumstances, the Claimants feel that they have achieved the purpose for which they brought these proceedings and can now draw a line under this matter.

Defendants' Leading Counsel (Richard Rampton QC)

My Lord, on behalf of the Defendants I confirm what my learned friend has said. I need only add that they are pleased that it has been possible to resolve the matter in this way.

Claimants' Counsel

In these circumstances I simply ask for permission to withdraw the record.

Signed  
Claimants' Counsel Defendant's Counsel

Dated: 22 .vi. 12 22nd June 2012