

IN THE HIGH COURT OF JUSTICE
SWANSEA DISTRICT REGISTRY

CASE NO 3SA90091

B E T W E E N:-

1. STEPHANE (STEVE) PARIS

2. ANGEL GARDEN

Claimants

-and-

1. ANDREW LEWIS

2. MELANIE BYNG

Defendants

AMENDED PARTICULARS OF CLAIM

1. These amended Particulars of Claim supersede the Particulars of Claim served on 3rd February 2014 in their entirety.

The Parties

2. The Claimants are the parents of three young children who were at one time enrolled in the Titirangi Rudolf Steiner School, which is a Steiner/Waldorf school in New Zealand ("the School"). One of their children suffered severe bullying at the School and after that bullying was reported, the School expelled the Claimants' three children. The Claimants raised a complaint in respect of this expulsion with the New Zealand Human Right Commission. The Claimants have been active in raising awareness of the issue of bullying at Steiner/Wardorf schools and are making a documentary about the subject.

3. The Claimants are both users of the social networking site Twitter. The First Claimant's twitter handle is @sjparis. The Second Claimant's twitter handle is @Amazonnewsmedia.
4. The Defendants are both outspoken critics of Steiner/Waldorf schools. The First Defendant publishes a blog entitled 'The Quackometer' (www.thequackometer.net). The Second Defendant was supportive of the Claimants' complaint to Human Rights Commission and sent messages of encouragement and offers of help during this time. However, the relationship between the parties then soured and the Second Defendant abruptly cut off all contact with Claimants.
5. Both Defendants are users of Twitter. The First Defendant posts using the Twitter handle @lecanardoir. The Second Defendant uses the Twitter handle @ThetisMercurio.

The words complained of

6. On 9 November 2012 the First Defendant published or caused to be published a post entitled 'Steve Paris and Angel Garden' on the (now defunct) micro-blogging website www.postereous.com ("the Blog Post"). The First Defendant promoted the Blog Post by posting a link to it on his personal Twitter and Facebook social networking profiles as well as the 'Quackometer' page on Facebook. The Blog Post contained the following words defamatory of the Claimant:

They claim their children were expelled because they were being bullied. I understand the school says it was because of the parents' behavior ... Since, February, I have ignored and filetered [sic] out their constant harassment by blog, tweet and video, both of myself and of others.

7. The First Defendant republished the Blog Post post on his 'Quackometer' blog in April 2013. The full post can be found at <http://www.quackometer.net/blog/2012/11/angel-garden-and-steve-paris.html> where it continues to be published.
8. On three occasions on 9 November 2012 the Second Defendant republished, or caused to be republished, a link to the defamatory Blog Post

in a tweet on the social networking site on the social networking website www.twitter.com.

9. On 10 November 2012 the Second Defendant published or caused to be published via a 'tweet' on the social networking website www.twitter.com the following words defamatory of the Claimants:

Lying, bullying, threatening...how do Angel Garden aka @Amazonnewsmedia dns @sjparis sleep at night?

10. On 15 May 2013 the First Defendant published in a tweet directed at another Twitter user the following words defamatory of the Claimants:

[@DoctorAndTheCat](#) Many thanks. Shame some odd and disturbing people in the world cannot understand "I want nothing to do with you".

11. On 20 May 2013 the First Defendant published in a tweet directed at another Twitter user the following words defamatory of the Claimants:

[@zzzoey](#) Thank you. Most Angels will be welcome. The fallen Angels of harassment will not.

12. The words complained of at paragraphs 6, 7, 8 and 9 above refer to and were understood to refer to the Claimants. The publications mention the Claimants by name and/or identify them by their Twitter 'handle'.

13. The words complained of at paragraph 10 above refer to and were understood to refer to the Claimants.

Particulars of Reference

- (a) On 14 May 2013 the Claimants attended a public meeting at which the First Defendant was speaking;
- (b) The Claimants attempted to hand the First Defendant a letter at this meeting, following the conclusion of the First Defendant's talk. However, the First Defendant immediately left the talk and as a consequence did not hold a planned 'Q&A' session;

- (c) The tweet to which the words complained of at paragraph 10 was responding referred to the fact that the First Defendant had not held the planned 'Q&A' session.
 - (d) By reason of their knowledge of the said facts and matters the Claimants were identified by a number of readers of the words complained of as the individuals referred to by the said words.
14. The words complained of at paragraph 11 above refer to and were understood to refer to the Second Claimant.

Particulars of Reference

- (a) The words complained of refer to the Second Claimant by her first name;
- (b) The First Defendant had previously published the Blog Post directly referring to the Second Claimant, using her full name, and detailing her alleged harassment of him and others;
- (c) By reason of their knowledge of the said facts and matters the Second Claimant was identified by a number of readers of the words complained of as the individual referred to by the said words.

Meaning

15. In their natural and ordinary meaning the words complained of at paragraphs 6, 7 and 8 above meant and were understood to mean that the Claimants children were expelled from their school because of the Claimants' own unreasonable behaviour and that the Claimants have been harassing the First Defendant, and others, since February 2012.
16. In their natural and ordinary meaning the words complained of at paragraph 9 above meant and were understood to mean that the Claimants are liars and bullies who have been behaving in a threatening and unconscionable manner.
17. In their natural and ordinary meaning the words complained of at paragraph 10 above meant and were understood to mean that the Claimants are

strange and disturbing people who have persisted in bothering the First Defendant despite his requests that they leave him alone.

18. In their natural and ordinary meaning the words complained of at paragraph 11 above meant and were understood to mean that the Second Claimant has been harassing the First Defendant.

Damage

19. By reason of the publications of the words complained of, the Claimants have suffered serious damage to their character and reputation and have been caused considerable hurt, distress and embarrassment.

20. Further or alternatively, in support of their claim for general and/or aggravated damages the Claimant will rely upon the following facts and matters:

- (a) The Defendants have failed to apologise to the Claimants for the publications of the words complained of or issue any retraction;
- (b) The prominence of the Blog Post in a Google search for the Claimants' names;
- (c) The number of times the words complained of were 'retweeted' by other Twitter users;
- (d) The republication of the Blog Post by the First Defendant on his 'Quackometer' blog, Twitter account and Facebook profile;
- (e) The republication of the Blog Post by the Second Defendant on her Twitter profile;
- (f) The number of followers each of the Defendants have on Twitter;
- (g) The number of 'friends' the First Defendant has on both his personal Facebook page and the 'Quackometer' Facebook page and the security setting employed by him in respect of both pages;
- (h) No attempt was made to contact the Claimants prior to the publication of the Blog Post to check the accuracy of the facts stated.

21. Unless restrained, the Defendants and each of them will further publish or cause to be published the words complained of or similar words defamatory of the Claimants.

AND the Claimants claims:

- (1) Damages, including aggravated damages, for libel.
- (2) An injunction to restrain the First and Second Defendants whether acting by themselves, their servants or agents or otherwise howsoever from further publishing or causing to be published the said or any similar words defamatory of the Claimants.

ELOISE LE SANTO
Matrix

CLARE TREGOING
Douglas-Jones Mercer

Dated this day of March 2014

I believe/the Claimants believe the facts stated in these Particulars of Claim are true