

ENGLAND AND WALES / JUDGMENT

Nikoletta Read v Claudio di Giovanni & Ors

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Neutral Citation Number: [2026] EWHC 243 (KB) IN THE HIGH COURT OF JUSTICE KING'S BENCH DIVISION MEDIA AND COMMUNICATIONS LIST Case No: KB-2025-003746 Royal Courts of Justice Strand, London, WC2A 2LL Date: 09/02/2026 Before : DEPUTY HIGH COURT JUDGE AIDAN EARDLEY KC

- ----- Between : NIKOLETTA READ (also known as “Nikole Read”)
- and – Claimant
- (1) CLAUDIO DE GIOVANNI
- (2) ALESSANDRO NATALIZIO
- (3) Persons unknown using WhatsApp number +44 7923 422679 who attempted to blackmail the claimant
- (4) Persons unknown using WhatsApp number +44 7508 193472 who circulated or transmitted to the claimant the link to the defamatory website located at <https://nikoleread.info/>
- (5) Persons unknown responsible for creating, publishing, updating and/or administering the website located at <https://nikoleread.info/> The Claimant and the Second Defendant appeared in person The First, Third, Fourth and Fifth Defendants did not appear and were not represented Defendants Hearing date: 3 February 2026
- ----- Approved Judgment
- ----- Approved Judgment Read v De Giovanni Aidan Eardley KC :

Introduction

1. This is a claim for libel, malicious falsehood and harassment. The Claimant contends that the Defendants are responsible for blackmail threats, culminating in the malicious publication of false and defamatory statements about her on a website set up for that purpose. This judgment concerns an application for an interim injunction that I heard on Tuesday 3 February 2026.

Procedural history

2. The claim has got off to a somewhat rocky start procedurally.

3. On 14 October 2025 the Claimant filed a Claim Form dated 8 October 2025.
4. On 21 October 2025 the Claimant submitted an application for an urgent without notice injunction (dated 7 October 2025) and it came on before Mr Justice Jeremy Johnson on 23 October 2025 in the Interim Applications Court. He refused the application. The recital to his Order states, among other things, that he did not consider that the matter was sufficiently urgent to require consideration in that Court and that he was not satisfied that the application should be heard without notice.
5. On 31 October 2025 the Claimant submitted a further urgent, without notice application for an interim injunction. This was considered on the papers by Mrs Justice O'Farrell who made an Order dated 11 November 2025. Among other things, she required the Claimant to serve the Defendants by no later than noon on 13 November 2025 with the Claim Form, Application Notice, draft Order and the evidence relied on by the Claimant. She gave directions for alternative service (via, variously, email, LinkedIn and Whatsapp numbers) and provided that service of the Claim Form was to be deemed to take effect on the date on which it was sent to those various accounts and numbers.
6. The Claimant complied with O'Farrell J's directions as to service as best she could. However, at that point she had not received a sealed Claim Form back from the Court so she served the unsealed form. She told me that she has subsequently received an issued, sealed Claim Form and I have given directions for that to be served. I did not consider that this irregularity should prevent me from hearing the Claimant's application. The Defendants know the nature of the claim the Claimant is bringing and none of them have taken a point about the lack of a seal on the form they were served with.
7. No Particulars of Claim have yet been filed or served. I have given directions for this to be done within 14 days.
8. The Second Defendant acknowledged receipt of the documents served by the Claimant, and filed a Witness Statement dated 17 November 2025 in opposition to the present application. I have not seen any responses or evidence from the other Defendants, though the Claimant told me that she had received an email from the First Defendant in which he denied liability for the website complained of.
9. The Claimant satisfied me that she had given sufficient notice of the hearing to all the Defendants, in compliance with s12 of the Human Rights Act 1998 (HRA). Only the Second Defendant attended. None of the other Defendants had communicated with the Court to indicate that they would have any difficulty attending and I infer that they have Approved Judgment Read v De Giovanni made a conscious decision not to attend. In those circumstances, I decided that it was appropriate to proceed. The Claimant's evidence
10. The Claimant relies upon a Witness Statement dated 21 October 2025 and a Supplemental Witness Statement dated 31 October 2025. Both have exhibits. I can summarise her evidence as follows.

11. The Claimant gives no details about her personal or professional background. She refers to the First Defendant as her friend but does not explain how she came to know him. She says that, in about May 2024, he asked her if she knew anyone who “might help resolve a technical issue concerning a blocked payment account” and that she responded by agreeing to “make an introduction to a person I knew socially who had experience with payment platforms”. It is clear that the person referred to is a Mr Farhan. The Claimant does not explain how she came to know Mr Farhan or learn about his business experience. She says that “I was not involved in any transaction, did not direct their business, and received no payment or benefit. My role was a friendly introduction made in good faith”.
 12. The Claimant says that she was then added to a group Whatsapp Chat consisting of the First and Second Defendants, Mr Farhan and herself. She says that she was added by the Defendants in order to “discuss unlocking their blocked Stripe account” (I understand Stripe to be an online payment platform). She exhibits a screenshot of Whatsapp exchanges within this group dated 18 May 2024 in which the Second Defendant refers to an earlier telephone call with the Claimant, thanks her for some help she has already provided and asks for help with a problem with Stripe. In submissions, the Claimant confirmed that there had been a phone call. She characterised the Defendants’ conduct as dragging her into their own business dealings against her will.
 13. The Claimant continues, “When they mentioned using Mr Farhan’s Stripe account to process their funds, I did not support that proposal”. She evidences this by exhibiting another Whatsapp message from the same group chat, this one dated 30 May 2024. It is not easy to understand from the isolated screenshot exhibited, but she says it shows her discouraging the Defendants from using Mr Farhan’s account and “pointing out that they already claimed to have contact with the CEO of Stripe Italy and should resolve matters through that channel”.
 14. Next, the Claimant says, a website called “thyreality.info” was created on around 5 October 2024. It may be that “ThyReality” is the name of a business associated with Mr Farhan, but the Claimant does not explain. She exhibits a single screenshot which is of a statement published on the website under the heading “How We Met Mr. Farhan and ThyReality Ltd”. The unidentified authors then write, “After struggling with Stripe, a mutual friend introduced us to Mr. Farhan, describing him as a young, humble, and professional entrepreneur who could help us.... However our friend, who vouched for him, likely didn’t know the truth: this man was about to lead us into a scam...”. The Claimant invites the inference that this website and the statement were the work of the Defendants. She relies on it as evidence of their modus operandi, here used against Mr Farhan but which, she says, would soon be used against herself. She also relies on the description of the “mutual friend” as a true reflection of her role in whatever was going on: that of an innocent introducer.
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15. Also on 5 October 2024, the Claimant says that she received several phone calls and messages from Mr Farhan asking her to lend him money, first £50,000 and then “as much as you can send”. The Claimant declined. She says that, “I later learned that these calls were being monitored by persons connected with the Defendants, and that [the Second Defendant] was present or on the line during the calls”. She does not explain how she learned this (presumably from Mr Farhan, but the basis for his own knowledge is unclear and he has not provided a statement). The Claimant then reports further statements from Mr Farhan to the effect that he was being pressured into transferring money to accounts connected with the Defendants and that “his phone, laptop and bank account were accessed without his consent, and funds were transferred out”. No further details are given other than that, “A third party witness, Jack, was aware of the calls and the circumstances surrounding them”.
16. At this point in her Witness Statement the Claimant complains that “My private WhatsApp and text conversations with Mr Farhan were viewed, copied and screen- captured, then forwarded to another device and later shown to me and others. The communications were personal and contained private discussions between friends. I had a reasonable expectation that these messages would remain confidential”. The Claimant does not exhibit copies of these messages or describe their contents. Neither does she explain who copied them, or who showed them to herself and others.
17. The Claimant then refers to Whatsapp messages she received on 8 October 2024 from an unknown number (this is the number whose user is specified as the Third Defendant). She has exhibited what she calls “representative messages”. These messages refer to “the situation connected to Farhan”. They include lines such as “Should we not hear from you soon, we will have no choice but to bring this situation to public attention, just as we did with Farhan. Our goal is to resolve this amicably, but silence on your part may force us to take alternative measures”, and “There are records of the messages where you not only introduced us to Farhan but also where you were advising him on how to avoid giving our money back... We want to keep this private, but we’re not afraid to tell the world about what happened (you and Farhan) if we can’t get it sorted quickly. Reputation is everything. We have a vast social reach, and we’ll make sure the truth gets out there if it has to.” And later “tabloid meetings have been set up”. The Claimant responded in the course of this exchange, protesting that she was being blackmailed by the sender.
18. On 9 October 2024, the Claimant received a Whatsapp message from another unknown number (whose user is now specified as the Fourth Defendant). It included a link to a website <https://nikoleread.info/>.
19. The Claimant accessed this website (the Website). It contained a statement about her that is, on any view, defamatory at common law. The headline is “How We Were Scammed by Nikole Read...A Warning for Entrepreneurs”. The unidentified writers of the statement then go on to accuse the Claimant of being a co-conspirator with Mr Farhan in a fraud, and not the innocent introducer she had presented herself as. It alleges that she presented herself as

the owner of a named property business and traded on her commercial credentials to credibly persuade them to enter an arrangement with Mr Farhan whereby they would use Mr Farhan's Stripe account while they were experiencing difficulties with their own. It then alleges that Mr Farhan claimed that his own Stripe account had been Approved Judgment Read v De Giovanni blocked, with Mr Farhan withholding some £92,000 that was said to be due to the unnamed writers. They accuse the Claimant of having created her property company as a façade for the purposes of the scam and of then "disappearing with the money". (This is a brief precis, it is not intended to be a determination of meaning for the purposes of the libel claim).

20. The Claimant says that the statement on the Website was altered a number of times between October 2024 and April 2025. She demonstrates this by way of screenshots that she has made using the "Wayback" machine (which can reproduce earlier iterations of a webpage). The changes appear to amount to minor textual editing rather than, say, the addition of new material by way of updates or new articles. She emphasises however that some of the changes were to replace references to "Nikole" with her full name "Nikole Read", which she contends will have made her more identifiable and increased the defamatory effect.
21. The Claimant has not exhibited any other pages from the Website (perhaps there are none). She has not said anything about the number of views it has received (this information may not be available to her). She has not given any evidence as to whether it could be found via search engines such as Google nor, if so, what search terms led to a positive result or with what prominence. She claims that she has suffered financial loss to her business, but does not say what her business is or how it has been harmed. Otherwise, she has not identified any negative commercial or social consequences as a result of third parties reading the Website.
22. The Claimant has tried but failed to identify those behind the Website, taking appropriate steps to do so. She therefore puts forward an inferential case based on her previous dealings with the First and Second Defendants.
23. The Claimant reported the matters she complains of to Thames Valley Police on 11 October 2024 and her case was then transferred to the Metropolitan Police Service. She told me that the police have declined to take any action and advised her to pursue the matter through the civil courts.
24. The Claimant's Witness Statement asserts that "The publications [sic] remain visible online and continue to cause me serious distress, anxiety and reputational damage. My personal and professional reputation have been harmed, and I have suffered identifiable financial loss in my business". As already mentioned, no further details are given about her business or the extent of loss.
25. In respect of the timing of her claim and her first injunction application, the Claimant states that the events have had a serious impact on her health and daily life, requiring her to seek professional support and stabilise her health before being in a state to commence legal

action. She has exhibited a receipt for counselling sessions commenced in May 2025 and (as of October 2025) continuing. There is no evidence from the counsellor or a medical professional. She has not given any evidence as to whether she has been working since October 2024, or in what field. Her reference to having sustained financial loss to a business suggests that she may have been continuing to work, but I cannot tell. Approved Judgment Read v De Giovanni

26. The principal purpose of the Claimant's Supplemental Witness Statement is to put in evidence an exchange between her husband and the Second Defendant which took place via LinkedIn on 29 October 2025 (so, after Johnson J's refusal of her initial injunction application on grounds including lack of urgency). It starts with her husband saying "I'd like to meet with you to discuss an issue I've just been made aware of..." and later accusing the Second Defendant of "attempting to extort my wife" and asking "How can we agree to take down the website without me going legal?". The Second Defendant (having initially professed ignorance of the situation described by the husband) wrote, "...I was a victim of a fraudulent scheme involving your wife and another person who caused me a significant financial loss. I have clear evidence of the events and communications that led to that loss. Claudio [i.e. the First Defendant] had nothing to do with this matter. I'm open to resolving this privately and respectfully. This would include a proper acknowledgment of what happened and a fair contribution toward the losses I suffered". There were then exchanges about a possible meeting and/or call, with the Claimant's husband asking for "definitive proof of my wife's involvement" and the Second Defendant responding "I don't need to take anything down or provide proof of anything before speaking...". No "evidence" was forthcoming and, so far as I can tell, the exchange petered out without any call or meeting.
27. I should add that, at the beginning of the hearing, the Claimant asked for the evidence of this LinkedIn exchange to be withheld from the public on the basis that it intruded on her husband's privacy which was unfair in a claim in which he was not otherwise involved. I disagreed. It is evidence that the Claimant has chosen to put before the court and she was not able to point to anything truly sensitive in it (at least not in those parts that it was necessary to discuss in open court and which I have set out above). In those circumstances, the strict necessity that must be demonstrated before derogating from the principle of open justice was not made out. As a precaution, I have directed that any application by a third party to obtain a copy of this document from the Court records pursuant to CPR 5.4C must be made on notice to the Claimant so that she can make any objections to the disclosure of particular details (such as her husband's phone number) before a decision is made. The Claimant's submissions
28. The focus of the Claimant's written and oral submissions was the tort of misuse of private information. This surprised me, because there is no mention of this in the Claim Form. She contended that the Website contains information taken from her private social media exchanges. When I pressed her to identify this material, she showed me a screenshot of a Whatsapp exchange, embedded in the Website, which she told me was an exchange with

the First Defendant. It consists of the bottom half of a photograph showing (it seems) an empty deckchair, a comment, apparently about the photo, stating “Soooo beautiful”, and a message from the Claimant stating “Hey I’ve exited the group as I have reasons not wanting to be involved. It’s not you or Ale. I hope you guys are well.x”.

29. The Claimant also referred me to a selfie of her included on the Website (showing her professionally dressed) and a social media profile photo of her face. I also noted on the Website a portrait photo of the Claimant in evening wear, apparently ready to go out and possibly taken in a hotel, and a picture of her professionally dressed against a background that suggests it may have been taken at some sort of business event. The Claimant did not expand upon the circumstances in which the selfie and the two portrait photos had been taken, or with whom she had shared them on social media. Approved Judgment Read v De Giovanni
30. Lastly, the Claimant contended that the whole of the statement on the Website was based on information only known to herself, Mr Farhan, and the First and Second Defendants which had not been made public.
31. I did not understand the Claimant’s submissions concerning misuse of private information to be based on her (hard-to-follow) evidence that someone had unlawfully accessed private messages passing between herself and Mr Farhan.
32. The Claimant submitted that she is more likely than not to establish at trial that publication of this “private” material ought not to be allowed, there being no countervailing reasons for publication. She submitted that there is already a strong inferential case that the First and Second Defendants are responsible for the publication of this material on the Website (pointing out that responsibility for publication is a wider concept than mere authorship). She said that damages are an inadequate remedy and that the balance of convenience favours an injunction given the lack of any discernible prejudice to the Defendants and her assertion that she faces “continuing and serious harm absent interim relief”.
33. The relief set out in the Claimant’s draft order consists of a prohibitory injunction restraining the Defendants from (a) publishing any private or defamatory material about the Claimant, (b) operating or updating the Website, and (c) making financial demands or threats. The draft order also seeks a mandatory injunction requiring the Defendants to take down the Website. The Second Defendant’s evidence and submissions
34. In his Witness Statement the Second Defendant denies having had any involvement in the Website at all. He also denies responsibility for the blackmail demands and denies sending any harassing communications. He says that the Claimant has misinterpreted the LinkedIn exchange between himself and her husband. He says he was merely responding to the husband’s messages and his words did not amount to any sort of admission of responsibility for the Website.

35. In his oral submissions, the Second Defendant repeated this denial of responsibility but said that, now that he has seen the Website, he considers that what it says about the Claimant is true. He told me that the First Defendant was his former business partner, that they ran into difficulties with an online payment system, and that the Claimant told the First Defendant that Mr Farhan was a good friend with whom she was also doing business and could assist him. The Second Defendant said that the arrangement he and the First Defendant were contemplating would involve handing over substantial sums of money to Mr Farhan and so he (the Second Defendant) had calls with the Claimant to ask whether she could vouch for Mr Farhan. She did so, he said. He said that, then, a week after transferring some £100,000 to Mr Farhan's account, Mr Farhan told him untruthfully that his own online payment facility had been blocked and the money was stuck in the cloud and could not be returned. The Second Defendant said that, at this point, they turned to the Claimant for help, because she had said she was working with Mr Farhan, but that the Claimant "vanished", refused to have calls, and began saying that in fact she did not know Mr Faran very well at all. Approved Judgment Read v De Giovanni Legal principles Interim injunctions
36. The Court will not grant a prohibitory injunction unless the defendant is threatening to act in the way the claimant seeks to restrain, or there is at least a real risk that the defendant will do so, sufficient to justify the intervention of the Court: Linklaters LLP v Mellish
- [2019] EWHC 177 (QB) at [29] (Warby J). If there is such a threat or risk, the Claimant must next establish that the relevant threshold condition for the grant of an injunction is satisfied. The relevant threshold condition varies according to the cause of action being asserted. If the threshold is surmounted, the Court must be satisfied that damages would not be an adequate remedy for the claimant and that the "balance of convenience" favours the grant of an injunction. Finally, it should be remembered that an injunction is a form of discretionary equitable relief and may therefore be refused on other grounds, such as delay.
37. In all cases where the grant of an interim injunction might affect the exercise of the ECHR Art 10 right to freedom of expression, the claimant must satisfy the Court that the threshold set out in section 12(3) of the HRA is satisfied. That subsection provides that "No such relief is to be granted so as to restrain publication before trial unless the court is satisfied that the applicant is likely to establish that publication should not be allowed", i.e. that the claimant is "likely" to prove his claim at trial and obtain a final injunction. "Likely" usually means "more likely than not": Cream Holdings Ltd v Banerjee [2004] UKHL 44, [2005] 1 AC 253 at [16]-[23] (Lord Nicholls). The Claimant, who appears well versed in this area of the law, does not suggest that this is one of those unusual cases where a lower degree of likelihood would suffice.

38. In claims for defamation and malicious falsehood, the threshold is higher still. According to the so-called rule in *Bonnard v Perryman* (after *Bonnard v Perryman* [1891] 2 Ch 269) or the “libel rule”, the Court must refuse an injunction if a defendant asserts, on some credible basis, that they will be able to prove at trial that the statement is true, or that some other recognised defence will apply. See, for a modern discussion of the rule, *LJY v Persons Unknown* [2017] EWHC 3230 (QB), [2018] EMLR 19 at [41] & [45] (Warby J).
39. In *LJY* at [47], after having considered the judgments in *Holley v Smyth* [1998] QB 726 (CA), Warby J noted that there may be an exception to the libel rule where there is an arguable case that the defendant is engaged in blackmail and that, in such a case, it would be open to the Court to grant an injunction even though the defendant proclaims an intention to prove the truth of his threatened publication. The point remains undecided and arguable. The substantive causes of action
40. For present purposes I need only give a short summary of the various causes of action upon which the Claimant seeks to rely. Misuse of private information
41. To establish a *prima facie* case in the tort of misuse of private information a claimant must show that they had a reasonable expectation of privacy in the information in question and that the defendant has used the information (e.g. by disclosing it) so as to interfere with the claimant’s right to respect for their private and family life under ECHR Art 8. The question of a “reasonable expectation of privacy” is determined objectively, *Approved Judgment Read v De Giovanni* taking into account all the circumstances of the case. Relevant circumstances will include the attributes of the claimant, the nature of the activity in which the claimant was engaged, the nature and purpose of the intrusion, the absence of consent and whether it could be known or inferred, the effect on the claimant, and the circumstances in which the information came into the hands of the publisher. There is a threshold of seriousness which must be overcome: the court will not automatically protect information just because it relates to a person’s private or family life. For instance, it may be of slight significance, generally expressed, or anodyne in nature. See the recent summary in *Prismall v Google UK Ltd* [2024] EWCA Civ 1516, [2025] KB 663 at [38]-[42] (Sharp P) and the cases cited there.
42. If a claimant succeeds at this first stage, the Court moves on to consider whether their ECHR Art 8 rights are outweighed by the defendant’s ECHR Art 10 rights or some other sufficiently strong countervailing reason for disclosing the information. Libel
43. In order to prove a *prima facie* case in libel a claimant must demonstrate that the defendant has published to one or more third parties a statement that is defamatory of the claimant at common law (i.e. a statement which has a tendency to damage, to a substantial extent, their reputation in the eyes of right-thinking people generally), and further, that the publication has caused or is likely to cause “serious harm” to the claimant’s reputation. This latter requirement was introduced by section 1 of the Defamation Act 2013. It requires the claimant to prove serious reputational harm as a matter of fact (and not merely that the statement has the tendency to cause such harm). However, in an appropriate case, this can

be done by inference from such matters as the situation of the claimant, the gravity of the allegation, the extent of publication and the identity of the publishees: see *Lachaux v Independent Print Ltd* [2020] AC 612 at [12] and [21] (Lord Sumption).

44. A defendant who can prove that the imputation conveyed by the statement complained of is substantially true will have a complete defence (Defamation Act 2013, s2). There are other defences available as well. Malicious falsehood
45. A claim for malicious falsehood is also premised on the publication of a statement to one or more third parties but here the burden is on the claimant to prove that the statement is false and that the defendant has published it maliciously (which usually means proving that the defendant knew the statement was false or was reckless as to whether it was true or false). Additionally, because the tort protects a claimant's economic interests, not their reputation, the claimant must prove that the publication has caused them special damage (i.e. financial loss). There is a statutory exception to this where the words sued upon are "calculated [i.e. more likely than not] to cause pecuniary damage" (Defamation Act 1952, s3(1)). In such a case, special damage is presumed. However, to rely on s3, a claimant must identify "the nature of the loss and the mechanism by which it is likely to be sustained": *Tesla Motors Ltd v BBC* [2013] EWCA Civ 152 at [37] (Moore-Bick LJ). Approved Judgment *Read v De Giovanni*
46. The fact that a claimant suffers injury to their feelings as a result of the publication is insufficient to found a claim for malicious falsehood, though damages for injury to feelings are recoverable if a claimant's feelings are injured as a result of financial loss that is proven (or, under s3, presumed) to have occurred: *George v Cannell* [2024] UKSC 19, [2025] AC 871 at [96]-[108] (Lord Leggatt). Harassment
47. The Protection from Harassment Act 1997 creates a statutory tort of harassment. It is made out where a person pursues a "course of conduct which amounts to harassment" and knows or ought to know that his course of conduct amounts to harassment: s1(1). There must be conduct on at least two occasions (s7(3)) and there must be a sufficient nexus between those pieces of conduct to properly describe them as a "course" of conduct: see e.g. *Lau v DPP* [2000] 1 FLR 799 at [14]-[15]. Section 7(3A) sets out circumstances in which the acts of more than one person may be combined to form a course of conduct.
48. The question of what amounts to harassment has been considered in a large number of appellate and first instance cases. In *Hayden v Dickenson* [2020] EWHC 3291 (QB) at [44] Nicklin J summarised the principles that can be extracted and his summary was approved by the Divisional Court in *Scottow v Crown Prosecution Service* [2020] EWHC 3421 (Admin), [2021] 1 WLR 1828. I need not set it all out here. For present purposes, it suffices to say that harassment consists in a persistent and deliberate course of unacceptable and oppressive conduct, targeted at an individual. To qualify as such the conduct must reach a level of seriousness passing beyond the irritations, annoyances and upset that arise occasionally in everybody's day-to-day dealings with other people. "Conduct" includes "speech" (s7(4)) and indeed claims of harassment based on communications to or about an individual are now

very common.

49. There are statutory defences set out in s1(3). None of them have yet been asserted by the Defendants in the present case. Discussion and conclusions
50. As can be seen from my summary of her evidence and submissions above, the Claimant has chosen to put relatively little information before the Court at this stage. There may be nothing sinister in that – it may be that, as a litigant in person, she has not appreciated the need for detail and clarity in an application such as this. Nevertheless, I can only act on the evidence that has been presented to me and the Claimant's approach creates problems for her. The problems are exacerbated by the absence of Particulars of Claim (many months after the claim was commenced), which makes it difficult to see how the Claimant is proposing to prove her case at trial.
51. I deal first with the question of responsibility for the publication on the Website and the threatening messages that preceded it. In my judgement, on present evidence, the Claimant is likely to succeed at trial in establishing that responsibility lies with the First and Second Defendants. I stress that I am not making findings of fact, but merely making a prediction on the basis of necessarily incomplete evidence, as required by HRA s12(3). The Claimant's evidence sets up what presently appears to be a strong case that those who founded the Website and sent the threats were the same people who had run into difficulties in their business dealings with Mr Farhan, i.e. the First and Second Defendants. On the Claimant's case, it is they who were privy to the information about those dealings that then appeared (in falsified form) on the Website, and it was the First Approved Judgment Read v De Giovanni Defendant who had access to the social media post that was embedded in the Website. The chronology shows that attention was turned to the Claimant only when, and shortly after, attempts to extract money from Mr Farhan had failed, including through the use of the same modus operandi (a shaming website). The LinkedIn exchanges between the Second Defendant and the Claimant's husband show that the Second Defendant considered he had been wronged by the Claimant and was entitled to money (as alleged on the Website) and some of his answers are at least consistent with an acceptance that he would be in a position to get the Website taken down.
52. Of course, a likelihood of establishing responsibility for publication falls far short of a likelihood that liability will be established at trial in any of the causes of action relied upon and a final injunction granted. I turn to those questions now.
53. I do not consider, on present information, that the Claimant is likely to prove at trial that her private information has been misused or that she should be granted a final injunction on that basis. First, there is presently no such claim included in the Claim Form and no application to amend the Claim Form has been made. That is sufficient to dispose of this aspect of the application. But more fundamentally, the matters that the Claimant relied upon when outlining her putative privacy claim to me strike me as unlikely to give rise to a reasonable expectation of privacy, particularly when regard is had to the threshold of

seriousness that applies.

54. The screenshot of the social media exchange between the Claimant and the First Defendant, embedded in the Website, is anodyne in content and reveals little or nothing that is intelligible about the Claimant's private or family life. It is not clear to me why the First Defendant should have felt constrained not to disclose it to others.
55. As to the photos of the Claimant included on the Website, these are all posed images taken by the Claimant or with her consent, at least one of them ostensibly at a public event. There is nothing intimate or revealing about them. They are very much of the type that individuals tend to post on social media without restriction. The Claimant's case as to how the Defendants had acquired these images was unclear but I did not understand her to be alleging that someone has acquired them by unlawfully accessing her devices or accounts. If that is her case, she would need considerably more evidence to establish it at trial.
56. I asked what harm had been caused by the inclusion of the screenshot and the images on the Website. The Claimant did not identify any discrete harm and her answers demonstrated that her real concern is the text on the Website and the allegations it makes.
57. As to the Claimant's reliance on the (alleged) fact that the matters referred to on the Website were known only to herself, the First and Second Defendants and Mr Farhan, this struck me as a point supporting her case on the likely authorship of the Website rather than giving her much of an argument in privacy.
58. It seems that there will be a dispute about the capacity in which the Claimant first introduced the First Defendant to Mr Farhan. But, even on her own case, she became embroiled in commercial discussions, and then a bitter commercial dispute, between them. It is true that the law does not treat someone's personal life and professional life as watertight compartments (see *ZXC v Bloomberg* [2022] UKSC 5, [2022] AC 1158 at Approved Judgment *Read v De Giovanni* [115]-[116] and *Browne v Associated Newspapers* [2007] EWHC 202 (QB) [2007] EMLR 19 at [33]-[42], *Eady J*). Nevertheless, the nature of the information in question is an important consideration at the first stage in a privacy claim. Here, on present evidence, I consider it unlikely that the Claimant will persuade a trial judge that these business discussions fell within the realm of her private life. The facts that she was already friends with the First Defendant and Mr Farhan, and that the dealings were not widely known about, strike me as unlikely to be sufficient to tip the balance in the Claimant's favour.
59. More detailed evidence may make a difference, and there may be ways in which a more powerful privacy case might be articulated in due course, but it is not for me to speculate or to suggest arguments to the Claimant.
60. In my judgement therefore, the HRA s12(3) threshold is not met in respect of a claim for misuse of private information.

61. As to defamation, I have noted at paragraph 21 above the paucity of information that the Claimant has put before the Court on the issue of serious reputational harm. The allegations on the Website are serious, of course, but at present, I know very little about the Claimant's own situation and nothing at all about the prominence of the Website, the extent of publication or the identity of anyone who may have seen it. The Claimant does not identify any adverse treatment she has suffered at the hands of third parties and her allegation of financial loss (which can sometimes be an indicator of a serious loss of reputation) is completely unexplained. For this reason alone, it is not likely, on present evidence, that the Claimant will succeed at trial in a libel claim or obtain final injunctive relief on that basis. The HRA s12(3) threshold is not met.
62. I would add that the rule in *Bonnard v Perryman* may be a further obstacle to the grant of a libel injunction. Although not set out in a witness statement, the Second Defendant did tell me that he would defend the Website statement as true, if necessary, and he gave quite a detailed explanation as to why he says it was true, which I have summarised above. However, this is a case in which the Claimant has a properly arguable claim that she was blackmailed. I did not hear argument on Warby J's suggestion, in LJY, that there may be a "blackmail exception" to the libel rule. I would prefer not to express a view, given that I have already identified a sufficient reason for refusing an injunction on the basis of defamation law.
63. As to malicious falsehood, the Claimant's bare assertion that she has suffered financial loss, without giving the Court any information about the nature of the loss or her prior financial position, profession or business activities, falls short of the details required by *Tesla*. For that reason alone, on present evidence it is unlikely that she will establish her claim for malicious falsehood at trial or obtain a final injunction on that basis. The HRA s12(3) threshold is not crossed.
64. Again, it may be that the rule in *Bonnard v Perryman* represents a further obstacle here but I do not propose to express a view, for the reasons already given.
65. As to harassment, the problem the Claimant faces is somewhat different. It may well be that she will establish at trial that she has been the victim of past harassment, entitling her to an award of damages. The blackmail demands, followed by the setting up of a Website with her own name in the URL and devoted to attacking her may very well satisfy the *Approved Judgment Read v De Giovanni* definition of a course of conduct amounting to harassment. The later editing of the Website to make her full name more prominent may be a further piece of relevant conduct.
66. However, I am not satisfied that there is presently a threat or sufficiently strong risk of this harassment resuming. The blackmail demands and the setting up of the Website occurred in October 2024. There is no evidence of the Website having been changed since April 2025. The Second Defendant did ask for money in the course of the LinkedIn exchange on 29 October 2025, but that exchange was initiated by the Claimant's husband and the Second

Defendant was responding to him. The Claimant confirmed that she has received no further communications from the Defendants. Accordingly the first and essential condition for the grant of an injunction (a threat or risk of future harassment) is presently not made out and, for the same reason, the HRA s12(3) threshold is presently not met because there is insufficient likelihood of the trial judge granting a final injunction to prevent future harassment by publication.

67. My conclusions on the threshold tests are sufficient to dispose of the Claimant's application. However there are two further, interlinked reasons why I would refuse an interim injunction.
68. The first is delay. The Claimant first applied for an injunction on 21 October 2025, more than a year after the blackmail demands and her discovery of the Website. To put this in perspective, the basic limitation period for a claim in libel and malicious falsehood is 1 year. Her explanations for not having acted sooner are unsatisfactory. I accept her evidence that she has found the whole ordeal distressing to the extent that she needed to seek therapy but, without any insight into what else she has been doing with her life over the last year, I am not persuaded that this rendered her incapable of taking action earlier. She did not give me the date on which the police told her that she should pursue this as a civil matter but, whenever it was, I do not think it was reasonable to await the outcome of their inquiries before taking her own action when, on her case, the continued presence of the Website online was causing her irreparable harm.
69. Secondly, the effect of the delay is that most of the damage is likely to have occurred already. Having read her evidence and heard her submissions, the principal damage that the Claimant is concerned about, it seems to me, is reputational harm. It is well known that online statements tend to attract attention (if they attract any at all) when they are first published and that visitor numbers then tend to fall off. The chances of further significant reputational harm arising through the Website's continued presence online pending trial seem small. (Anyone tempted to look up the Website as a result of reading this judgment will do so in the knowledge that the Claimant vehemently denies the allegations it makes). I acknowledge that the Claimant is experiencing continuing distress because of her knowledge that the Website remains online, but that too has to be put in the context of the initial shock she must have experienced when discovering the Website and the fact that she has been living with the situation for more than a year. In short, the bulk of any damage that might have been avoided by the prompt obtaining of an injunction is now likely to have occurred and can only be compensated for with a monetary award. In the circumstances, the prospect of further significant irreparable damage is too remote to warrant the grant of an injunction pending trial.

Conclusion

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70. For these reasons, I refuse the application for an interim injunction. This does not mean that the claim will fail at trial. On the Claimant's case, she has been the victim of a particularly nasty blackmail. Once she particularises her case more fully and provides more detailed evidence, it may well be that she will be able to establish entitlement to substantial damages and, perhaps, a final injunction. All I have decided is that, on present evidence, the prospects of her obtaining a final injunction are too slim to satisfy the applicable threshold tests for an interim injunction and that the delay in seeking one is a further reason for refusal.
71. Finally, I must reiterate that, although this judgment necessarily records some of the serious allegations being made by both the Claimant and the Defendants, I have not made any findings of fact about their conduct or that of Mr Farhan. Those will be matters for the trial judge, based on all the evidence that eventually emerges.

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