

## 'Costly' trial if school sues town hall, judge warns

A JUDGE has set the scene for a titanic legal battle in which a headteacher is suing a town hall for libel and alleged human rights violations. Mark McLaughlin, of "outstanding" Durand Primary School in Hackford Road, Stockwell, claims he was seriously defamed in a series of emails sent by Lambeth council's chief internal auditor, Mohammed Khan.

Joining Mr McLaughlin in his bid for substantial damages from the council and Mr Khan are Greg Martin, Durand's headteacher until 2007, and the school's long-serving chairman of governors, Jim Davies.

They claim they were libelled in three emails sent by Mr Khan in late 2007 and early 2008 to a civil servant within the Department for Children, Schools and Families (DCSF), to Vauxhall MP Kate Hoey and to five Lambeth council employees.

They claim the emails made defamatory allegations of "serious and pressing concerns" over the running of the school which merited intervention by the Government.

Mr McLaughlin, Mr Martin and Mr Davies are also mounting a compensation claim under the European Convention on Human Rights, which

enshrines the right to privacy and protection of reputation.

At a preliminary High Court hearing on Tuesday, lawyers for the council and Mr Khan failed in their bid to have the trio's claims "struck out". The case will now go ahead to a full hearing at the High Court, unless settlement terms can be agreed before then.

Top libel judge Mr Justice Tugendhat said if the case reached a full trial, it would be "prolonged, costly and difficult to manage". The judge noted the three claimants' cases were being funded by the school out of income

generated by its property portfolio and facilities and not from money received from central or local government.

He said Mr McLaughlin and his fellow claimants had "declared their intention to give to the school any damages which are recovered in the proceedings".

In a statement made outside court, Durand said there was "no option but to pursue this case to vindicate the reputations of each of (the claimants) and by association, our school". The council said it could not comment until legal proceedings had been completed.