

## Press Release

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### Sarah Hermitage Libel Defence Upheld

### Silverdale Farm Blog Justified

At the High Court in London today, Mr Justice Bean delivered Judgment in favour of Sarah Hermitage, who had been sued for libel by the wealthy Tanzanian businessman, Reginald Mengi, the Executive Chairman of IPP Ltd, a company which holds major newspaper and broadcasting interests in Tanzania.

Reginald Mengi sued in respect of five postings on Sarah Hermitage's Silverdale Farm blog and two emails she had sent, which Mr Mengi claimed to be false and defamatory of him.

During the trial, the Court heard unchallenged evidence from Sarah Hermitage and her husband, Stewart Middleton, as to how they were by threats, intimidation and corruption driven from Tanzania and forced to abandon the investment they had made in their farm, Silverdale, of which Reginald Mengi's younger brother, Benjamin, then took possession. The Court was told that a major factor in the ordeal they suffered was the hostile and defamatory coverage their case received from the IPP-owned English language *Guardian* and the Swahili *Nipashe* newspapers. Reginald Mengi, in the course of his evidence, repeatedly stated that he "*was not responsible, not accountable and not answerable*" for the editorial content of IPP publications.

In giving Judgment, Mr Justice Bean ruled:

*"I find that the campaign in the Guardian and Nipashe facilitated Benjamin's corruption of local officials and intimidation of the Middletons and thus helped Benjamin to destroy their investments and grab their properties; and that Mr [Reginald] Mengi, since he either encouraged or knowingly permitted the campaign, was in that sense complicit in Benjamin's corruption and intimidation. The allegation is thus substantially true, and justified at common law."*

Following the handing down of the Judgment, Sarah Hermitage said today:

*"I set up my Silverdale Farm blog in 2009 to document our horrific experience in Tanzania, and to expose as a warning for others the corruption we encountered and our helplessness with no protection from the local Courts and officials. As the Judge has found, my response to the campaign waged against us in IPP publications was reasonable, proportionate, relevant and without*

Partners

Andrew Stephenson

Alasdair Pepper

Guy Martin

Nigel Tait

Ruth Collard

Cameron Doley

Claire Gill

Adam Tudor

Isabel Martorell

Partnership Secretary

Helen Burrluck

Regulated by the  
Solicitors Regulation  
Authority

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*malice. To find myself then sued for libel in my own country, facing a claim of legal costs of £300,000 from Mr Mengi before the proceedings had even started, was itself frightening and oppressive. I am relieved that, with the support of my legal team who were prepared to risk getting paid nothing at all under a “no win, no fee” agreement, justice has in the end prevailed in this case. I also must thank the brave and honest Tanzanian journalists who either openly or privately assisted in the preparation of our defence. I will continue to use my blog, my voice, to do all I can to fight against the corruption I have seen first hand in Tanzania, not least in the hope that it may in the end help the very good people, not least our loyal staff, who have stood by us throughout.”*

After handing down judgment Mr Justice Bean ordered that Reginald Mengi should pay the defence costs at the higher “indemnity” rate. In reaching this decision, the factors cited by the Judge included that Counsel for Sarah Hermitage had “*rightly described the litigation as “oppressive”, that “enormous costs had been thrown at the case from the beginning, indeed before the issue of proceedings”* and that the evidence of the Claimant and his witnesses had in a number of respects been “*misleading and untrue.*”

Mr Justice Bean ordered that Reginald Mengi should pay £1.2million on account of Sarah Hermitage’s legal costs, which will be subject to detailed assessment by the court in due course.

Enquiries to [Andrew Stephenson](#), Carter-Ruck, Tel: 020 7353 5005