

By Email

For the attention of: Laurence Moffitt

STRICTLY PRIVATE & CONFIDENTIAL

NOT FOR PUBLICATION

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Our Ref: GA/0011840001

Your Ref:

20 July 2013

Dear Sir

Our client: Mr Bruce Hazell

We act on behalf of Mr Bruce Hazell of Trimline Group, a successful business with 30 employees and a multimillion-pound turnover.

This letter is being sent to you in accordance with the Pre-Action Protocol for Defamation. In particular, we refer you to CPR r.44.3 concerning the court's powers to impose costs sanctions for failing to comply with its provisions. Ignoring this letter may lead to proceedings being commenced against you and may increase your liability for costs.

The defamatory tweet

We write to you in respect of a highly defamatory tweet that you published on your Twitter account (@laurencemoffitt) on or around 7th July 2013, which states as follows:

"Garth Christie of Hazel products Leeds and Bruce Hazel of Trimline group London continue to abuse church members #PBCC"

We attach the tweet, in its full context, for reference.

At the date of this letter, the tweet continues to be published on your Twitter account and is causing serious ongoing damage to our client's personal and professional reputation as a partner in Trimline.

These words, in their natural and ordinary meaning and in the context in which they appeared, meant and were understood to mean that our client has in the past seriously maltreated church members and continues to do so.

The allegation is wholly untrue and seriously defamatory of our client. As you well know, there are no grounds whatsoever for accusing our client of involvement in any abuse.

We are very concerned as to the extent of your publication; we note that you have a public account, which means that your tweets are visible to anyone with access to the internet, whether or not they have a Twitter account. Furthermore, you have 77 Twitter followers, including a number occupying important public positions, who subscribe to your tweets and

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would have seen the tweet complained of as part of their rolling Twitter feed. It is quite clear that a very substantial number of people are likely to have read the words complained of.

Given the gravity of the allegations, we are further concerned that the tweet could be picked up by others and easily repeated or retweeted. It is therefore essential that the tweet is deleted before this occurs. If such repetition or republication does occur, our client intends to hold you wholly responsible.

A false allegation of such a serious nature entitles our client to very substantial damages. We refer you the recent case of *Cairns v Modi* [2012] EWHC 756 (upheld by the Court of Appeal), in which the High Court awarded the claimant damages of £90,000 in relation to a tweet that was published to 65 of the defendant's Twitter followers.

Next steps

The continuing publication of the tweet is causing serious and potentially irreparable damage to our client's personal and professional reputation. He feels extremely hurt personally by this attack on him and the principles by which he lives. We therefore require you to delete the tweet from your account forthwith to prevent further damage being caused. Please confirm that this has been done by return.

Having taken the advice of Leading Counsel, Desmond Browne QC, and Junior Counsel, we are now writing to demand that you also:

1. Provide an undertaking that you will not repeat the same or any similar allegation in the future.
2. Agree to publish an apology and retraction in terms to be agreed.
3. Agree to pay damages to our client to compensate him for the damage and distress caused.
4. Agree to pay our client's reasonable legal costs.

If you fail to comply with these demands, you will leave our client with no choice but to issue proceedings forthwith.

In accordance with the Pre-action Protocol, you are required to provide a full response to this letter as soon as possible, and considering the urgency of the matter, by no later than midday on Thursday 25 July 2013.

In the meantime, we continue to reserve all of our client's rights.

Yours faithfully


Atkins Thomson

Enc.