



Neutral Citation Number: [2019] EWHC 33 (QB)

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

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 14 January 2019

Before :

THE HONOURABLE MR JUSTICE NICKLIN

Case No: HQ18M00831

Between :

Carol Yvonne Carruthers

Claimant

- and -

Associated Newspapers Limited

Defendant

Case No: HQ18M00832

And between :

Carol Yvonne Carruthers

Claimant

- and -

News Group Newspapers Limited

Defendant

Robert Sterling (instructed by **Carruthers Law**) for the **Claimant**
Catrin Evans QC and Sarah Palin (instructed by **Wiggin LLP**)
for **Associated Newspapers Ltd**
Adam Wolanski (instructed by **Simons Muirhead & Burton LLP**) for
News Group Newspapers Ltd

Hearing date: 18 December 2018

Approved Judgment

I direct that pursuant to CPR PD 39A para 6.1 no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

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THE HONOURABLE MR JUSTICE NICKLIN

The Honourable Mr Justice Nicklin :

1. The Claimant has brought claims against the Defendants, Associated Newspapers Limited (“ANL”) and News Group Newspapers Limited (“NGN”) for libel, misuse of private information and alleged breaches of the Data Protection Act 1998. The claims are brought in separate actions, but the nature of the present issues before the Court meant that it was convenient to deal with them at a single hearing.
2. The claims arise from the publication of the following articles – the text of which are set out in the Appendix to this judgment with paragraph numbers added in square brackets:
 - i) an article by ANL on the *MailOnline* website from 6 March 2017 (“the ANL Article”) – Appendix Part 1;
 - ii) an article by NGN on *The Sun* website from 6 March 2017 (“the First NGN online Article”) – Appendix Part 2;
 - iii) an article by NGN on page 17 of the print edition of *The Sun* for 7 March 2017 (“the First NGN print Article”) – Appendix Part 3; and
 - iv) an article by NGN on *The Sun* website from 7 March 2017 (“the Second NGN Article”) – Appendix Part 4.
3. When the articles were published, the Claimant was employed by Haringey Council (“the Council”). She held the posts of Deputy Assistant Director of Children’s Safeguarding and Head of Services for Children In Need of Support and Protection. Advanced as part of her claim for damages, the Claimant contends that, as a result of the publication of the articles, she was suspended and she later resigned.
4. Letters of claim were sent to ANL on 14 September 2017 and to NGN the following day. The Claim Forms in both actions were issued on 5 March 2018. The Claim Forms were served (together with Particulars of Claim) on 5 July 2018 in both actions.
5. In her Particulars of Claim, the meanings that the Claimant contends each article bears are as follows:
 - i) The ANL Article:

“[The Claimant], boss in charge of child welfare at Haringey Council at the time of the Baby P case, and at the time of the Victoria Climbié case, who is now assistant director of Haringey Council with responsibility for safeguarding vulnerable children, behaved unprofessionally, scandalously and totally unacceptably by sending whilst at work [to] an unknown man she met on an online dating website sexual images of herself and also sexual texts and is unfit to perform her duties at Haringey Council.”
 - ii) The First NGN online Article and the First NGN print Article:

“[The Claimant], boss in charge of child welfare at Haringey Council at the time of the Baby P case, and at the time of the Victoria Climbié case, who is now assistant director of Haringey Council with responsibility for safeguarding vulnerable children, behaved unprofessionally, scandalously and totally unacceptably by sending whilst at work [to] an unknown man she

met on an online dating website sexual images of herself and also sexual texts. She is also unfit to perform her duties at Haringey Council and a serious danger and risk to vulnerable children in her charge and should be dismissed immediately.”

iii) The Second NGN Article:

“[The Claimant], who is in charge of child welfare at Haringey Council was in charge at the time of the Baby P case and at the time of the Victoria Climbié case and who is now also assistant director of safeguarding vulnerable children is unfit to carry out those duties as she has been behaving unacceptably and improperly by sending whilst at work [to] and unknown man she met on a dating website sexual images of herself and also sexual texts”.

6. On 21 August 2018, NGN issued an Application Notice seeking:
 - i) that the Court determine, as preliminary issues, (a) the meaning of the words complained of for the purposes of the defamation claim; and (b) whether the words complained of are statements of fact or expressions of opinion (“the Preliminary Issues”); and
 - ii) summary judgment against the Claimant in relation to her libel claim on the grounds that she had no real prospect of succeeding with her claim (“the Part 24 Application”).
7. By order dated 19 September 2018, the Court directed the trial of the Preliminary Issues and the Part 24 Application should be heard on the same date. The trial of the Preliminary Issues was listed for 18 December 2018.
8. On 14 November 2018, ANL also issued an Application Notice seeking a trial of Preliminary Issues in its action and summary judgment on the same basis as NGN had in its action.
9. By order dated 4 December 2018, the Court directed the trial of the Preliminary Issues in the ANL action and the Part 24 Application also be heard on the same date. These were also listed for 18 December 2018.
10. Defences have not been served. Orders directing the service of a defence in each action will be given once the current applications have been disposed of.
11. ANL and NGN have, nevertheless, identified the meanings that they contend the respective articles bear for the purposes of the trial of the Preliminary Issues:
 - i) The ANL Article:

“The Claimant, whilst a manager at Haringey Council with responsibility for protecting vulnerable children, sent sexual messages whilst at work, containing sexual images she took of herself, to a man she met on an online dating website, and one of the images could have identified where she worked; and this was unacceptable and unprofessional behaviour for someone in her position.”
 - ii) The First NGN online Article and the First NGN print Article:

“The Claimant acted in an inappropriate and unacceptable manner as a manager at Haringey Council with responsibility for protecting vulnerable children by sending sexual messages and pictures whilst at work, including sexual messages of herself taken at the office, to a man she had met online and by revealing to him that she worked for the council in a sensitive role”.

iii) The Second NGN Article:

“The Claimant acted inappropriately as a manager at Haringey Council with responsibility for protecting vulnerable children by taking intimate sexual images of herself at the council’s offices which she sent while at work to a man she had met on a dating website.”

12. Two other matters were raised and dealt with at the hearing:

- i) applications by ANL and NGN to strike out passages of the Claimant’s plea of aggravated damages in each claim; and
- ii) an application by NGN that the Claimant be ordered to provide particulars of her claim for special damages.

Trial of Preliminary Issues as to Meaning and Fact/Opinion

Law

13. The legal principles the Court has to apply are well-established and not disputed by the parties:

- i) The Court’s task is to determine the natural and ordinary meaning of the words complained of. That meaning is the meaning that the hypothetical reasonable reader would understand the words bear. In assessing meaning, no evidence beyond the words complained of is admissible: ***Charleston –v- News Group Newspapers [1995] 2 AC 65, 70*** per Lord Bridge. The same case establishes the principle that the ordinary reasonable reader is taken to have read the whole of a publication; in this case, the whole of the article. That is important, because the context in which the words complained of appear will often influence the meaning (see Paragraph (vi) below).
- ii) By this process, the Court arrives at the single natural and ordinary meaning that the words complained of bear. It is well-recognised that there is an artificiality in this process because individual readers may understand words in different ways: ***Slim –v- Daily Telegraph [1968] 2 QB 157, 173D-E*** per Lord Diplock.
- iii) In determining the single meaning, the Court is free to choose the correct meaning; it is not bound by the meanings advanced by the parties. There is also an established principle that the tribunal of fact (historically, the jury) cannot find a meaning that is more injurious than the Claimant’s pleaded meaning: ***Slim*** 175F per Lord Diplock.
- iv) ***Jeynes –v- News Magazines Ltd [2008] EWCA Civ 130*** sets out the applicable principles [14]:

- (1) The governing principle is reasonableness.

- (2) The hypothetical reasonable reader is not naïve but he is not unduly suspicious. He can read between the lines. He can read an implication more readily than a lawyer and may indulge in a certain amount of loose thinking but he must be treated as being a man who is not avid for scandal and someone who does not, and should not, select one bad meaning where other non-defamatory meanings are available.
 - (3) Over-elaborate analysis is best avoided.
 - (4) The intention of the publisher is irrelevant.
 - (5) The article must be read as a whole, and any ‘bane and antidote’ taken together.
 - (6) The hypothetical reader is taken to be representative of those who would read the publication in question.
 - (7) In delimiting the range of permissible defamatory meanings, the Court should rule out any meaning which, ‘can only emerge as the product of some strained, or forced or utterly unreasonable interpretation’.
 - (8) It follows that ‘it is not enough to say that by some person or another the words might be understood in a defamatory sense’.”
- v) In *Simpson –v- MGN Limited* [2015] EWHC 77 (QB) [10], Warby J noted the following in relation to the third and sixth *Jeynes* principles.
- “As principle (3) indicates, the exercise is one of impression. As Eady J said in *Gillick –v- Brook Advisory Centres* (cited in *Jeynes* at [7]) ‘Judges should have regard to the impression the words have made on themselves in considering what impact it would have made on the hypothetical reasonable reader’.
- Principle (6) requires the court to form a view on how the representative hypothetical reader of the particular publication concerned would be likely to understand the words, bearing in mind where in the publication the words appear; the reader's familiarity with the nature of publication in question; and any expectations created by that familiarity: see *John –v- Guardian Newspapers Ltd* [2008] EWHC 3066 (QB), [22]-[23], [32]. I would add, however, that this is an exercise which needs to be undertaken with care. The court can take judicial notice of facts which are common knowledge, but facts which are not need in principle to be admitted or proved, not assumed. The court should beware of reliance on impressionistic assessments of the characteristics of a newspaper's readership.”
- vi) Proper regard must be paid to the context in which the words appear when determining meaning: *Bukovsky –v- Crown Prosecution Service* [2018] 4 WLR 13 [13]-[16].
14. As to the approach to determining the issue of fact or opinion, again there is no dispute as to the applicable principles: see summaries in *Morgan -v- Associated Newspapers Ltd* [2018] EWHC 1850 (QB) [13] and *Sube -v- News Group Newspapers* [2018] EWHC 1234 [32]-[33].

Parties' Submissions

15. As the exercise for the Court is to ascertain the meaning according to the principles set out above, prolonged submissions are not generally of assistance. Readers do not have the protagonists' rival contentions as to the meaning of the article that they have read.
16. The following summary of the parties' submissions encapsulates the points that have been argued:
 - i) Mr Sterling, on behalf of the Claimant, submits that the meanings relied upon by the Claimant for each article is largely to be derived from: the respective headlines to the articles; the juxtaposition in all the articles of photographs of the Claimant and the photograph of Baby P; the intermingling of the story of the failures by social workers in the Council, that led to the death of Victoria Climbié and Baby P, with the story concerning the Claimant's sending of sexual messages; and the use, in the First NGN online Article, of four photographs of the Claimant together with a photograph of Baby P and a photograph of the Council's offices. He submits that, although the articles do contain expressions of disapproval which are opinion, there are distinct defamatory allegations of fact linking the Claimant with the two notorious child-safeguarding cases.
 - ii) Mr Wolanski for NGN contends that the ordinary reasonable reader would appreciate that there were two strands to the story: (a) the particular incident concerning the Claimant and her sending of messages and photographs whilst she was at work; and (b) the historic controversy concerning the Council and its handling of the Baby P and Victoria Climbié cases. A reader would have to ignore the clear chronology signalled in the articles in order to make a connection between the two distinct strands in the articles. In relation to the sending of sexual texts and photographs, he submits that the only defamatory aspects of the Claimant's meaning are expressions of opinion, largely supplied by the comments of MPs and/or the recipient of the messages who are quoted in the articles ([4], [14]-[18] in the First NGN online Article; [3], [13]-[16] in the First NGN print Article; and [5] in the Second NGN Article). Mr Wolanski does not submit that an allegation that someone had sent sexual messages, some containing images of herself, to a person that she had met on a dating website is itself defamatory.
 - iii) Ms Evans QC advances a similar argument to Mr Wolanski on behalf of ANL. She accepts that the opening paragraph [1] in the ANL Article is capable, on its own, of being ambiguous. But she submits that the rest of the article, in particular the last two bullet points under the headline, make plain that that it was the Council's blunders that were being referred to, not that they were failings attributed in any way to the Claimant. Like Mr Wolanski, Ms Evans QC also submits that the any defamatory character borne by the words only emerges from the critical opinions that are quoted in the article ([4], [11] and [12]). She contends that an allegation that someone had sent sexual messages, some containing images of herself, to a person that she had met on a dating website is not itself defamatory.

Decision

17. I understand why the Claimant believes that the juxtaposition of the allegations made against her about the sending of messages and photographs with reports of the Baby P

and Victoria Climbié cases might lead some readers to make a connection between these two matters. However, for the purposes of defamation, the Court must fix the meaning that the hypothetical reasonable reader would understand the relevant article to bear. As I have noted, there is necessarily some artificiality in this process. Some people do not read much of an article beyond the headline and the first few paragraphs before moving on to the next article. But the law has established, clearly, in *Charleston*, that such readers are not reasonable readers. The notional ordinary reasonable reader is taken to have read all of the article.

18. In my judgment, in relation to the articles published by both Defendants, the hypothetical ordinary reasonable reader, having read the whole of the relevant article, could not conclude that the Claimant was in any way connected with the Baby P and Victoria Climbié cases, other than the fact that she worked for the Council. Although there is undoubted juxtaposition of the two strands in the articles, neither of them could be read as suggesting a connection between these strands. The historic failures in relation to Baby P and Victoria Climbié happened over between 11 and 18 years ago whereas the events concerning the Claimant are recent events and are the basis of (and reason for) publication of the articles (as is clear, for example, from the headlines). The ordinary reasonable reader could not understand the First NGN print and online Articles to allege that the Claimant posed a “*serious danger and risk to vulnerable children in her charge*”. That is a forced and unreasonable meaning.
19. The fact that the Claimant works for the Council that was responsible for the historic failures in the two notorious cases does not contribute any element of the defamatory sting to the meaning the articles bear about her. It is that meaning upon which the Court must focus and ascertain.
20. In relation to the ANL Article, in my judgment, the single-meaning of the ANL Article is:
 - i) the Claimant, who held a senior post in Haringey Council, whilst at work, had sent several sexual messages and images she had taken of herself to a man she met on a dating website; and
 - ii) the sending of these messages and images, whilst she was at work, was inappropriate and unprofessional behaviour for someone in the Claimant’s position.
21. In my judgment the First NGN online and print Articles, because of their similarities, bear the same meaning. In my judgment that meaning is:
 - i) the Claimant, who held a senior post in Haringey Council, whilst at work, had sent several sexual messages and images she had taken of herself to a man she met on a dating website; and
 - ii) by sending these messages and images, whilst she was at work, the Claimant had behaved completely unacceptably and unprofessionally, had failed to observe the highest standards of propriety to be expected of someone in the Claimant’s position and her actions constituted misconduct which justified her being dismissed from her employment.
22. In relation to the Second NGN Article, in my judgment, the single-meaning is:

- i) the Claimant, who held a senior post in Haringey Council, whilst at work, had sent several sexual messages and images she had taken of herself to a man she met on a dating website; and
 - ii) the sending of these messages and images, whilst she was at work, was inappropriate and unprofessional behaviour for someone in the Claimant's position.
23. Applying the principles regarding the proper determination of allegations of fact and expressions of opinion, my conclusion is that, in each case, meaning (i) is factual and not defamatory and meaning (ii) is an expression of opinion. In each article, the fact that the Claimant had sent the messages/pictures whilst she was at work is not something that is stated to be a breach of the Council's rules. Therefore, the expression of condemnation is a value judgment on that conduct and would readily have been recognised as such. It is not a requirement for any potential honest opinion defence, but, in this instance, readers of each article could make up their own minds about whether they thought the conduct of the Claimant was worthy of the expressed criticism.

Summary Judgment

24. Both Defendants contend that they should be granted summary judgment on the basis that there is no real prospect that a defence of honest opinion will fail.
25. The defence of honest opinion has now been put on a statutory footing in s.3 Defamation Act 2013 (and the old common law defence has been abolished: s.3(8)). So far as material, s.3 provides:
- (1) It is a defence to an action for defamation for the defendant to show that the following conditions are met.
 - (2) The first condition is that the statement complained of was a statement of opinion.
 - (3) The second condition is that the statement complained of indicated, whether in general or specific terms, the basis of the opinion.
 - (4) The third condition is that an honest person could have held the opinion on the basis of—
 - (a) any fact which existed at the time the statement complained of was published; ...
 - (5) The defence is defeated if the claimant shows that the defendant did not hold the opinion.
 - (6) Subsection (5) does not apply in a case where the statement complained of was published by the defendant but made by another person ("the author"); and in such a case the defence is defeated if the claimant shows that the defendant knew or ought to have known that the author did not hold the opinion...
26. All parties are agreed that the approach the Court should adopt when considering applications for summary judgment is set out in *Easy Air Limited -v- Opal Telecom*

Limited [2009] EWHC 339 (Ch) [15] (and approved by the Court of Appeal in *AC Ward & Son -v- Catlin (Five) Limited* [2009] EWCA Civ 1098 [24]).

27. The effect of my ruling that the articles complained of by the Claimant only conveyed defamatory expression of opinion is that the first condition of the statutory honest opinion defence is satisfied (s.3(2)). There is no dispute that the second condition is also satisfied (s.3(3)). And in respect of the balance of the matters, the issues have been simplified by two matters:
- i) First, the Claimant has filed a witness statement in which she accepts that she did send sexual messages and photographs to someone she had met on a dating website and it is also accepted that she did so whilst she was at work (albeit, the Claimant says that she was on her lunch-break when she did so).
 - ii) Second, the Claimant has accepted (in relation to her claim against NGN) that she does not contend that, insofar as the NGN Articles expressed opinions, that the opinions were not honestly held: i.e. confirmation that no case of ‘dishonesty’ under s.3(5) is being advanced.
28. NGN and ANL contend that the facts admitted by the Claimant in her witness statement are sufficient for the Court to conclude that the hypothetical honest person could have expressed the opinions in the articles based upon these admitted facts. Mr Sterling has, however, submitted that the Court should not proceed to determine this issue on a summary basis because he contends the Claimant has a real prospect of demonstrating that there are other relevant – exculpatory – facts that would have a bearing on whether the hypothetical honest person could have expressed the relevant opinion.
29. NGN and ANL respond that this is to misunderstand the nature of the honest opinion defence and the capacity for ‘exculpatory’ facts to affect the viability of the defence: see *Branson -v- Bower* [2002] QB 737 [36]-[39] per Eady J. The defence is not to be “whittled away by detailed and subtle arguments as to how a different commentator might have viewed the facts or given them a different emphasis” [54].
30. Mr Wolanski submits that additional facts relied upon by the Claimant to undermine the basis of the expressed criticism are not relevant at the objective assessment under s.3(4)(a). If the commentator did know of a series of exculpatory facts then, depending upon the assessment of their weight and cogency, this *might* provide a basis on which the Court could conclude that he did not hold the expressed opinion (under s.3(5)). An example is given in *Branson -v- Bower* of a man having been charged with child abuse and a commentator calling for him to be suspended from his teaching post. If the commentator knew that the man had been acquitted after DNA evidence showed that it was a case of mistaken identity, then that might be powerful evidence that the commentator did not in fact hold the opinion he expressed. But, even then, the ultimate test is honesty, not rationality; whether the defendant *did* hold the opinion, not whether (on the evidence available to her/him) s/he *should* have done:
- “It is well settled that a defendant does not have to persuade the court... to agree with his opinions...; nor yet should he have to demonstrate that honestly expressed opinions fall within some elusive nebulous margin of what is ‘reasonable’ or ‘fair’.” (*Branson -v- Bower* [26])
31. In my judgment, the Defendants’ submissions are correct. An honest person plainly could express the opinions, in paragraph (ii) of each of the meanings I have found,

based on the facts admitted in the Claimant's evidence. The Claimant has no real prospect of succeeding on this issue. On the Claimant's own evidence, the Defendants can demonstrate, now, that the third condition under s.3(4)(a) will be met.

32. That leaves only s.3(5). But, as against NGN, she has already accepted the honesty of the Defendant. A similar concession has not been made, expressly, in respect of the claim against ANL, but in my judgment this does not alter the position. If the Claimant is to have a real prospect of defeating the defence of honest opinion, then she would have to advance a case under s.3(5) that had a real prospect of success. The burden of doing so is on the Claimant and she has not attempted to do so. In reality, she has no real prospect of doing so. As the elements of the expressed opinion in the ANL Article come largely (if not wholly) from quoted third parties, the Claimant has the additional hurdle of satisfying s.3(6) in this case. The prospects of her doing that are fanciful, but for present purposes she has advanced no evidential basis to support such a case. I conclude that the Claimant has no real prospect of defeating an honest opinion defence raised by either NGN or ANL.
33. In my judgment, therefore, both Defendants are entitled to summary judgment on the Claimant's defamation claims against them.
34. Neither Defendant has attacked the viability of the Claimant's claims for misuse of private information and/or data protection. The merits of those claims are entirely unconnected with the libel claims and those actions will continue.
35. Finally, I record the two other issues that were resolved at the hearing:
 - i) The applications by ANL and NGN to strike out passages of the Claimant's plea of aggravated damages in each claim have been resolved by the Claimant agreeing to delete the allegation that the Defendants were reckless as to the truth or falsity of the allegations made in the respective articles from the relevant paragraphs in the Particulars of Claim; and
 - ii) The Claimant has agreed to provide particulars of her claim for special damages in the NGN action.

Appendix – The texts of the Articles complained of

Part 1 – ANL Article

Council boss in charge of protecting vulnerable children at Baby P authority 'sends sexual pics from office toilets to man she met on Plenty of Fish'

- **Carol Carruthers, 61, took picture in toilet and offices at council headquarters**
- **In one image, focusing on her cleavage, her council ID lanyard could be seen**
- **Haringey Council centre of scandal after failures led to death of two children**
- **Victoria Climbié, eight, in 2000 and Baby P in 2007 died as result of failures**

- [1] A child welfare boss at the council whose blunders led to the death of Baby P has been accused of sending sexual pictures to her online lover from her work.
- [2] Carol Carruthers reportedly took a series of images at the Haringey Council offices in Wood Green, including one focusing on her cleavage which included her work pass.
- [3] The 61-year-old sent the images to a businessman she met on dating website Plenty of Fish.
- [4] The 63-year-old accountant who received the images told The Sun's Stephen Moyes: 'I do feel that somebody in that sort of position shouldn't be behaving in that way.'
- [5] Carruthers also allegedly sent a photo of her in the toilet and other messages discussing sexual matters after exchanging numbers with the businessman last month.
- [6] The divorced mother-of-two from Romford, Essex, was promoted to the post of deputy to the assistant director of children's safeguarding eight weeks ago.
- [7] In 2015, she was head of Haringey Council's children in need of support and protection unit.
- [8] 17-month-old Peter Connelly died at the hands of his mother, her boyfriend and her lodger in 2007, despite 60 visits by social services, police and health professionals.
- [9] The horrific nature of tragic Peter's death – despite being on Haringey Council's at-risk register – shocked Britain.
- [10] In the image showing Carruthers' cleavage, the logo on her council ID was clearly visible, bearing the motto 'Ambitious, Professional, Human and Accountable'.
- [11] Her behaviour was slammed by MPs, including Tim Loughton, an ex-junior minister for Children and Families.
- [12] Tory MP James Berry told The Sun: 'Doing this on council property does not fly the flag for what people safeguarding children should be doing.'
- [13] Haringey Council said it was investigating the allegations and would not comment further.
- [14] Peter Connelly was found dead in his blood-stained cot at his mother's flat after 60 visits from social workers and police.

- [15] He suffered more than 50 injuries at the hands of his mother Tracey's partner Steven Barker and his paedophile brother Jason Owen over an eight-month period.
- [16] Peter was also twice admitted to hospital with suspicious injuries but the council failed to take him away from his mother.
- [17] Haringey was also the borough where eight-year-old Victoria Climbié died in 2000 after being beaten and starved by her aunt and the aunt's boyfriend, who were jailed for life in 2001 for her murder.
- [18] There were 128 injuries on her body.
- [19] An independent report heavily criticised Haringey for the failure of its social workers to protect Victoria.
- [20] At their 2008 trial, Owen and Barker were found guilty of 'causing or allowing the death of a child' while Connelly had pleaded guilty to the charge.
- [21] Barker was jailed for 12 years for the Baby P case and a life sentence for raping a two-year-old girl.
- [22] Owen was also jailed indefinitely and ordered to serve three years minimum. He was paroled in 2011 but sent back to jail after breaching conditions. He was released again last year.

[The ANL Article was illustrated with the following captioned photographs that were interspersed amongst the text:

- *The Claimant with the caption: "Carol Carruthers took a series of images at the Haringey Council offices, including one focusing on her cleavage which included her work pass lanyard"*
- *Baby P with the caption: "Peter Connelly was found dead in his blood-stained cot at his mother's flat after 60 visits from social workers and police"*
- *Steven Barker and Jason Owen with the caption: "Connelly's toddler son died after suffering more than 50 injuries at the hands of her partner Steven Barker (left) and his paedophile brother Jason Owen (right) over an eight-month period"*
- *Tracey Connelly with the caption: "Baby P's mother Tracey Connelly, 34 (pictured) was sent back to prison for selling pornographic photographs of herself online"]*

Part 2 - The First NGN online Article

BABY P COUNCIL BOSS' SEX PICS Haringey council manager in charge of protecting children at Baby P scandal council caught sending saucy snaps from its office TOILETS

Carol Carruthers, 61, took one snap in a toilet cubicle at Haringey Council and sent another sexual image taken at the offices

- [1] **A MANAGER in charge of safeguarding vulnerable children for the Baby P scandal council has been sending intimate photos from its offices.**
- [2] Carol Carruthers, 61, took one snap in a toilet cubicle at Haringey Council's HQ.
- [3] She sent another sexual image taken at the council offices to a man she met on dating website Plenty of Fish.
- [4] The businessman said: "I do feel that somebody in that sort of position shouldn't be behaving in that way."
- [5] Haringey Council was criticised for a string of catastrophic failures by social workers that led to the deaths of Victoria Climbié, eight, in 2000 and toddler Baby P in 2007.
- [6] Carruthers, 61, became head of the council's children in need of support and protection service in 2015.
- [7] She was promoted to deputy to the assistant director of safeguarding two months ago.
- [8] She struck up an online relationship last month with a 63-year-old accountant and sent him a string of intimate messages and pictures in the weeks afterwards.
- [9] At one point she sent messages from the council headquarters in Wood Green, North London, discussing sexual matters.
- [10] Snaps sent during the working day, just after 3pm on February 17, featured sexual material and also showed her wearing a work pass lanyard bearing the council's message: "Ambitious, Professional, Human and Accountable."
- [11] The businessman said the messages between them became increasingly sexual.
- [12] He added: "I was on the Plenty of Fish dating site and came across the woman.
- [13] "We swapped numbers and started talking. She told me she works for the council in a sensitive role. We were messaging all the time."
- [14] Carruthers, from Romford, Essex, is a divorced mother of two. Tory MP Tim Loughton, a former junior minister of Children and Families, said: "This is completely unacceptable behaviour from somebody charged with looking after vulnerable children."
- [15] Fellow Conservative MP James Berry said: "Officials entrusted with safeguarding vulnerable people in our councils have to have the highest standards of propriety.
- [16] "Given that one of the things that safeguarding officials often advise children and young people not to do is sexting, this is surprising.

- [17] “If this was a police officer they would be sacked without a shadow of a doubt.
- [18] “Doing this on council property does not fly the flag for what people safeguarding children should be doing.”
- [19] Haringey Council said: “We expect high standards from all of our staff and are taking these allegations very seriously. We are investigating the claims as a matter of urgency.
- [20] “It would be inappropriate for us to comment further at this time.”
- [21] Baby P, real name Peter Connelly, died in 2007 following months of abuse from his mother Tracey Connelly, her paedophile boyfriend Steve Barker and his brother Jason Owen.
- [22] The family had been seen on around 60 occasions by social workers, health workers and others.
- [23] Haringey Council was also criticised for failing Victoria Climbié, who was starved to death after being beaten and mistreated by her guardians.

[The First NGN online Article was illustrated with the following captioned photographs that were interspersed amongst the text:

- *The Claimant standing in a bedroom (“the Bedroom Photo”) with the caption: “Carol Carruthers, 61, became head of Haringey council’s children in need of support and protection service in 2015”*
- *Close-up of the Claimant’s cleavage with a lanyard visible (“the Lanyard Photo”) with the caption: “She took a picture of her cleavage that featured her work pass lanyard bearing the council’s message ‘Ambitious, Professional, Human and Accountable”*
- *The Claimant getting out of a vehicle with the caption: “The businessman said the messages between them became increasingly sexual”*
- *Baby P with the caption: “Baby P, real name Peter Connelly, died in 2007 following months of abuse”*
- *Haringey Civic Centre with the caption: “And Haringey Council was criticised for a string of catastrophic failures by social workers*
- *Another of the Claimant getting out of the vehicle with the caption: “Carruthers, from Romford, Essex, is a divorced mother of two”*
- *Tim Loughton MP with the caption: “Tory MP Tim Loughton said it was ‘completely unacceptable behaviour”*

Between [19] and [20] the article contained a hyperlink: “Baby P Social Services boss Sharon Shoemith says children dying is inevitable.”]

Part 3 - The First NGN print Article

SCANDAL OF KIDS' CHIEF

BABY P COUNCIL BOSS'S SEX PICS IN OFFICE

- [1] **A MANAGER in charge of safeguarding vulnerable kids for the Baby P scandal council has been sending intimate photos from its offices.**
- [2] Carol Carruthers, 61, took one snap in a toilet cubicle at Haringey Council's HQ.
- [3] She sent another sexual image taken at the council offices to a man she met on dating website Plenty of Fish.
- [4] The businessman said: "I do feel that somebody in that sort of position shouldn't be behaving in that way."
- [5] Haringey Council was criticised for a string of catastrophic failures by social workers that led to the deaths of Victoria Climbié, eight, in 2000 and toddler Baby P in 2007.
- [6] Carruthers became head of the council's children in need of support and protection service in 2015. She was promoted to deputy to the assistant director of safeguarding two months ago.
- [7] She struck up an online relationship last month with a 63-year-old accountant and sent him a string of intimate messages and pictures in the weeks afterwards.
- [8] At one point she sent messages from the council headquarters in Wood Green, North London, discussing sexual matters.
- [9] Snaps sent during the working day, just after 3pm on February 17, featured sexual material and also showed her wearing a work pass lanyard bearing the council's message: "Ambitious, Professional, Human and Accountable."
- [10] The businessman said the messages between them became increasingly sexual.
- [11] He added: "I was on the Plenty of Fish dating site and came across the woman.
- [12] "We swapped numbers and started talking. She told me she works for the council in a sensitive role. We were messaging all the time."
- [13] Carruthers, from Romford, Essex, is a divorced mother of two. Tory MP Tim Loughton, a former junior minister of Children and Families, said: "This is completely unacceptable behaviour from somebody charged with looking after vulnerable children."
- [14] Fellow Conservative MP James Berry said: "Officials entrusted with safeguarding vulnerable people in our councils have to have the highest standards of propriety. "Given that one of the things that safeguarding officials often advise children and young people not to do is sexting, this is surprising.
- [15] "If this was a police officer they would be sacked without a shadow of a doubt.

- [16] "Doing this on council property does not fly the flag for what people safeguarding children should be doing."
- [17] Haringey Council · said: "We expect high standards from all of our staff and are taking these allegations very seriously. We are investigating the claims as a matter of urgency. "It would be inappropriate for us to comment further at this time."
- [18] Baby P, real name Peter Connelly, died in 2007 following months of abuse from his mother Tracey Connelly, her paedophile boyfriend Steve Barker and his brother Jason Owen.
- [19] The family had been seen on around 60 occasions by social workers, health workers and others.
- [20] Haringey Council was also criticised for failing Victoria Climbié, who was starved to death after being beaten and mistreated by her guardians.

[The First NGN print Article was illustrated with the following captioned photographs:

- *A large photograph of the Claimant standing in a bedroom, over the lower half of which the main headline was superimposed, with the caption in the top left: "snap... boss in selfie taken in bedroom"*
- *Two further smaller photographs, one showing the lanyard, captioned: "Motto.. her with lanyard" and "Sex messages.. Carol Carruthers"*
- *Small photographs of the Haringey Civic Centre and Baby P at the foot of the article with the caption: "HQ... council and Baby P"]*

Part 4 - The Second Online NGN Article

THE DATING POOL What is Plenty of Fish, how many people use the online dating app and why is it so controversial? All you need to know

With a reported 90 million users, the dating website is used by many singletons in their quest to find love

- [1] IN THIS day and age, singletons are much more likely to turn to digital dating in their quest for romance.
- [2] And one website they might use to find love is Plenty of Fish, which is specifically designed for those unlucky in dating to find their significant other. Here’s all you need to know...
- [3] On March 6, The Sun exclusively revealed that the manager in charge of safeguarding vulnerable children for the Baby P scandal council has been sending intimate photos from its offices.
- [4] Carol Carruthers, 61, sent the sexual image to a man she had met on Plenty of Fish – from a toilet cubicle in Haringey Council offices.
- [5] The businessman said: “I do feel that somebody in that sort of position shouldn’t be behaving in that way.”
- [6] Haringey Council was criticised for a string of catastrophic failures by social workers that led to the deaths of Victoria Climbié, eight, in 2000 and toddler Baby P in 2007.
- [7] Carol became head of the council’s children in need of support and protection service in 2015.
- [8] She was promoted to deputy to the assistant director of safeguarding two months ago.
- [9] She struck up an online relationship last month with a 63-year-old accountant and sent him a string of intimate messages and pictures in the weeks afterwards.

[The Second NGN Article was illustrated with the following captioned photographs:

- *The Bedroom Photo with the caption: “Carol Carruthers, the manager in charge of safeguarding vulnerable children at Haringey Council, is said to have taken intimate snaps in her office toilets”*
- *The Lanyard Photo with the caption: “Carol, 61, shared the pictures with a businessman she met on Plenty of Fish”*
- *Baby P with the caption: “Haringey Council was criticised for a string of catastrophic failures by social workers that led to the deaths of Baby P (pictured) and eight-year-old Victoria Climbié”]*