



Neutral Citation Number: [2026] EWHC 1948 (KB)

Case No: KB-2024-001270

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST

Wednesday, 29th July 2026

Before:
FORDHAM J

Between:
MATTHEW GARRETT
-and-
(1) ROY SCHESTOWITZ
(2) RIANNE SCHESTOWITZ
(No.2)

Claimant

Defendants

Ben Hamer (instructed by **Brett Wilson**) for the **Claimant**
Richard Munden (instructed by **AGI Criminal Solicitors**) for the **First Defendant**
Chris Zabilowicz (instructed by **AGI Criminal Solicitors**) for the **Second Defendant**

Hearing date: 8-10, 13.7.26
Draft judgment: 21.7.26

Approved Judgment

FORDHAM J

This judgment was handed down on 29.7.26, by circulation to the parties and uploading to the National Archives.

FORDHAM J:

Introduction

1. This case is about the Court's contempt powers. I have to decide whether there has been a contempt of court by reason of breach of an Injunction ordered by Collins Rice J (the Judge). I can start with the Summary of the Trial Judgment, which the Defendants duly published, in accordance with an order by the Judge pursuant to s.12 of the Defamation Act 2013. It began:

Dr Matthew Garrett wins libel claim against Techrights and Tuxmachines. Matthew Garrett has won a libel claim against Roy Schestowitz (Techrights) and Rianne Schestowitz (Tuxmachines). Roy and Rianne Schestowitz published 24 articles across Techrights and Tuxmachines making serious and false allegations about Dr Garrett, including that he was responsible for a campaign of criminal harassment against the Schestowitzes using 'sockpuppet' accounts on IRC. The Schestowitzes also wrongly accused Dr Garrett of being a habitual user of Class A drugs. The Judge, Mrs Justice Collins Rice, heard the trial in the High Court at the Royal Courts of Justice in October 2025 and handed down her judgment on 20 November 2025. The Judge ruled in favour of Dr Garrett. She found that the allegations were not true, and that the articles could not be defended as honest opinion or in the public interest. In light of the allegations not being true, the Court held that Dr Garrett is entitled to proper vindication and compensatory damages in respect of them. He was awarded substantial damages of £70,000 and was also awarded his costs.

Then this:

The Court ordered an injunction against Dr and Mrs Schestowitz requiring them to delete/remove the allegations, and never in the future make the same or similar defamatory allegations.

The Injunction

2. That injunction was found in §11 of the Judge's Order (5 December 2025), which provided as follows:

11. The Defendants and each of them are: (a) prohibited, by any means howsoever, from publishing any further words that bear the same or similar meanings to those set out in Schedule A to this Order; (b) shall remove the webpages identified at Schedule B to this Order by 4pm on 16 December 2025; and (c) shall remove any webpages that either of them have published on any website including but not limited to Techrights, Tuxmachines, and www.schestowitz.com, that contain the same or similar meanings to those set out in Schedule A to this Order.

3. I will come later to the anatomy of the Order (see §17 below). But, as can be seen from §11, there are three Limbs to the Injunction:
 - i) Limb 11a is a prohibition on publishing words. It operates by reference to a comparison with Scheduled Meanings, set out in Schedule A to the Order.
 - ii) Limb 11b is a duty to remove identified webpages. It operates by reference to Scheduled Webpages, set out in Schedule B to the Order. It has a specified deadline: 4pm on 16 December 2025.
 - iii) Limb 11c is a duty to remove other webpages. It operates by reference to a comparison with the Scheduled Meanings in Schedule A. It has no specified deadline.

The Judgment

4. The Judgment is published at [2025] EWHC 3063 (KB). Within it, the Judge explained the following: that IRC (internet relay chat) is an online instant messaging system (§1); that the First Defendant “operates the website www.techrights.org (Techrights)” and the Second Defendant “operates the website www.tuxmachines.org (Tuxmachines)” (§3); that the Claimant was claiming in libel over “a series of 24 publications appearing on either Techrights or Tuxmachine[s] or both, in August and September 2023” (§4); that he brought a further claim in data protection in respect of these “and a number of other publications appearing on the websites at around the same time” (§4); and that the Defendants were counterclaiming in harassment (§4). The Judgment went on to explain the Judge’s decision: that the Claimant’s claim in defamation succeeded, and the Defendants’ counterclaim in harassment failed (§118); that the Claimant was “entitled to the remedies ... indicated” (§118); that the remedies indicated were damages (§114), injunctive relief (§115), and a s.12 order (§117); that, having succeeded in his defamation claim (§§85-89), the Claimant was entitled to a judgment and remedies “which repudiate the publications complained of, vindicate his reputation, and restore his good name” (§89); and that the Defendants’ “campaign of allegations” was an “unsubstantiated character assassination” of the Claimant “which must stop” (§119).
5. The Judgment addressed “injunctive relief”. **First**, the Judge discussed the legal framework applicable to remedies (§§104-105):

104. Injunctive relief is regularly afforded to successful defamation claimants, to restrain the publication of the same or similar libel. Final injunctive relief, restraining publication post-judgment, is distinctively different from pre-trial interim relief, since the implication of the judgment is necessarily that the published libel is not a species of free speech protected by Article 10 of the European Convention on Human Rights. Nicklin J’s observation about permanent, post-judgment, injunction in Lachaux [ie. Lachaux v Independent Print [2021] EWHC 1797 (QB)] at §239 was that ‘it is the natural remedy that flows from the Court’s decision’, and, in the absence of satisfactory undertakings, it may be necessary to injunct further publication to give full effect to that decision.

105. But, importantly, it remains a discretionary remedy. It is not available as of right. In considering whether to exercise its discretion, and if so how, a court will have regard to all the circumstances of a case, including the conduct of the parties, and will focus in particular on assessing the risk of repetition of the defamation should injunctive relief not be granted.

Second, the Judge applied that legal framework (§115):

115. Dr and Mrs Schestowitz continue to publish and republish the libels. They have no entitlement to do so. This is not a form of freedom of expression which is protected by law. They have published further similar defamatory statements since the commencement of these proceedings. In the absence of any indication that they will voluntarily desist, remove the material objected to, and give satisfactory undertakings not to repeat the same or similar allegations, they face being compelled to do so by means of an injunction enforceable by proceedings for contempt of court.

The Injunction Decision-Making

6. The sequence of events as to the making of the Injunction was as follows. The trial had been on 30 and 31 October 2025. The Judgment was distributed to the parties as an embargoed confidential draft on 17 November 2025, for hand-down on 20 November 2025. In response, the Claimant’s representatives proposed a three-limbed injunction,

first in a letter to the Defendants dated 17 November 2025 and then in an email to the Court on 18 November 2025. The Judge allowed further time for representations about the appropriate Order, handing down the Judgment on 20 November 2025. Submissions continued to be filed by all parties. Draft orders were provided by the Claimant's representatives. The Judge issued written observations by email (22 paragraphs on 1 December 2025 and a further 4 paragraphs on 5 December 2025). There is no controversy for me to resolve about the status of observations sent by the Judge to the parties. All three Counsel submit that, at least in the present case, these observations to the parties have the same status as if they had been incorporated into the Order dated 5 December 2025. No party invited the Judge to take that step. No party invited the Judge to promulgate the reasons as a short sequel judgment. The Order was duly made on 5 December 2025 and sent to the Defendants that day by email, through CE file. Personal service took place on 16 December 2025. Within the Judge's 22 paragraphs of observations on 1 December 2025 was this under a heading "Injunctive relief" (§§10-11):

10. The need to finalise the order appears to be particularly pressing because the Claimant has been held to be entitled to injunctive relief in the absence of action by the Defendants to remove the publications complained of and to undertake not to repeat the same or similar libels. I am given to understand that no steps have been taken by either Defendant and no undertakings given. Injunctive relief will therefore be granted by way of order. I am content that the provisions of the draft order as prepared by the Claimant are effective for that purpose, and I have been given no reason to do otherwise than proceed to make an order in those terms.

11. As such, the order will provide in the usual terms that a failure to comply by the Defendants will expose them to quasi-criminal proceedings by way of contempt of court.

7. These were the Judge's 4 paragraphs of observations on 5 December 2025:

I have taken account of all the representations made on the form of this order in recent days. A number of final explanatory points may assist.

[1] The wording of the injunction 'warnings' are very standard, and are intended to give those warnings in unmistakeable terms. It is only fair to litigants against whom injunctive relief is given that they are warned in the clearest possible terms of the consequences of failure to comply as directed. Those consequences are extremely serious; contempt of court proceedings are criminal in nature and can and do result in sanctions up to and including imprisonment. So it is only fair that the warnings are given in terms that cannot be mistaken or overlooked.

[2] The injunction requires the Defendants to remove the publications complained of in the present proceedings, and – importantly – to take down or not to publish any other publications containing the same or similar libels. This is a very standard form of defamation final injunction; it applies to past, present and future repetition of the libel. What counts as the same or similar has to be considered by reference to the 'natural and ordinary meanings' of the libels I determined in the judgment. These are set out in 'meanings table' annex to the judgment, which identifies in each case (a) the actual publication complained of, (b) the Claimant's contended meaning, (c) the Defendants' contended meaning and (d) the meaning I determined. This annex forms part of the judgment – it is a part of my decision. As I explained in the text of the judgment, the rival meanings contended for by the parties were not very far apart to start with, and my determinations are sometimes closer to one and sometimes to the other. These meanings are now final, and have to be replicated in the order so as to make the injunction work by reference to them.

[3] The Claimant cannot know all the publications both before and after the publications complained of which repeat the libels. It is always defendants' responsibility in the first place to identify and remove or refrain from publishing the same or similar words. That is why (a) the determined meanings have to be clearly identified as the necessary yardstick and (b) the contempt

warnings are so clear and prominent. If there is any doubt about any particular publication, the Defendants are well advised to consult the Claimant. But defendants always have to take responsibility for making sure their own publications comply with the law.

[4] And ultimately, of course, any dispute about what can and cannot be published consistently with the injunction is a matter a court would have to decide. Section 13 of the Defamation [Act] 2013 enables a court, on an application from a successful claimant, to make orders against website owners preventing the publication of specific libels (whether or not they are defendants in a claim). It so happens that in the present case the Defendants published the libels on their own websites (it is not always so). The provision for liberty to apply for a section 13 order, without needing to initiate a fresh claim or indeed contempt of court proceedings, is one way in which any future disputes about whether a publication by the Defendants falls within the terms of the injunction or not could relatively straightforwardly be brought before a court in future. Of course, every effort should be made to avoid that (potentially expensive) route to dealing with disputes. But it is there as a failsafe.

Origins of the Injunction Terminology

8. It is not difficult to find the origins of the phrase “publishing any further words that bear the ... meanings”, within Limb 11a of the Injunction. The Judge had circulated the Judgment in draft, citing Lachaux at §239 (see §5 above). The Claimant’s lawyers then provided their draft wording for the injunction. The wording in §11 was provided by them on 21 November 2025. The phrase “publishing any further words that bear the ... meanings” in Limb 11a was derived from Lachaux at §240, where Nicklin J had said this (emphasis added):

I am minded to grant an injunction (1) requiring removal of the Independent and Standard Articles in their current [form] from the respective websites; and (2) prohibiting the Defendants from publishing any further words that bear the meanings found by the court in respect of those articles or substantially the same meanings.

9. As to the origins of the phrase “the same or similar” in Limbs 11a and 11c. Nicklin J in Lachaux described “words that bear the meanings found by the court ... or substantially the same” meanings. The phrase “words to the same or similar effect” has had a “long and hallowed usage” in defamation practice: see Bentinck v Associated Newspapers Ltd [1999] EMLR 556 at 568; Soriano v Silverstein [2023] EWHC 416 (KB) at §§9, 21-22. The phrase “the same or similar nature” has been treated as equivalent: see Ranger v Pycraft [2021] EWHC 502 (QB) at §§4, 19. In this case, the phrase used is “the same or similar meanings”. The reference point is to meanings found by the court, as in Lachaux. Here, those judicially-determined meanings were “set out in Schedule A to the Order”. In Bentinck, Ranger and Soriano the evaluation of sameness or similarity, of “effect” and “nature”, arose in the absence of any judicially-determined “meanings”. I will return below to the anatomy of the Order, and the Judgment from which it arose.

The Contempt Application

10. The sequence of events as to the Claimant’s application for committal for contempt was as follows. On 18 December 2025 and 7 January 2026 the Claimant’s representatives wrote to the Defendants pointing to breaches of the injunction. On 11 February 2026 they sent the contempt application in draft, followed on 27 February 2026 by the contempt application as filed that day. The sealed contempt application was served on the Defendants on 2 March 2026. The hearing before me commencing on 8 July 2026 was directed by Steyn J on 3 March 2026. All alleged Breaches were denied by each of the Defendants on 29 May 2026. On 5 June 2026 the Claimant’s representatives notified

representative breaches, in accordance with an Order of Griffiths J dated 15 April 2026. The Claimant filed Affidavits of Adham Harker dated 27 February 2026 and 29 June 2026. The First Defendant filed a witness statement dated 22 June 2026 and the Second Defendant a witness statement dated 19 June 2026. Skeleton arguments were exchanged on 3 July 2026. Live evidence was given by Mr Harker and by each of the Defendants. I was greatly assisted by written and oral submissions from all Counsel. At this stage, all I am deciding is whether there have been any contempts of court.

11. There are four broad topics arising under the contempt application:

- i) Retained Gemini-Equivalent Articles. This is about the parallel articles within the “Gemini Edition” which were retained online, with identical textual content mirroring those online articles which the Defendants removed as identified Scheduled Webpages pursuant to Limb 11b. The Claimant acknowledges that, by the Limb 11b specified deadline of 16 December 2025, the Defendants removed webpages from URLs given in Schedule B to the Order. He says there was nevertheless contempt of court, by reason of breach of Limb 11a or alternatively Limb 11b or alternatively Limb 11c, in failing to remove the Gemini-Equivalent Articles. The retained Gemini-Equivalent Articles are alleged Breaches 1 to 38 (First Defendant) and alleged Breaches 39 to 44 (Second Defendant). This was called Ground 1 (38 Breaches by the First Defendant) and Ground 2 (6 Breaches by the Second Defendant). In response to this judgment circulated in draft, Mr Munden and Mr Zabilowicz submitted that “Gemini Edition” is a phrase connoting the online Gemini space on the internet, where the matching articles are found. I accept that. It means the website has an equivalent “Gemini Edition”. I also accept the invitation from Mr Munden and Mr Zabilowicz to use a different phrase than “Gemini Edition” to mean an individual article, within the Gemini Edition of the website, which has identical textual content to an article on the website. I will call this a “Gemini-Equivalent” or “Gemini-Equivalent Article”. The position is explained at §42 below.
- ii) Retained Other Online Articles. The Claimant points out that the Defendants took no action at all by reference to Limb 11c. He says there was a contempt of court, by reason of breach of Limb 11a or alternatively Limb 11c, in failing to remove online articles. These retained other articles – including their Gemini-Equivalents – are alleged Breaches 45 to 109, of which 59 relate to the First Defendant and the other 6 relate to the Second Defendant (Breaches 47, 95, 99, 102 to 104). This was called Ground 3 (59 Breaches by the First Defendant) and Ground 4 (6 Breaches by the Second Defendant). For the hearing before me, there were 10 representative Breaches alleged against the First Defendant, and 2 representative Breaches alleged against the Second Defendant.
- iii) Retained IRC Daily Logs. IRC daily logs are computer-generated archives of what has been posted during a calendar day in the website’s chatroom (online instant messaging system). Again, the Claimant points out that the Defendants took no action at all by reference to Limb 11c. Again, he says there was a contempt of court, by reason of breach of Limb 11a or alternatively Limb 11c, in failing to remove certain contents from within these IRC daily logs. These retained IRC daily logs are alleged Breaches 110 to 173, all 64 of which relate to the First Defendant. This was called Ground 5. For the hearing before me, there were 4 representative Breaches.

- iv) Newly-Posted Online Articles. The Claimant points to 4 online articles written by the First Defendant in the period between the Injunction and the committal application. The Claimant says there was a contempt of court, by reason of breach of Limb 11a. These were alleged Breaches 174 to 177, all of which relate to the First Defendant. This was called Ground 6.
12. Here are three topics which do not arise under the contempt application. **First**, Mr Hamer included within his opening speech a contention that the First Defendant is obsessed with the Claimant and issues daily publications. This does not form part of the committal application and I have ignored it. **Second**, Mr Hamer also mentioned within his opening speech a contention that the First Defendant disgracefully targets professionals within the Claimant's legal representatives' law firm. Mr Munden countered by cross-examining Mr Harker on whether this contempt application has been brought to protect the interests of the law firm. This does not form part of the committal application. No submission on improper motive was advanced by Mr Munden. I have ignored this too. **Third**, Mr Hamer referred to CPR 3.1(7) and to the prospect that the Court could allow an application for a variation to the Injunction to specify a deadline date in Limb 11c. This would need an application, an opportunity for response, and argument. It could only be prospective in effect. It could form no part of the contempt analysis. It would not be appropriate to say anything about it. I ignore it.

The Court's Approach to Contempt

13. The Claimant issued a contempt application, pursuant to CPR 81, on 27 February 2026. He says both Defendants are in contempt of court, based on various breaches of the Injunction. I received detailed written and oral submissions from all three advocates, inviting my attention to a large volume of case-law, about how the Court approaches its contempt powers. The key points which emerged from that exercise came to this:
- i) The power of the Court to commit for contempt those who disobey its orders is an essential part of the machinery of the administration of justice. It is vital for the Court, in the interests of justice, to have effective powers, and effective sanctions. Kea Investments Ltd v Watson [2020] EWHC 2599 (Ch) at §8.
 - ii) The elements of contempt that need to be proved are that the defendant in question (1) knew of the terms of the order and (2) acted (or failed to act) in a manner which involved a breach of the order and (3) knew of the facts which made that conduct a breach. Kea at §19.
 - iii) In order to establish contempt, it need not be demonstrated that the contemnor intended to breach an order and/or believed that the conduct in question constituted a breach. Rather it must be shown that the contemnor deliberately intended to commit the act or omission in question. Motive is irrelevant. Navigator Equities Ltd v Deripaska [2021] EWCA Civ 1799 [2022] 1 WLR 3656 at §82vii.
 - iv) The burden of proof lies on the contempt applicant, and the standard of proof is the criminal standard, meaning beyond reasonable doubt so that the Judge has been made sure. Kea at §13.
 - v) Where a number of contempts are charged, it is appropriate to have regard to the overall picture. Kea at §15.

- vi) A committal application must be proportionate (by reference to the gravity of the conduct alleged) and brought for legitimate ends. It must not be pursued for improper collateral purpose. The Court will not allow a trivial breach to be pursued as a contempt. Navigator Equities (2021) at §82ii; Smith v Backhouse [2023] EWCA Civ 874 [2024] 1 WLR 794 at §56.
- vii) Failure to do something which is impossible is not a contempt. But it is not sufficient that compliance is burdensome, inconvenient or expensive. If there is any obstacle to compliance, the proper course is to apply to have the order or undertaking set aside or varied. Perkier Foods Ltd v Halo Foods Ltd [2019] EWHC 3462 (QB) at §§10-15; Navigator Equities (2021) at §82vi.
- viii) Given the potential consequences of a finding of contempt, a heightened standard of procedural fairness has to be maintained throughout: Navigator Equities (2021) at §79. This includes a requirement that the person alleged to be in contempt must know, with sufficient particularity to enable them to defend themselves, what exactly they are said to have done or omitted to do which constitutes a contempt of court: Kea at §21(1). It also includes the Court confining itself strictly to the contempts alleged in the application notice: Kea at §22.
- ix) These principles govern the interpretation of a Court Order which the contempt respondent is said to have breached. (1) The sole question for the Court is what the Order means. (2) The terms in which the Order was made are to be restrictively construed. Such are the penal consequences of breach that the Order must be clear and unequivocal and strictly construed before a party will be found to have broken the terms of the Order and thus to be in contempt of Court. (3) The words of the Order are to be given their natural and ordinary meaning and are to be construed in their context, including their historical context and with regard to the object of the Order. Pan Petroleum AJE Ltd v Yinka [2017] EWCA Civ 1525 at §41.
- x) Construction of an Order in its context depends on what the language of the Order would convey, in the circumstances in which the Court made it, so far as these circumstances were before the Court and patent to the parties. The reasons for making the order, given by the Court in a judgment, are an overt and authoritative statement of the circumstances which it regarded as relevant and always admissible to construe the Order. The interpretation of an Order may be critically affected by knowing what the Court considered to be the issue which its order was supposed to resolve. Pan at §42.
- xi) Construing the words of an Order with regard to the object of the Order, and by reference to the issue which the order was supposed to resolve, includes paying regard to the mischief sought to be prevented. But there is no wider purpose than the meaning of the Order from its terms. Contempt does not lie for frustrating the purpose of the Order or acting contrary to its spirit. Navigator Equities (2021) at §82iv; FW Aviation (Holdings) 1 Ltd v Vietjet Aviation [2025] EWCA Civ 1458 [2026] 1 WLR 1992 at §§49-54.
- xii) If it is to be enforced by contempt proceedings, an injunction must be expressed in terms that are sufficiently clear and certain to make plain what is permitted and what is prohibited. Lack of clarity may arise where (i) the language used may have more than one meaning or (ii) in a borderline case where it is inherently uncertain

whether the term applies at all or (iii) the language is so technical or opaque as not to be readily understandable by the person to whom the injunction is addressed. Whether a term of an injunction is unclear in any of these ways is dependent on context. The alleged lack of clarity is irrelevant if it is immaterial to whether the breach alleged has occurred, because there would have been a breach whichever possible construction applied. Navigator Equities Ltd v Deripaska [2024] EWCA Civ 268 [2024] BCC 526 at §47v-vii; Cuadrilla Bowland Ltd v Persons Unknown [2020] EWCA Civ 9 [2020] 4 WLR 29 at §§54-55, 57-59.

- xiii) If there is any material ambiguity in the Order – so that the words used have more than one meaning – it must be resolved in favour of the contempt respondent. Ambiguity will be immaterial where there would have been a breach whichever possible construction applied. Haddonstone Ltd v Sharp [1996] FSR 767 at 773, 775; Navigator Equities (2024) at §47vii.

Contempt Analysis and Breach Analysis

14. The strict approach which applies to contempt means there is a difference between analysing (a) whether a party is in breach of an Order and (b) whether a party is in breach of an Order so as to be in contempt. In other words, a breach may not be a contemptuous breach. This difference may be the function of various features of the law. First, there is the criminal standard of proof. Second, there is the standard of clarity and certainty and the approach to ambiguity. That was why in Federal Bank of the Middle East Ltd v Hadkinson [2000] 1 WLR 1695 at 1705C, the Court of Appeal distinguished between whether the contempt respondent “had committed breaches” and whether it was “correct in all the circumstances to treat him as in contempt of court”. Third, there is the approach to impossibility of compliance, which means “breach of the order” is not “contempt of court” (see Perkier at §10). Fourth, there is the recognition that there may be a continuing breach but not a continuing contempt (see Kea at §72).
15. In the light of this difference between analysing breach and analysing contempt, Mr Munden and Mr Zabilowicz for the Defendants are right to caution against drawing a direct parallel between the application of Limbs 11a and 11c in this contempt case and the approach in Pycraft and Soriano. Those were cases analysing breach, in the context of undertakings, applying contract law. No issue of contempt arose, unlike in Bentinck. Take the question of ambiguity in Pycraft. There, the undertaking was “not ... to publish any further defamatory statements of the same or similar nature to the posts complained of” (see §4). The question was whether there was a breach of undertaking taking effect as a breach of contract (§15). The Court described the approach to be taken in resolving any “ambiguity” in the undertaking – if there was an ambiguity – being to “prefer the meaning which makes best business common sense” (§16). That contrasts with the approach to ambiguity in analysing contempt (see §13xiii above).

Article 10 ECHR

16. Mr Munden for the First Defendant said the Court’s approach to contempt is in part a product of Article 10 ECHR (freedom of expression), in the light of ss.6 and 12 of the Human Rights Act 1998. He reminded me that standards of legal certainty are informed by Article 10 (see Cuadrilla at §55). He suggested that Article 10 could be relevant to issues of proportionality of pursuit or impossibility of compliance (§§13vi and vii above). I have assumed in favour of the Defendants that this is correct. Nothing turns on it. I

remind myself that the Judge was granting final injunctive relief, finding that published libel is not a species of free speech protected by Article 10 (Judgment §104).

The Anatomy of the Order

17. I have set out the injunction and identified its three Limbs (see §§2-3 above). There are the following further relevant features. (1) The Order begins with a penal notice on the first page, warning the Defendants that disobedience may mean being held in contempt, which may mean imprisonment or a fine or the seizure of assets. There is the usual warning to third parties who know of the order and act to help or permit breach. (2) There is a Notice which includes this: “This Order prohibits you from doing the acts set out in paragraph 11(a) (and Schedule A) below and obliges you to do the acts set out at paragraphs 11(b) and 11(c) (and Schedule B) ...” (3) The same Notice gives the Defendants the right to apply to vary or discharge the Order. (4) Paragraph 14 of the Order gives the Claimant liberty to apply for an order under s.13 of the 2013 Act. An order under s.13 can require a third party “operator of a website on which the defamatory statement is posted to remove the statement” or a third party “to stop distributing, selling or exhibiting material containing the statement”. (5) Under a heading “Interpretation of Paragraph 11 of this Order”, the Order provides: “A Defendant who is an individual who is ordered not to do something must not do it himself/herself or in any other way. He/she must not do it through others acting on his/her behalf or on his/her instructions or with his/her encouragement”. That leaves Schedules A and B to the Order:
18. The function of Schedule A to the Order is to provide “the meanings ... set out in Schedule A” for the purposes of Limbs 11a and 11c of the injunction. Within Schedule A there are 24 numbered sub-paragraphs. These repeat the judicially-determined meanings found by the Court, corresponding to each of the 24 publications on which the Claimant sued in libel. Those judicially-determined meanings were set out in the Judgment, in a Meanings Table (Judgment Annex B). A table of the 24 Publications was reproduced, followed by the 24 Publications themselves, in the Judgment (Judgment Annex A). In the Order, Schedule A §§1 and 2 provide as follows:

Sch A §1. Under paragraph 11(a) of this Order the First Defendant is prohibited from publishing further words that bear the following meanings, or similar defamatory meanings: ...

Sch A §2. Under paragraph 11(a) of this Order the Second Defendant is prohibited from publishing further words that bear the following meanings, or similar defamatory meanings: ...

The relevant Scheduled Meanings then follow as the subparagraphs, organised and numbered to reflect the 19 Techrights publications relating to the First Defendant (Sch A §1(1) to (19)), and to reflect the 5 Tuxmachines publications relating to the Second Defendant (Sch A §2(1) to (5)). Some of the Scheduled Meanings are single-feature paragraphs, exemplified by Sch A §1(1): “The Claimant has abused, harassed and blackmailed many individuals online”. Many of them have separately numbered features, exemplified by Sch A §1(2)(i) to (iv) (see §24 below).

19. The function of Schedule B to the Order is to provide “the webpages identified at Schedule B” for the purposes of Limb 11b. Within Schedule B there are two tables whose rows bear numbers between 1 and 49. These correspond to the 24 publications on which the Claimant sued in libel and the further 25 publications on which the Claimant sued in data protection. In fact, there is no row number 17, because the Claimant’s representatives omitted it. For the 24 publications on which the Claimant had sued in

libel, the table within the Judgment (Judgment Annex A) had columns for “date”, “article title” and “URL”. In the Order, Schedule B §§1 and 2 provide as follows:

Sch B §1. Under paragraph 11(b) of this Order the First Defendant shall remove the following webpages that are available at the following URLs: ...

Sch B §2. Under paragraph 11(b) of this Order the Second Defendant shall remove the following webpages that are available at the following URLs: ...

The relevant Scheduled Webpages then follow as the rows within the two tables, organised and numbered to reflect the Techrights publications relating to the First Defendant (Sch B rows with numbers between 1 and 49), and to reflect the 6 Tuxmachines publications relating to the Second Defendant (Sch B rows with numbers 3, 7, 10, 14, 22 and 44). Each of the Scheduled Webpages within Schedule B is presented with its row number, then a column headed “date (on or around)” and finally a column headed “URL”. Every single URL begins with “https://”. Those which relate to the First Defendant and appear under Sch B §1 all begin with “https://techrights.org/”. Those which relate to the Second Defendant and appear under Sch B §2 all begin with “https://news.tuxmachines.org/”.

The Meaning of “publishing any further words” in Limb 11a

20. A first issue which I have to decide is this. Is it clear, for the purposes of findings of contempt, that “publishing any further words” in Limb 11a includes the action of retaining a webpage which continues to be accessible?
21. Mr Hamer for the Claimant says the answer is “yes”. The essence of his argument is as follows. **First**, the word “publishing” in Limb 11a must be interpreted as tracking defamation law. Just like the word “meanings” in Limb 11a, which Mr Munden and Mr Zabilowicz accept tracks defamation law. These were defamation proceedings. The Judgment, necessarily, addressed the issue of “publication”. The Judge analysed serious harm by reference to “publication” of the defamatory statements, pursuant to s.1(1) of the 2013 Act (§29). She spoke of the effect of a “publication” (§31). She analysed the “extent of publication” by reference to “readership of the articles” and the “hits” on the Defendants’ websites (§§44-45). There is very good reason to interpret “publishing” in Limb 11a as tracking defamation law, just as it did in Pycraft at §§17-18, 38. **Second**, the word “publishing” in the context of articles in webpages has a very well-established meaning. It flows from the “firmly entrenched” principle in Duke of Brunswick v Harmer (1849) 14 QB 185 that each individual publication gives rise to a separate cause of action for defamation: Loutchansky v Times Newspapers (Nos. 2 and 3) [2001] EWCA Civ 1805 [2002] QB 783 at §§57, 62. What flows for articles in webpages is this. Maintaining an article on an accessible webpage is “publishing” every time someone is provided access to the article. That was established in Godfrey v Demon Internet Ltd [2001] QB 201, followed in Loutchansky at §58. **Third**, it is true that the consequence in the present case is that Limb 11a substantially overlaps with Limbs 11b and 11c. But that is no reason to adopt any alternative interpretation. The fact that different limbs of an injunction overlap is familiar and benign: cf. Smith v Backhouse at §58. In the present case, the injunction involves a “belt and braces”. The overlap is incomplete, because Limb 11a requires proof of “publishing”, whereas Limb 11b is a duty to remove Scheduled webpages. **Fourth**, the use of the word “further” in the context of “publishing” does not detract from the Loutchansky meaning of publishing. It does not connote new writing of text or new posting of an article. The position is reinforced by the phrase “by any means

howsoever”, which plainly includes the Godfrey/Loutchansky means of publishing. **Fifth**, all of this is strongly supported by the admissible historical context (§13ix above). The Claimant’s representatives said in emailed submissions on 18 November 2025 that Limb 11c “extends to ... ongoing publications” and “clarifies what is already an obligation by the effect of paragraph 11(a)”. They said in written submissions on 21 November 2025 that in defamation “each individual publication is a separate cause of action”, citing Duke of Brunswick. The Judge accepted those submissions and was describing Limb 11a when she spoke of “past, present and future” in her Observations on 5 December 2025 (see §7[2] above).

22. I am unable to accept these submissions. In my judgment, Limb 11a has a clear, unambiguous and straightforward meaning, in its context and setting. It does not include the retention of a webpage which continues to be accessible. Certainly not for the purposes of a finding of contempt. On this issue, I agree with the essence of the submissions of Mr Munden and Mr Zabilowicz for the Defendants. My reasons are as follows. **First**, the three Limbs of the injunction constitute a coherent whole. The injunction is clear and comprehensive. That was its obvious purpose. The retention of webpages is addressed expressly. There is express provision as to the non-retention of the identified webpages (Limb 11b). There is then express provision as to the non-retention of other webpages, based on an evaluation of sameness and similarity to the judicially-determined meanings. The coherence breaks down immediately if Limb 11a is also dealing with non-retention of webpages. Limb 11a would eclipse Limb 11c completely. It would introduce an immediacy for identified webpages, precisely where Limb 11b identifies a grace period. This is not a sensible interpretation. **Second**, Limb 11a does not say “publishing words”. It does not say “further publishing words”. It says “publishing any further words”. The use of “further” is indicating future, as distinct from present and past. It does not help to point to Lachaux, to which the same points apply. **Third**, although the trial and Judgment were about defamation and articles in webpages, nowhere was the Duke of Brunswick principle applied at the trial or in the Judgment, still less its application to online articles in Godfrey/Loutchansky. **Fourth**, the other admissible context is not a basis, still less a clear basis, for the Claimant’s analysis. When the Judge spoke of “past, present and future” (see §7[2] above) she was describing the injunction as a whole, with all three Limbs. The Summary of the Trial Judgment which the Judge ordered be published used “in the future” for Limb 11a (§1 above). The Claimant’s representatives’ letter of 17 November 2025 had also said “in future” for Limb 11a. True, there were representations from the Claimant’s representatives, in seeking the injunction, which touched on Duke of Brunswick. Reference was made to publication. But the Godfrey/Loutchansky point was not made or explained.
23. It follows that there can be no contempt based on Limb 11a, from an action of retaining a webpage which continues to be accessible. Such a contempt could only arise from Limb 11b or Limb 11c. There are two footnotes to this issue. One is that Mr Munden rightly points out that Smith does not in fact illustrate overlapping limbs to an injunction, given the careful design of the order in that case (see Smith at §7(7)). The second is that the Claimant’s representatives’ letter of 18 December 2025 clearly approached Limb 11a as applicable to post-Injunction publications, while Limbs 11b and 11c were treated as applicable to retention of existing online content. Mr Harker’s oral evidence was that he had a different and broader understanding of Limb 11a at the time of writing that letter, but I have no hesitation in preferring the contemporaneous recording of the position in the letter itself. It was correct.

Whether Schedule A Meanings apply “In-Combination Only”

24. To illustrate how the next issue arises, the parties disagree as to whether a finding of contempt could be based on a sameness or similarity to this single underlined feature from the Scheduled meaning in §1(2)(ii) of Schedule A to the Order:

Sch A §1(2): (i) The Claimant is a criminal. He has committed many crimes online. (ii) The Claimant is responsible for a campaign of online harassment and defamation of the Defendants. (iii) The Claimant has sent many death threats to the Defendants. (iv) The Claimant has an open crack-cocaine habit.

25. The next issue which I have to decide is this. Is it clear, for the purposes of findings of contempt, that sameness or similarity can be to a single feature within a multi-feature sub-paragraph in Schedule A rather than being to the particular combination of features?
26. Mr Munden and Mr Zabilowicz for the Defendants say the answer is “no”. They say the correct interpretation, or at least a possible interpretation when considering contempt, is that the sameness or similarity must be to the combination of all features listed within the same sub-paragraph. The sub-paragraphs are the Scheduled Meanings. One feature will not do. Correctly and strictly interpreted, the prohibition in Limb 11a – and the duty in Limb 11c – could be enforceable by contempt only if there is a match with the combination of all of the listed features within a sub-paragraph in the Scheduled Meanings. That is the argument.
27. I do not accept these submissions. I think the correct interpretation is clear, unambiguous and straightforward. I agree with Mr Hamer. That is for these reasons. **First**, the “defamatory meanings” in Schedule A to the Order are, expressly and deliberately, broken up into numbered paragraphs and sub-paragraphs. Each is one of the “defamatory meanings”. Each is one of “those” meanings which is “set out in” Schedule A, for the purposes of Limb 11a, and also 11c. **Second**, this is made very clear by considering defamatory meanings about cocaine. In Schedule A, the Judge always listed this as a sub-paragraph: that the Claimant has an open crack-cocaine habit (Sch A §1(2)(iv)), or uses crack cocaine and posts online while under its influence (Sch A §1(3)(iii), §2(1)(iii)), or has a crack-cocaine habit (Sch A §1(4)(ii)), or a cocaine habit (Sch A §1(8)(iii)), or is addicted to crack cocaine (Sch A §1(10)(iii)). This is an obviously freestanding defamatory meaning. It is the subject of a freestanding sentence within the Summary of the Trial Judgment required by order under s.12 (see §1 above). **Third**, the same point can be seen in the contempt case of Bentinck. The original article had an accepted meaning with two sub-paragraphs. The similarity constituting the contempt was with one of these. **Fourth**, Schedule A is clear and explicit when there is a necessary combination. So, for example, the phrase “this campaign includes” (Sch A §1(3)(ii)) is a reference back to the “campaign” described in the previous sub-paragraph (Sch A §1(3)(i)). When there is an in-combination defamatory meaning, Sch A says so. It follows that there can in principle be contempt, for a breach of Limb 11a, based on a sameness or similarity to a defamatory meaning contained within a subparagraph of Schedule A to the Order.

Enforceability of an Evaluative Comparison of Meanings

28. The next issue which I have to decide is this. Is the evaluative comparison of sameness or similarity of “meanings” required by Limbs 11a and/or 11c a mechanism whose lack of clarity or accessibility make it unenforceable for the purposes of contempt, in the context and circumstances of this case?

29. Mr Munden and Mr Zabilowicz for the Defendants say the answer is “yes”. Here is the essence of their argument. Limb 11a operates by reference to an evaluation of whether “words ... bear the same or similar meanings to those set out in Schedule A”. Limb 11c operates by reference to an evaluation of whether webpages “contain the same or similar meanings to those set out in Schedule A”. Each of these introduces an evaluative exercise which is unclear and inaccessible for defendants who were acting in person until these contempt proceedings. This makes it unenforceable for the purposes of contempt. An injunction based on sameness or similarity to “words defamatory of the claimant” would be clear and accessible. But this sort of “meaning”-tied injunction is a non-standard type of order which is inaccessible for any unrepresented litigant. What the Court has required of the Defendants, as litigants in person, is a technical exercise of defamation law, in ascribing an objective single meaning to the “further words” (Limb 11a) or other webpages (Limb 11c), and then evaluating the sameness or similarity of that “meaning” to the features of the Scheduled Meanings within Schedule A. This falls foul of the species of uncertainty where the language used is too technical to be readily understandable by the persons to whom the injunction is addressed: see Cuadrilla at §58. Ascribing meanings in defamation law is highly technical. The legal principles are described in Koutsogiannis v The Random House Group Ltd [2019] EWHC 48 (QB) [2020] 4 WLR 25 at §§10-15. It involves an “artificiality” in determining “the single natural and ordinary meaning of the words complained of” based on what a “hypothetical reasonable reader would understand” (§11). It involves reading the publication “as a whole” (§12viii), the context and mode (§12ix), and considerations relating to the readership (§12xi). The hypothetical reasonable reader has particular characteristics (§12iii). There are special rules about banes and antidotes (§12viii), Chase levels (§13), the repetition rule (§15). The Judge was encapsulating this “complex” exercise in her observations of 5 December 2025: see §7[2]-[4] above.
30. I do not accept these submissions. On this issue, I agree with Mr Hamer. My reasons are these. They do not involve acceding to Mr Hamer’s invitation to say that Limb 11a is in a “standard form”. **First**, it is essential to the administration of justice that the Court can make effective orders in defamation cases, can afford effective protection of rights, and can act to ensure that the court’s orders are not flouted. The principles of defamation law are the applicable legal standards, including to laypeople acting without legal advice. **Second**, the Order in this case was the product of an important legal process. The Koutsogiannis principles were clear and transparent. The Judge had applied the law, and described it clearly in the Judgment starting with “single natural and ordinary meaning” at §§11-16. The principles had then been worked through, to arrive at a clear set of defamatory meanings, linked to a series of 24 Publications written by the Defendants themselves. Limbs 11a and 11c were clearly designed to work by reference to those judicially determined meanings. There was complete transparency for the Defendants – from the judicial process in which they were involved – as to how the Court had got from the words they had written, about which the Claimant had complained, to “the single natural and ordinary meaning of the words complained of”. **Third**, the Order put the Defendants in a position of being able to use the clear reference point of the Scheduled meanings, to examine their other webpages (Limb 11c) and to consider what to publish in the future (Limb 11a). That is what the Judge was describing. **Fourth**, the Court’s approach to contempt provides the appropriate safeguards, when looking at the actions taken or not taken in light of the terms of the Injunction. That includes a new set of evaluative questions, including questions about breach, the overall picture, proportionality of pursuit, triviality, impossibility, and any uncertainty of application in

a borderline case. All of which applies to any question of contempt, independently of all the considerations which would be relevant to mitigation and sanction.

31. It follows that the evaluative comparison of sameness or similarity of “meanings” required by Limbs 11a and/or 11c is an enforceable mechanism for the purposes of contempt, in the context and circumstances of this case.

Summarising the Whole?

32. I record at this point that Mr Munden for the First Defendant appeared to submit that an evaluative comparison of meanings would entail summarising the entirety of a publication which is said to breach Limb 11a or 11c. That is not correct. A judicially-determined meaning is the meaning of the words complained of, approached having regard to the publication as a whole. Judge Walker focused on the words complained of in Bentinck. Nicklin J was not summarising the entirety of the book in Lachaux.

Applying Limb 11a to the Newly-Posted Online Articles

33. The next issue which I have to decide is this. Did the First Defendant commit a contempt of court in publishing any of the relevant four articles on Techrights (and the matching Gemini-Equivalent Articles)?
34. Mr Hamer says the answer is “yes” in relation to all four. Mr Munden for the First Defendant says the answer, in each case, is “no”. In approaching “meaning”, I have reminded myself of the principles, as set out in Koutsogiannis (see §29 above), which the Judge had herself discussed and applied in the Judgment. In the evaluative comparison of meanings I have been able to focus on those “words complained of”, and those primary Scheduled Meanings, which were squarely identified within the Affidavit evidence of Mr Harker. These provide a clear and sufficient route of analysis. This is a straightforward approach. It has been unnecessary to look at further points which have been made on behalf of the Claimant. I begin with these findings of fact. I am sure of each of them. (1) The First Defendant knew of the terms of Limb 11a. (2) He knew of the terms of Sch A §1 including the Scheduled Meanings. (3) When he generated and updated the Newly-Posted Online Articles in January and February 2026 which appeared as a posting on Techrights with a matching Gemini-Equivalent Article, no other human intervention was involved. (4) He knew that the text he was generating would appear as a posting on Techrights and as a Gemini-Equivalent Article. (5) Each online article was published by him.
35. I will start with Projection Tactics - Part IV: SLAPP by Americans Against Techrights (UK) to Hide Serious Abuses Against American Women. This article – described in these contempt proceedings as alleged Breach 176 – was generated by the First Defendant on 23 January 2026, 7 weeks after the injunction was ordered by the Judge. It appeared on Techrights as a posting, with a Gemini-Equivalent Article. He updated it on 24 January 2026, and the updating was mirrored in the Gemini-Equivalent Article. The words complained of are clearly identified in the Affidavit of Mr Harker. They are:

The way we see it, the most serious harm was done to us and the American spouse, not to him. He defamed me in public for many years, stalked me, threatened me, and then threatened people I know, including my wife (all sorts of threatening letters sent from America).

Subject to his points about in-combination features and enforceability, Mr Munden accepted similarity is established for the purposes of Limb 11a. He was right to do so. Read in context of the text that has preceded it, the “he” in the words complained of clearly means the Claimant, and I am sure of that. It is clear, and I am sure, that the single natural and ordinary meaning of the words complained of, which the hypothetical reasonable reader would understand the words to bear, is “similar” to the judicially-determined defamatory meaning in Sch A §1(2)(ii):

The Claimant is responsible for a campaign of online harassment and defamation of the Defendants.

The point does not call for elaborate analysis. The position is clear cut. The single natural and ordinary meaning of the words complained of, which the hypothetical reasonable reader would understand the words to bear, is this or – on any legitimate view – along these lines:

The Claimant has been responsible for a pattern of harmful behaviour over many years, involving stalking and defaming the First Defendant and threatening both Defendants.

This article was a clear breach of Limb 11a of the injunction and was a contempt of court.

36. Next, I consider Projection Tactics – Part II: Causing “Serious Harm” to Many People (Even Animals). This article – described in these contempt proceedings as alleged Breach 174 – was generated by the First Defendant on 7 January 2026, one month after the injunction was ordered by the Judge. It appeared on Techrights as a posting, with a Gemini-Equivalent Article. These words complained of are clearly identified in the Affidavit of Mr Harker:

In Part I I focused on what the spouse of the person who has attacked me since 2012 said in public this week.

Read in context of the text that followed, “the person” in the words complained of clearly means the Claimant, and I am sure of that. Mr Munden says similarity is not established for the purposes of Limb 11a and contempt and that, viewing the article as a whole, the words complained of are an in-passing reference whose meaning is that the Claimant had made critical derogatory remarks. It is clear, and I am sure, that the single natural and ordinary meaning of the words complained of, which the hypothetical reasonable reader would understand the words to bear, is “similar” to the judicially-determined defamatory meaning in Sch A §1(2)(ii):

The Claimant is responsible for a campaign of online harassment and defamation of the Defendants.

Again, I do not think the point calls for elaborate analysis. Reading the article as a whole, the context of the article concerns harm from communications, and “since 2012” is a clear reference to a pattern of behaviour over many years. The position, again, is clear cut. The single natural and ordinary meaning of the words complained of, which the hypothetical reasonable reader would understand the words to bear, is this or – on any legitimate view – along these lines:

The Claimant has since 2012 targeted the First Defendant with harmful communications.

This article was a clear breach of Limb 11a of the injunction and was a contempt of court.

37. The next article is entitled Five Years Ago, After We Broke the Story About Richard Stallman Rejoining the FSF's Board, All Hell Broke Loose (for Me and My Family). This article – described in these contempt proceedings as alleged Breach 175 – was generated by the First Defendant on 22 January 2026. It appeared on Techrights as a posting, with a Gemini-Equivalent Article. These words complained of are clearly identified in the Affidavit of Mr Harker:

including MJG who had already attacked me online since 2012.

Read in context of the text in this article, the repeated descriptions of “MJG”, and the links that are given, “MJG” in the words complained of clearly means the Claimant, and I am sure of that. Mr Munden again says similarity is not established for the purposes of Limb 11a and contempt and that, viewing the article as a whole, the words complained of are an in-passing reference whose meaning is that the Claimant had made critical derogatory remarks. Again it is clear, and I am sure, that the single natural and ordinary meaning of the words complained of, which the hypothetical reasonable reader would understand the words to bear, is “similar” to the judicially-determined defamatory meaning in Sch A §1(2)(ii):

The Claimant is responsible for a campaign of online harassment and defamation of the Defendants.

Again, I do not think the point calls for elaborate analysis. The word “online” is express. The word “already”, read in context, is describing the position as at 2021. The words “since 2012” are a clear reference to a sustained pattern. The position, again, is clear cut. The single natural and ordinary meaning of the words complained of, which the hypothetical reasonable reader would understand the words to bear, is this or – on any legitimate view – along these lines:

The Claimant has since 2012 targeted the First Defendant with harmful online communications.

This article was a clear breach of Limb 11a of the injunction and was a contempt of court.

38. The fourth article is entitled 400-Page US Federal Court Against Abuses by Google, Microsoft and Front Groups That Abuse Volunteers for American Corporations. This article – described in these contempt proceedings as alleged Breach 177 – was generated by the First Defendant on 3 February 2026. It appeared on Techrights as a posting, with a Gemini-Equivalent Article. These words complained of are clearly identified in the Affidavit of Mr Harker:

Techrights authors claim harassment by Debian co-author Matthew J. Garrett.

This is a heading in a quoted excerpt from a US legal complaint by a Daniel Pocock. The text which follows, also from the excerpt, makes clear that the meaning of “Techrights authors” is the First Defendant and his wife. The context makes clear that this was a serious claim made by the Defendants in September 2024. Mr Munden says similarity is not established for the purposes of Limb 11a and contempt. He says this quoted excerpt engages the “repetition rule” (Koutsogiannis at §15), which he says is an unclear and inaccessible technical concept unenforceable on contempt. That contention fails (see §§28-31 above). The elements of contempt are all established, including knowledge of the facts that make the conduct a breach. It is clear, and I am sure, that the single natural and ordinary meaning of the words complained of, which the hypothetical reasonable

reader would understand the words to bear, is “similar” to the judicially-determined defamatory meaning in Sch A §1(2)(ii):

The Claimant is responsible for a campaign of online harassment and defamation of the Defendants.

The position is clear cut. The single natural and ordinary meaning of the words complained of, which the hypothetical reasonable reader would understand the words to bear, is this or – on any legitimate view – along these lines:

The Claimant is responsible for harassment of the Defendants.

This article was a clear breach of Limb 11a of the injunction and was a contempt of court.

Contempt under Ground 6

39. It follows, and I am sure, that the First Defendant did breach Limb 11a and commit a contempt of court in publishing each of these four articles on Techrights (and their matching Gemini-Equivalent Articles) in January and February 2026. That deals with Ground 6 (Newly-Posted Online Articles: §11iv above). Having circulated this judgment in draft, and with the assistance of Counsel’s observations, I have decided to incorporate as an Annex to this Judgment (see §57 below) the textual content of the four publications themselves. Mr Hamer opposed this. Mr Munden supported it. It does not disproportionately lengthen the Judgment. It does not cause the Claimant any undue prejudice, in being shown as part of a Judgment which upholds his application and finds contempt of court. In the context of findings of contempt, showing what the First Defendant posted is an aspect of fairness and transparency. Open justice is also promoted, it being right that the Court should open its decision and analysis to informed scrutiny.
40. By way of footnotes to this issue, two things. First, I record that the First Defendant refused at times to accept that he was “publishing” articles on his website, or “posting” there. In other parts of his evidence, he accepted that he “published” online articles after the Injunction. He plainly did and as the Judge decisively found. His Techrights website itself refers to his articles as “posted” by him. Second, I record that the First Defendant was anxious at one point to read out in open Court – as he did – what he had said about these four articles in his witness statement, namely:

In isolation, as per the words identified by the Claimant’s solicitor, I can see that there is an argument that these could be seen as similar to meanings in Schedule A even if that wasn’t my intention. I will edit the webpages to remove these statements, and I will ask for the Gemini capsule to reflect the new versions. I apologise to the Court and to the Claimant for these statements being arguable breaches of the Order.

I have found that these are not “arguable breaches”, nor when words are considered “in isolation”. They are clear breaches, and contempts of court, when the words complained of are considered having regard to an article read as a whole.

Whether Limb 11b Applies to Retained Gemini-Equivalent Articles

41. The next issue for me to decide is this. Is it clear, for the purposes of findings of contempt, that “the webpages identified at Schedule B” in Limb 11b – and “the webpages that are available at the following URLs” in Schedule B §§1 and 2 – includes the mirror-image

Gemini-Equivalents of those webpages found at the Schedule B listed URLs beginning “https://”?

42. I start with the relevant facts about Gemini-Equivalent Articles. I find the following facts. I am sure of all of them. They do not involve my drawing any adverse inference against the First Defendant for his refusal to name account holders and other individuals.

- i) There was no mention of Gemini or the “Gemini Edition” or Gemini-Equivalent Articles (described in whatever words) within the main body of the Judgment. None of these had been referred to in the claim form, or in the particulars of claim. None of them are referred to within the Order.
- ii) By no later than the end of the trial, all parties were aware of Gemini, the Gemini Editions and the Gemini-Equivalent Articles (described in whatever words). When the libel action was commenced, Mr Harker had looked up Gemini. In Mr Hamer’s closing speech on behalf of the Claimant at the trial (31 October 2025), he told the Judge about “Gemini space”, in reading from evidence about Techrights and Tuxmachines being “very popular on Gemini space as well”. (I interpose that the transcript has recorded “Gemini space” as “Geminispace”.) The First Defendant then made his own closing speech – which the Second Defendant was present to hear and did listen to before adding a “short message” of her own – in which the First Defendant said this to the Judge:

And we even try to evolve beyond the web because you know the web is becoming full of misinformation they call it AI, all sorts of nonsense. So we have even expanded to this thing called Gemini protocol, which is a more pure and more simple alternative, so we can put the articles. And for [the Second Defendant] I think her website now is about 45,000 pages in Gemini and it is syndicated in some very big sites. It does not talk about people, it talks about technical things and lots of people find it very useful and that is how they follow news. Now in my case also I am in Gemini protocol and I put that information out there, because I think the web will sort of collapse. We are reaching the tipping point where most of the web is garbage...

- iii) It is not correct, as the Second Defendant claimed at one point in her oral evidence, that she did not know – even on 16 December 2025 – of the existence of the Gemini-Equivalent Articles. She did know of their existence. The Gemini Edition – the matching Gemini online equivalent of the website – was conspicuously referenced on each of her articles on her own Tuxmachines website. Her website having its 45,000 pages “in Gemini” was described in the First Defendant’s closing speech, which she was present to hear and to which she did listen (31 October 2025). Her own witness statement for this contempt application (19 June 2026) does not profess ignorance but rather “little familiarity” and “no control”.
- iv) The fact that each of the 24 Publications on which the Claimant sued in libel, and the fact that each of the 25 other Publications on which the Claimant sued in data protection, had a Gemini-Equivalent was clear from the evidence which was placed before the Judge at the trial. Each article referred, on its face, to “Gemini Edition”. That was a reference to the online Gemini space on the internet: ie. the “Gemini Edition” of the website. In the case of each article on the website, “Gemini Edition” appeared as a “click” near the title of the article. This “Gemini Edition” click would not take the user direct to the Gemini-Equivalent Article. Instead, it would provide the user with the information needed so as to be able to access the Gemini Edition

of the website, if the user wished. And it was in the Gemini Edition of the website that the Gemini-Equivalent of each article was to be found, with its identical textual content.

- v) The fact that each of the 24 Publications on which the Claimant sued in libel had a Gemini-Equivalent was also clear from the Judgment itself. This is because the articles – including the conspicuous click for the “Gemini Edition” of the website – were included within Annex A which was incorporated within the Judgment. This was true of the 19 of the 24 Publications which were the First Defendant’s articles. It was true of the 5 of the 24 Publications which were the Second Defendant’s articles. Each of them, conspicuously, carried a click to “Gemini Edition”. That means “Gemini Edition” appeared 24 times, incorporated within the Judgment.
- vi) Each of the 24 Publications on which the Claimant sued in libel was, however, identified in Judgment Annex A within the Table of Publications, by reference to “URLs” which began “https://”. Each of the 49 Publications, on which the Claimant sued in libel and data protection, was identified in continuation sheets to the claim form (25 April 2024), by reference to “URLs” which began “https://”. Each of numbered Publications in Schedule B to the Order was identified, by reference to “URLs” which began “https://”. URL means uniform resource locator. A URL is made up of a protocol such as “https://”. The protocol is an integral part of the URL. The Gemini protocol, and Gemini-Equivalent Articles, did not feature in any of these places.
- vii) Gemini is an alternate internet protocol. There are two ways of accessing a Gemini-Equivalent Article. Each involves accessing the Gemini Edition. The first way is by having the software to visit “gemini://” instead of “https://”. The second way is by using the Smolnet Portal to visit “https://portal.mozz.us/gemini/” instead of “https://”. By either of these routes, the equivalent internet Gemini content – with its identical textual content for each online article – is accessible to the internet user. In the world of software engineers and computer scientists, inhabited by all three of the parties in this case (see Judgment §§2-3), the Gemini-Equivalent Articles within the Gemini Edition would be described as being “online” and on the “internet”, but they would not be described as being part of the “web”.
- viii) The Gemini-Equivalents, for all 49 of the Publications, were a computer-generated mirror of the text of the articles which the Defendants generated on Techrights and Tuxmachines. The textual content was identical. But it is a stripped-back text. In Gemini-Equivalent Articles there are no images, no links and no text highlighted in bold. Once the system had been set up, as it had been by 2023 for both Techrights and Tuxmachines, no human action or interaction was needed to produce the Gemini-Equivalent Article, with its mirroring identical textual content. That followed automatically when an article generated by the First Defendant appeared as a posting on the Techrights website. It followed automatically when an article generated by the Second Defendant appeared as a posting on the Tuxmachines website. It is not correct for the Second Defendant to say, as she did in her witness statement and her oral evidence, that she had “no control” when content of an online article which she generates to Tuxmachines was mirrored by a Gemini-Equivalent Article; and that it was generated outside her control. It is something which follows directly from her actions when she generates an article which appears as a post on Tuxmachines. It was misleading for the First Defendant to say,

as he did in his oral evidence, that he was “not the one” controlling the conversion into a Gemini-Equivalent, and that “someone else” generates in the Gemini space (or “Gemini Edition” of the website). There is no “the one”. There is no “someone else”. It follows directly from his actions when he generates an article which appears as a post on Techrights.

- ix) Each Defendant took action on 16 December 2025, in light of the terms of Limb 11b and Schedule B, to remove the Scheduled webpages in Schedule B. They did so by removing the Scheduled webpages from the “https://” URLs given in the table in Schedule B. That meant the webpages would not appear at those URLs. They did this on 16 December 2025, the deadline under Limb 11b, for all of the identified Scheduled Webpages in Schedule B. But they did not remove the Gemini-Equivalents of any of the online articles. That is because they did not go on to take the further action which would have been necessary to bring about the removal of the Gemini-Equivalent Articles. There was no impossibility on their part in achieving that outcome. Each of them had sufficient control to make it happen, as it eventually did on 30 June 2026. The First Defendant told me that recently “the website” had “removed articles on Gemini”. That removal was the consequence of his actions, the same actions which he could have taken on 16 December 2025. It was misleading for the First Defendant to say, as he did in his witness statement, that there was an “independent” person “handling” Gemini called “iophk” who along with “others”, “if asked”, “may be able to remove the content”. The First Defendant was and is himself a relevant account holder, in respect of Gemini. The person “iophk” is someone who assisted, when asked, in publishing the Summary of the Trial Judgment. It was well within the First Defendant’s control to make it happen. And all the Second Defendant needed to do was ask the First Defendant.
43. I return to the issue which I formulated (see §41 above). Mr Munden and Mr Zabilowicz for the Defendants say this. The answer is “no”: it is not clear, for the purposes of findings of contempt, that “the webpages identified at Schedule B” in Limb 11b – and “the webpages that are available at the following URLs” in Schedule B §§1 and 2 – include the mirror-image Gemini-Equivalent Articles. Here is the essence of their argument. **First**, Limb 11b says “remove the webpages identified at Schedule B”, and Schedule B §§1 and 2 refer to “the following webpages”. Since the Gemini protocol is an alternative to the “web”, it follows that the Gemini-Equivalent Articles are not “webpages”. In context, where all parties understood the technical position and where the First Defendant’s closing speech had emphasised that Gemini was not the “web”, the word “webpage” was inapt to deal with Gemini-Equivalent Articles. It also follows that Limb 11c – “the same ... meanings” – could not cover the Gemini-Equivalent Articles, even for the mirror-text articles within Publications 1 to 24, whose judicially-determined meanings were set out in Schedule A to the Order. That is because Limb 11c says “webpages” and to be removed from any “website”. Gemini-Equivalent Articles are not accessed through the “web” – or not the ordinary “web” – at least not as any computer programmer would understand the term “web”. As the First Defendant has explained, a Gemini-Equivalent Article is found within a “capsule” and not at a “site”. The Claimant’s representatives had originally used the language of “website or platform” (17 November 2025). This did not form part of the language of the Injunction. Gemini is a “platform”, but not a “website”. **Second**, Schedule B refers at §§1 and 2 expressly to the webpages “that are available at the following URLs” and then gives the list of specific URLs for

each Scheduled Webpage, each with its specific “https://” URL. The webpages are therefore defined by their URL. The term “URL” in Schedule B to the Order includes the protocol – whether it is “https://” or “gemini://” – and not, as Mr Hamer had suggested in his opening but did not maintain, simply the domain name and directories (or paths). It is the “URL” which was “identified in Schedule B”. The mechanism for other content which was “the same” or “similar” is Limb 11c. **Third**, even if there is ambiguity, this is fatal to any application for contempt. It is sufficient that the interpretation of “webpage” and/or identification by URL is a possible interpretation, which each plainly is. **Fourth**, if the Claimant’s representatives wanted to specify the Gemini-Equivalent Articles they could and should have included them within the draft injunction. Having made no mention of Gemini or the Gemini Edition or Gemini-Equivalent Articles (however described) in the main body of the Judgment, it is impossible to take it that the Judge was somehow, and unprompted, dealing with the Gemini-Equivalent Articles in the Order. Having failed to spell out the position, the Claimant’s contempt application is defeated by his own default.

44. I do not accept these submissions. On this issue, I agree with Mr Hamer. I find that Limb 11b has a clear, unambiguous and straightforward meaning, in its context and setting. Including for the purposes of a finding of contempt. My reasons are as follows. **First**, the structure, function and wording of Schedule B is answering a what question. What are the identified webpages which need to be removed. It is the “webpages” that need to be removed. The “webpages” are “identified” as the ones “that are available at the following URLs” (Sch B §§1, 2). Schedule B §§1 and 2 does not say “shall remove the following webpages from the following URLs”. Nor do they say “shall remove the following webpages that are available at the following URLs so that they are no longer available at those URLs”. These are the webpages which have to be removed. It is plain and obvious that the Defendants would not be able to leave online mirror-image identical articles. **Second**, it is plain and obvious that “webpages” is referable to these identical articles being available online, on the internet. The Order is not adopting a narrow and technical meaning of “webpages” in Limb 11b and 11c. This is reinforced by the use of “website” in Limb 11c. This is the natural and ordinary meaning of the words used by the Court. Just as I have found that “publishing” in Limb 11a has a straightforward non-technical meaning, so I find that “webpage” has a straightforward non-technical meaning in Limb 11b. It means a page which is online, on the internet. **Third**, the position is reinforced by the admissible context. The Judgment, by expressly incorporating Annex A, identified locations of webpages by URL beginning “https://”. However, within that same part of the Judgment are the repeatedly recorded existence of the “Gemini Edition” in relation to the very same webpage. They are not a different webpage, or a non-webpage, but a version – within an online “Edition” of the website – of the very same webpage being identified. It is plain and obvious that the “https://” editions were to be removed, and with them the Gemini-Equivalent Articles. This is not about subverting the purpose and spirit of the Order. It is about giving the Order its natural and ordinary meaning, in context, having regard to purpose and mischief. Further reinforcement is to be found in the way in which the Gemini space featured in the closing speeches at the trial. **Fourth**, the three Limbs of the injunction constitute a coherent whole. The injunction is clear and comprehensive. That was its obvious purpose. There is express provision as to the removal of the identified webpages (Limb 11b). There is then express provision as to removal of other webpages, not because they are the same thing, but this time based on an evaluation of sameness and similarity of meanings to 24 judicially-determined meanings. The coherence breaks down if a textually-identical online article is removable

by reference to an evaluative exercise of sameness or similarity with the Scheduled Meanings for Publications 1 to 24. That exercise is plainly inappropriate where the online article is the textual mirror-image of the very article which is required to be removed. It does not make sense.

45. It follows that it is clear, for the purposes of findings of contempt, that “the webpages identified at Schedule B” in Limb 11b – and “the webpages that are available at the following URLs” in Schedule B §§1 and 2 – include the Gemini-Equivalent Articles of those webpages found at the Schedule B listed URLs beginning “https://”.

Section 13 of the 2013 Act

46. Mr Zabilowicz for the Second Defendant submitted that the liberty for the Claimant to apply for an order under s.13 of the 2013 Act (see §17(4) above) would apply to online articles available by the Gemini protocol. He accepted that “website” when used by Parliament in s.13(1)(a) of the 2013 Act would apply to the Gemini-Equivalent Articles, “not least” – he submitted – because the Gemini-Equivalent Articles are available through “https://”, by using “https://portal.mozz.us/gemini/” in the Smolnet Portal. Mr Hamer for the Claimant agreed with this and relied on it. Mr Munden for the First Defendant disagreed. I do not need to resolve this point. It is not necessary to my decision. I am sure that the Gemini-Equivalent Articles were required to be removed pursuant to Limb 11b, whatever the ambit of s.13.

Contempt under Grounds 1 and 2

47. I have found that the clear and unambiguous meaning of Limb 11b was that it extended to the Gemini-Equivalent Articles of the webpages in Schedule B to the Order. In the light of my relevant findings of fact (see §42 above), I am sure of the following. **First**, each of the Defendants knew of the terms of Limb 11b and Schedule B. **Second**, each of them failed to act so as to remove the Gemini-Equivalent Articles, meaning that they each acted in a manner which involved a breach of Limb 11b. **Third**, each of them knew the facts which made that conduct a breach. **Fourth**, there was nothing approaching impossibility. It follows, and I am sure, that there was a contempt of court in respect of each of the Retained Gemini-Equivalent Articles (Grounds 1 and 2: §11i above). That is, Breaches 1 to 38 (First Defendant) and Breaches 39 to 44 (Second Defendant).

The Absence of a Deadline in Limb 11c

48. The next issue for me to decide is this. Does the absence of a specified deadline make Limb 11c unenforceable as a basis for contempt?
49. Mr Hamer for the Claimant submitted that the answer is “no”. He accepts that Limb 11c has no deadline, unlike Limb 11b. He accepts that it is not open to him to invite the Court to imply a deadline into Limb 11c, for example by drawing a parallel with the specified deadline specified in Limb 11b. His argument was as follows. Limb 11c did not need a deadline. That is because it took “immediate effect”. Breach of a mandatory order which took immediate effect can be the basis for a finding of contempt. This is supported by McKay v All England Lawn Tennis Club [2020] EWCA Civ 695 at §§79-80, where the Court of Appeal approved this proposition: that a committal order for contempt could arise from a mandatory order which does not fix a date for compliance because the mandatory order is one which “has an immediate and continuing effect”, citing SK v HD

[2013] EWHC 796 (Fam) [2014] Fam Law 22. That was the position here. Although in practice compliance with Limb 11c would take some time, the protection for the Defendants lies in the Court's approach to contempt: as to impossibility, as to trivial breach, and as to proportionality of pursuit (see §13vi above).

50. There is a conspicuous unattractiveness to the Defendants' reliance on the absence of a deadline in Limb 11c. That is for these reasons. (1) The Defendants argued against Limb 11c being imposed on them. They argued that they should not have any obligation beyond removal of identified pages or publications, and that the Claimant should specify what needed to be removed, before the injunction order was sealed. They did not make a point about time or the absence of a deadline. (2) The Judge gave a reasoned explanation for Limb 11c, emphasising the importance of complying with it. She did not address time-frame, because neither party had raised this. (3) The Defendants did precisely nothing to attempt to comply with Limb 11c. Not a single item was removed by any of them. Some of the retained articles are, very obviously, prime candidates for removal given their contents. The Defendants disagreed with Limb 11c and took the position that they were not going to remove anything unless it was identified. The continued primacy of their own views as to whether removal was for "good reason" continued into the hearing before me. The First Defendant told me in his oral evidence that "I could modify virtually any page but I would need a good reason". The Second Defendant in her oral evidence rigidly refused to address any questions about whether she "could" remove content, except by describing what she "would" consider to be justified, as writer or curator. (4) When the Claimant's representatives promptly (from 18 December 2025) pointed out that there had been no action under Limb 11c, no point was raised by the Defendants about the absence of a deadline. The absence of a deadline was a point raised for the first time in the First Defendant's witness statement dated 22 June 2026.
51. So far as contempt is concerned, this conspicuous unattractiveness has no traction. Mr Hamer rightly accepts that. The question is a question of law. The Defendants are entitled to raise it, in defence of this contempt application. The sole question for me is whether they are right about it. The Defendants are also entitled to point out the following. (1) The Claimant was legally represented. (2) The wording of the injunction came from the Claimant's legal representatives. (3) The Claimant's legal representatives were well able to include a deadline date, and did so within Limb 11b. (4) If it is fatal in law to a finding of contempt that they failed to do so in Limb 11c, that is squarely the consequence of their default. (5) When the Claimant's representatives wrote (18 December 2025) claiming that Limb 11c had been breached, they said the same deadline as Limb 11b governed Limb 11c, which is now accepted to be wrong. All of these points are correct.
52. In my judgment, the answer to the issue which I have to decide is "yes". The absence of a specified deadline does make Limb 11c unenforceable as a basis for contempt. On this issue I agree with the submissions of Mr Munden and Mr Zabilowicz. My reasons are as follows. **First**, it is obvious that Limb 11c cannot be construed as having an immediate effect. The very nature of the obligation is one which would need time for compliance. That is the end of it. **Second**, this is strongly reinforced when Limb 11c is put alongside Limb 11b. It makes no sense at all to give until 16 December 2025 to remove a set of identified webpages, but to impose an "immediate effect" obligation for the removal of other webpages. There is no coherence to that. It is all the wrong way round, since the Limb 11c webpages are the ones which call for evaluative consideration of sameness and similarity with Scheduled Meanings. No sensible deadline for that could have been

earlier. **Third**, considerations of impossibility, triviality and proportionality provide no refuge for the Claimant. Either there was, or was not, an “immediate effect” obligation whose breach is capable of being the basis for a finding of contempt. The answer is that there was not. **Fourth**, **SK** and **McKay** are cases in specific contexts with specific contours. They are no basis for any generalised proposition about whether and when mandatory orders with no deadline date could be the basis of contempt, still less in defamation-type cases. **SK** was a family law case about a location order, requiring information about the whereabouts of a child to be given to the Tipstaff. The Court recognised the line of contempt cases emphasising the importance of a specified timeframe (see §39), but said a date did not need to have been set “in every case” (see §40). That line of cases requiring a specified timeframe has continued: see eg. **Addou v Bennabi** [2024] EWHC 2702 (Fam) at §44. **McKay** was a case where a deadline had been specified (see §21) and the mandatory order had been continued at a return date hearing (see §25). That was the specific context and focus (see §80) for the Court of Appeal not casting doubt on **SK**. It is neither necessary, nor appropriate, to decide whether there is now a universal rigid rule “in every case” that contempt can never lie in respect of a mandatory order having “immediate effect”. It is clear that a specified deadline was needed in the present case.

No Contempt under Grounds 3 to 5

53. It follows that the absence of a specified deadline does make Limb 11c unenforceable as a basis for contempt. In light of my analysis of Limb 11a, this is fatal for Grounds 3 and 4 (Retained Other Online Articles: §11ii above) and Ground 5 (Retained IRC Daily Logs: §11iii above). No other issue can arise for decision. In my judgment, it would not be appropriate, when dealing with this contempt application, to go on to deal with the other issues which would have arisen on the false hypothesis of Limb 11c as being designed with a deadline date, so that it could be a basis for a finding of contempt; nor to address whether this is one of those cases where there have been breaches of a Court order which do not constitute contempt.

Procedural fairness

54. Mr Munden submitted that a serious procedural unfairness had arisen in this case. This was a point which did not appear in his skeleton argument, which he raised for the first time in his opening speech at the hearing before me on 8 July 2026. His criticism then was that Mr Hamer’s skeleton argument and attached “Ready Reckoner” did not contain the sort of explanation of alleged sameness or similarity, for the remaining alleged Breaches of Limbs 11a and 11c, which Mr Harker’s Affidavit had properly explained for some of the alleged Breaches. In closing, Mr Munden took a different position. He now said that even Mr Hamer’s skeleton argument could not have sufficed, because particularity of sameness or similarity was required to be in the Affidavits. Having applied the heightened standard of procedural fairness (§13viii), I was unable to detect a procedural unfairness in the way the case was presented. But in the event the point goes nowhere, because all of the Breaches which I have found established on grounds of sameness or similarity (ie. Ground 6: Breaches 174 to 177) were properly explained in

the Harker Affidavit evidence, in a manner which Mr Munden accepted was legally sufficient to supply the procedural fairness for which he contends.

Conclusions

55. My conclusions as to whether there has been a contempt of court are therefore as follows. **“Yes”**, and I am sure of it, in respect of the four post-injunction Newly-Posted Online Articles published online by the First Defendant (Ground 6, alleging Breaches 174 to 177). See especially §§11iv, 27, 31 and 33-39 above. **“Yes”**, and I am sure of it, in respect of the Retained Gemini-Equivalent Articles (Grounds 1 and 2): Breaches 1 to 38 (First Defendant) and Breaches 39 to 44 (Second Defendant). See especially §§11i, 41-45, 47 above. **“No”**, in respect of the Retained Other Online Articles (Ground 3 alleging 59 Breaches by the First Defendant, and Ground 4 alleging 6 Breaches by the Second Defendant), and **“No”** in respect of the Retained IRC Daily Logs (Ground 5, alleging 64 Breaches by the First Defendant), addressed by reference to the representative Breaches chosen by the Claimant. See especially §§11ii, iii and 48-53 above. That means I have found contempt based on 48 Breaches, out of 177 alleged, of which 42 are contempt by the First Defendant and 6 are contempt by the Second Defendant. Having made these findings, it will now be necessary for the Court to turn to deal with consequential matters and appropriate next steps. Having circulated this judgment in draft, and considered the parties’ submissions, I will be in a position to identify what will come next for this case.

Consequential matters

56. The Claimant has confirmed that he does not seek determination in respect of those alleged breaches within Grounds 3 to 6 which were adjourned by the Order of Griffiths J (15 April 2026), pending determination of the 20 representative breaches under those Grounds. Mr Munden asked for an extended deadline to address consequential issues and a draft order, because a week was lost when the draft judgment was not communicated to the Defendants. No party asked for hand-down of the judgment to be deferred. I granted the extension and will make an Order when submissions and draft orders have been received. My Order will be accessible from the court records. I will also consider whether it is appropriate to explain my decisions on consequential matters in a short sequel judgment, as I would have done here, had the lead time between draft judgment and hand-down been used for the purposes for which it was given.

Annex

For the reasons I have given (§39 above), I am setting out here as an Annex to this Judgment the textual content of the four Newly-Posted Online Articles which the First Defendant published on Techrights in January and February 2026 (§§35-38 above), to which Ground 6 relates (§11iv above). Underlining connotes hyperlinks. Images, bold and hyperlinks do not appear in the Gemini-Equivalents Articles.

Annex

Projection Tactics - Part II: Causing "Serious Harm" to Many People (Even Animals)

posted by Roy Schestowitz on Jan 07, 2026

A later part will discuss "serious harm to our fish, not to mention the birds we feed"

[Image of article headed 'Debian Urgently Seeks Volunteers After Data Protection Team Resigns']

Serious Harm was done to a lot of people last year. Serious Harm was done to a lot of people in 2024. Serious Harm was done to a lot of people also in 2023 and in 2022. In 2021, a few days apart from the apparent sacking of GitHub's CEO and arrest of his best friend (affiliate) I received a threatening letter from their GNOME buddy. We'll illuminate the full timeline in the future (the issue was escalated to the SRA, which had expressed concerns about "hired guns"). A lot of Serious Harm was done, especially to women. There was also behind-the-scenes coordination. These aren't coincidences and the court - the UK's High Court - was repeatedly lied to.

In Part I I focused on what the spouse of the person who has attacked me since 2012 said in public this week.

There has since then been more:

[Image of tweet from @isislovecraft dated 7 Jan 2026 stating "Matthew Garrett and his partners had me kidnapped, drugged, held hostage, raped and tortured, this has been the last year of my life"]

Not even going to comment on it or suggest it's true or false; and again a few hours ago (hours apart, not impulse):

[Image of tweet from @isislovecraft dated 7 Jan 2026 stating "also fuck Matthew Garrett and his partners Louise and Ian Conway for having me kidnapped, drugged, raped and tortured"]

So the person he married only several years ago now accuses him of all sorts of things. Does this cause Serious Harm to his reputation? Or does **my** wife talking about actual abuse she had received in IRC (and the Judge acknowledged she didn't deserve or invite any of this) cause Serious Harm? There were Hate Crimes. The case focused on **who** did this, not whether it was done (or maybe proxied). We have evidence - *hard evidence* - of coordination there too (private E-mails). As part of disclosure/discovery there was even more of this.

Putting things in perspective, there's a lot of projection and hypocrisy going on. That's why I've spent a lot of time and money dealing with it. That's why my wife too spent a lot of time and money dealing with it.

We've never been sued before... until 2024. Then not one American but **two** Americans [1, 2] (who **coordinated this**, they gamed the system) sued us... in a **British** court, using the exact same solicitor and same junior barrister (to keep their legal costs down). In light of the SLAPPs against the BBC, American" is quickly becoming a derogatory term, an insult (because of what people associate this word with).

What does GNOME have to say about this?

What does Debian have to say about this?

What we have here are Debian people doxing people [1, 2] and maybe swatting people. This was in the news this week (we saw several reports about it, aside from the original message): "Andreas Tille, a Debian Project Leader, recently sent an unexpected message to the Debian mailing lists, announcing that the project is urgently seeking new volunteers to rebuild its Data Protection Team after all current members

stepped down, leaving the project without a dedicated group to handle privacy and data protection matters." Well, Debian servers are also owned and controlled by surveillance giant Google. Putting that aside, however, what is the Debian stance or policy on doxing and swatting? Does that policy even exist?

It's rather appealing that some of the worst abusers out there pick on their critics and treat pets/spouses like they treat insects. Narcissists and sociopaths are like that.

In a land of kings or monarchs, only some people are shielded from accusations of Serious Harm. It's misguided to miss the big picture.

Five Years Ago, After We Broke the Story About Richard Stallman Rejoining the FSF's Board, All Hell Broke Loose (for Me and My Family)

posted by Roy Schestowitz on Jan 22, 2026

Mobs don't succumb to reason. They generally seem to target anyone who thinks Richard Stallman (RMS) should be in charge or **thinks alike about computing**.

[Image: Photograph of Richard Stallman]

This is a relatively quick and concise timeline. A much longer timeline with many more details will be shared in the future (when the time is right).

In early 2021 it turned out, via livestream and IRC, that RMS was coming back to the FSF after the unfair lynchings of 2019. We were the first to report this and, if I recall correctly, our report about this garnered about 50,000 readers.

It didn't take long for at least some of the attacks to be directed at **me**, the messenger, whereupon (like any 'unreasonably' stubborn person) I made it like a "personal project" to debunk the chaotic lies, insults, and ritual defamation. It wasn't hard to see that this was partly GAFAM-led.

Not too long afterwards a pogrom against RMS was run by an IBM employee (working on Microsoft Azure) and friends, including MJG, who had already attacked me online since 2012.

Since then I published literally **hundreds** of articles on this topic (**in that year alone**).

Later in that year we exposed [1, 2] a very major Microsoft GitHub scandal, which is likely why the CEO of GitHub was removed at very short notice. Soon afterwards we came to realise that his best friend, also at Microsoft GitHub (doing plagiarism or GPL violations, albeit misleadingly sold/marketed as "AI") was arrested for strangulation. Just days apart I received a threatening letter from MJG (they're all in GNOME by the way). He would later lie to the Court (UK High Court) about what actually happened back then in 2021 and I have proof typed up by the typists MJG had paid over 6 grand for. I *finally* got to cross-examine him; he was rattled.

A year later, in 2022, my employer was being contacted. My wife's employer was being contacted. It's hard to say who did this, but clearly there was an effort to hurt us. In the same year the above-mentioned man who was in prison for strangulation began issuing legal threats to me. That started only 1-2 months after MJG. Seems like no coincidence and a Microsoft-controlled tribunal would later discuss both.

In 2023 MJG issued legal threats to my wife, as well as to me. I never ever sent him an E-mail. Nor did she.

In 2024 MJG issued legal threats to my wife, as well as to me, via a law firm based in another continent. Those are opportunistic hired guns. Women's exodus in that firm says a lot about their perceived taste in

clients, who seem to view women as a liability to be brutally discarded [1, 2, 3] as soon as it is personally convenient.

In 2025 the same law firm and exact same barrister (they would later employ two barristers in parallel, one male, one female, same firm!) issued threats for the above-mentioned man who was in prison for strangulation.

In late October 2025, under sworn oath, MJG admitted to me that he had communicated with the above-mentioned man who was in prison for strangulation regarding lawyers and barristers. So 5 years of legal threats to me and to my wife came from men who were secretly talking and coordinating.

Next month we'll focus on the SRA and how it deals with the matter, not yet knowing the above confession.

Projection Tactics - Part IV: SLAPP by Americans Against Techrights (UK) to Hide Serious Abuses Against American Women

posted by Roy Schestowitz on Jan 23, 2026, updated Jan 24, 2026

This was **always** (*all along*) bound to backfire tremendously:

[Image of man strangling himself captioned "American from Microsoft [US] strangles Americans Then blames British publisher for mentioning the American strangles Americans [and goes to prison]"]

In the news yesterday: (*already* in our latest batch of Daily Links)

PRs need to stop being complicit in suppression of information via SLAPPs

Why Parliament needs to revive legislation outlawing SLAPPs.

[...]

One tactic used is the threat of launching libel or data protection claims against journalists to curtail public interest reporting, commonly referred to as Strategic Lawsuits Against Public Participation (SLAPPs). This is defined by the UK Government as "an abuse of the legal process, where the primary objective is to harass, intimidate and financially and psychologically exhaust one's opponent via improper means". It is a tactic that represents perhaps the most corrosive and pernicious mechanism in that apparatus.

At their core, SLAPPs involve the weaponisation of the legal process. Their purpose is not to secure justice, but to intimidate, drain resources, and exhaust those who seek to investigate and disclose matters of public interest, with the threat of ruinous legal costs doing much of the work. When a well-resourced claimant targets a defendant of modest means, the outcome is often decided long before any hearing. Journalists abandon stories, researchers shelve findings, whistleblowers remain silent.

In Part 1, in Part 2, and in Part 3 (and related interlude/interruption) we sought to remind people of the harm, the **full harm**, in full context. Projection and selective enforcement by lawfare can obscure the broader picture. The real issue to reputation isn't us. It is the spouse, who is an American speaking about the American husband only a day ago:

[Images of tweets from @isislovecraft stating: "i hate this, i hate everything about this, if i die out here please let it be known i did not agree to any of this so-called "treatment" and i did not consent and i would like to be let free" "he sent me \$37 claiming that's all i own and some dog food? And a random subset of my furniture? fuck this fucking abuser, kidnapper, and rapist" "fuck this abuser and anyone associated with him, he is a fucking cunt, he can't code, he can't take care of a dog or kid, he can't clean, he cannot

cook” “fuck Matthew Garreett, there is no reason to respect this guy” “fuck all of this, Matthew Garrett is a rapist, kidnapper, and abuser”]

And this was a few hours ago:

[Image of tweet from @isislovecraft stating “fuck all of this, Matthew Garrett is a rapist, kidnapper and abuser”]

Says his own spouse. **Not saying that I agree**, in fact it's likely an exaggeration, but that's public and it doesn't look good. Therein lies the real reputation problem, and therein also lie some projection tactics.

2 years ago this person's American spouse or American husband (named in Part I and II, alluded to above) sued my wife and I. My wife merely wrote about abuse she had been subjected to and she neither invited nor deserved, according to the Judge. That Judge wasn't an American, she comes from Scotland if I understand correctly and she's the chief of media matters in the UK High Court. The question in the trial was different though and we were unrepresented (neither lawyers nor a barrister; the American Serial Strangler from Microsoft connived to drain our legal budget a month after **we** had filed two lawsuits [1, 2]). They've since then attempted to **cause us serious harm** and their case - filed from America - was 'so strong' (or weak) that the principal litigant publicly says his lawyer told him not to mention it in public (yes, that is a paradox right there). Yes, he actually said this in Social Control Media and we captured a copy! The way we'll always see it, these American gamed the British system and it's only part of why we countersued [1, 2]. So he says his lawyers tell him to keep quiet, then boasts about flying next week. "Hopefully (for him) a one-way ticket," I joked at the time, "because if he gets arrested, then the ticket "back" is a fare wasted."

At the time (for context) the American spouse openly made accusations of kidnapping, rape, and drugging. That's just what the spouse alleged. We didn't know if a criminal complaint had been filed. "One week until I fly to the UK with the aim of ensuring that I no longer need to be concerned about being arrested on entry," he said (while in America). Well, now (this month) the spouse is calling to revoke his citizenship (he has three nationalities but has lived and worked in the US since 2009).

The way we see it, the most **serious harm** was done to us and the American spouse, not to him. He defamed me in public for many years, stalked me, threatened me, and then threatened people I know, including my wife (all sorts of threatening letters sent from America).

British law says or "indicates that for the purposes of the section, harm to the reputation of a body that trades for profit is not “serious harm” unless it has caused or is likely to cause the body serious financial loss."

That speaks "the reputation of the claimant."

What about the *counter*-claimant? That too is a claimant. And not an American claimant but an actual local.

What about issues that were mentioned in public but we never pursued in court until 2024 (because it would be a waste of time and money)?

See, I generally have no interest in dealing with courts and didn't sue the company that defrauded me and my colleagues because it would take a long time and be disproportionately expensive. Both my colleagues and I were independently (by completely different solicitors' firms) advised and forewarned it would be a waste of time and money, even if we won by default judgement (even in a small claims tribunal).

Now, let's go back to the Americans...

Or the double-dipping "users" of the British system (for lawfare).

Tomorrow we'll publish something related to this but about patents and the UPC. We got sent some tips about a new sovereignty scandal. Why does Europe still serve people from the country that threatens to invade it and attacks its broadcasters?

Worse yet, consider the *nature* of the claims.

When someone is making strategic allies/alliances with men who strangle women it does not sound like a strong case; it sounds like gaming the system (some people cautioned me he would try to do exactly that). And he does no favours to himself by posting in public things full with/laden/spreading the word "f--k". He only demonstrates that he lacks reputation (and good standing) to begin with. And magically he claims to already know what judges will decide (even before they did). Because **we were prevented from presenting evidence** (procedural hack, *in tandem* SLAPPs to deplete the opponent's budget).

Weeks after the lawsuit began I pointed out that he was hiding away from defamation verdicts against him (they're hard to enforce from here against American citizens). I explored the option, but solicitors advised me that Americans could game the British system by invoking "First Amendment" (even if they **disagree** with the First Amendment).

Regarding serious harm, they caused harm when there was a terror attack very close to us (nearby), they were attacking us during holidays, then telling us we're not on holiday (which we regard as bullying behaviour). They caused serious harm to our fish, not to mention the birds we feed; a person with 2 jobs cried about "serious harm" while all along attempting to cause serious harm to others. There's a word for this: *hypocrite*.

The bullying carried on just hours after my birthday last month. Contrary to what they tell us, we know what we are doing and we are generally doing OK. We follow the laws. In their letters they try to lecture us with false advice. It's just part of a pattern; patronising, preaching from a high horse, feeding misinformation etc.

They just keep lying to us with bluster and deliberate misinformation (disinformation), both before and after the trial. We are reminded by legal professionals that they were looking for the cheapest and least experienced barrister, they also took unskilled and notoriously aggressive law firm with a poor track record. Well, from what we can gather nowadays they just take him for a ride, pretending that milking him for money is some kind of a VIP treatment.

As discovered earlier this year and last year, they were also bringing in secret money from a secret third party and the spouse alleges that their money got stolen from the bank. So who funded this? Was this even consensual?

The firm set him up to lose a lot of money (that he did not even have) and, when things got tough, connecting him to a Serial Strangler from Microsoft, which does him no favours at all (making many errors and trying to recover from procedural accidents that give away what they had in mind all along).

Looking back at this whole thing, the only way to properly address the matter is to meticulously document what they did and hope this will prevent them doing the same to other couples.

Moreover, some time soon I will contact officials (local and national politicians) regarding SLAPP-related reforms, as I always said I would. It is about protecting other people and being proactive about it. The country needs media, not media litigation 'industry'.

400-Page US Federal Court Against Abuses by Google, Microsoft and Front Groups That Abuse Volunteers for American Corporations

posted by Roy Schestowitz on Feb 03, 2026

From page 150:

[Image of text stating “543. On 15 December 2021, Techrights editor Dr Roy Schestowitz publishes a document allegedly obtained from the Lakeway Police Department “Offense / incident report” concerning Graveley, Balabhadra, incident #21-01655. The police officer J Alonzo #730 reports arresting Mr Graveley on allegations of Assault-Strangulation. No further information is provided about the progress of the prosecution or the role of Mr Graveley in the open source software “communities”.

544. Strangling girlfriends is a lot like using lawyers to censor volunteers.

545. The hysterical attacks against Mr Pocock and his family, which had resurfaced in November 2021, appear to be convenient for those seeking to distract attention from the genuine allegations against Mr Graveley. There are more attempts to silence Mr Pocock and Dr Schestowitz from talking about real perpetrators, we will get to that.”]

Today is the last day for input on the EU's consultation concerning Free software. Daniel Pocock too decided to make a submission:

[Screenshot of page from European Commission website entitled ‘Feedback from: Software Freedom Institute’ including the statement “I am an open source survivor. I have attached a copy of the claim and evidence bundle filed in the US District Court for the Southern District of New York, Federal court case no 1:25-CV-03883-UA, FSFE & Debian group behaviour, harassment, abuse problems. I’ve also attached some cover notes that attempt to address the questions raised by the EU consultation at hand.”]

The PDF there contains a case that he filed in the US.

From page 152:

[Image of text: 557. 1 July 2022, Dr Roy Schestowitz publishes a report stating that Balabhadra (Alex) Graveley has entered a guilty plea (US-style plea bargain) to get deferred sentence on a real sexual harassment / assault strangling charge. Notice how somebody who pleads guilty to real harassment and abuse can continue working in open source software “communities” while fake harassment and abuse rumours are used to silence people who raise concerns]

From page 168:

[Image of text: “638. At the same time, a libel case appears in the UK's High Court, KB-2024-003529 Balabhadra Graveley vs Roy Schestowitz of Techrights. The case is advanced by the firm Brett Wilson LLP. It may be nothing more than coincidence that people associated with large multinationals are simultaneously trying to silence all the independent technical blogs and news sites. This is more evidence that these groups are breaking their own promises, the Debian Social Contract and the first amendment are not taken seriously by some of the corporations who get the most benefit out of the software.”]

From page 179:

*[Image of text: “**Dr Roy Schestowitz of Techrights sued in UK High Court for publishing US court documents about strangulation case***

696. On 23 October 2024, the UK law firm Brett Wilson LLP, acting for Balabhadra (Alex) Graveley files a UK High Court defamation claim against Dr Roy Schestowitz for his publications about the arrest of Mr Graveley on strangulation charges. Graveley v Schestowitz, Case no. KB-2024-003529. Notice that the court documents obtained from the US courts are public documents and the UK web site is free to publish them and write comments about them. Techrights claims in a series of reports that Matthew Garrett and Microsoft are involved in the legal action to bring down the Techrights web site in its entirety. There is no allegation that any other party was involved in the assault however.”

From page 182:

[Image of text: “Techrights authors claim harassment by Debian co-author Matthew J . Garrett 709. 6 September 2024 Techrights publishes the article “Why We Are Suing Matthew J . Garrett for Harassment and Why It's Important to Everybody in the Community”. Matthew J. Garrett is one of the co-authors of Debian. Dr Roy Schestowitz and his wife have had to make multiple civil and criminal complaints about certain people.”]

There are 386 pages in total (in the US claim).

To be very clear, we had nothing whatsoever to do with preparation of this claim, we are only observing what it is.