

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

BEFORE HIS HONOUR JUDGE LEWIS
(SITTING AS A JUDGE OF THE HIGH COURT)

MR PAUL EMBERY

Claimant

-and-

DR JO GRADY

Defendant

STATEMENT IN OPEN COURT

Tom Double, Solicitor for the Claimant

1. My Lord, I appear for the Claimant.
2. The Claimant Paul Embery is a firefighter, trade union activist and writer.
3. The Defendant Jo Grady is a senior lecturer in Employment Relations and the general secretary of the University and College Union.
4. In August 2022, Mr Embery was travelling on a train with his children from London to Norwich. A group of women sitting directly behind them were consuming alcohol and behaving in a loud and obnoxious manner. One woman in particular was repeatedly

using sexually-explicit profanities. Mr Embery considered it unacceptable that passengers, including his own children, should be subjected to this behaviour, so eventually he intervened and politely asked the women to refrain from swearing. This request was met with hostility and abuse. This prompted Mr Embery to locate the train guard who asked the women to reduce the noise level and be mindful of their fellow passengers. They initially obliged. However, as soon as the guard left the carriage, the loutish behaviour resumed, and Mr Embery and his children were subjected to a further torrent of abuse.

5. At this point, Mr Embery took a short video on his mobile phone. This was done conspicuously in order to evidence the group's abusive behaviour and in the hope that the very fact of him recording them would cause them to stop. However, the resulting video shows Mr Embery being called a "cunt" and a "prick", and warned that he would be "knocked out". He was later threatened with a beer bottle to his face.
6. Shortly afterwards, Mr Embery tweeted a photo of the women in question to the train operator – Greater Anglia – highlighting their conduct. His hope was that the train company would take action against the women in question (e.g. ban or at least warn them). His tweet went viral and, according to Twitter Analytics, was seen by over a million people. Whilst he had not expected this, he was pleased that the issue of anti-social behaviour on public transport was briefly in the spotlight.
7. However, over the following two days, Dr Grady published the following tweets:

“Grow up Paul and take a day off bullying women and pretending to be outraged for clicks. It’s pathetic at any age, but especially yours.”

“It’s creepy to record young women on the train, share that video, and lie about them on social media for clout.”

8. Dr Grady is a highly influential figure within the trade union movement, and beyond. She has over 55,000 Twitter followers. Her tweets, which accused Mr Embery of being a serial harasser of women and lying about the incident in question, were retweeted and "liked" thousands of times and have caused immeasurable harm to Mr Embery's reputation. They portrayed him as a misogynist, a pervert, and a liar, when all he was seeking to do was defend himself, his children and fellow passengers from

rowdy and threatening behaviour on public transport. They contained wild and reckless allegations; all entirely without foundation.

9. Mr Embery has always been a vocal public supporter of women's rights and deplors all bullying and violence towards women and girls. He has spoken on public platforms in support of women's rights and has for a number of years been a registered supporter of the White Ribbon campaign (the UK's leading charity engaging men and boys to end violence against women and girls). Understandably, Dr Grady's allegations were a source of considerable distress to Mr Embery.
10. The account Mr Embery had given about the incident on the train was an honest one which was supported by his own video evidence. Moreover, contrary to what Dr Grady stated, Mr Embery did not share the video on social media. Mr Embery's sole motive in tweeting about the incident was to report anti-social behaviour. His tweet highlighted a very real problem that ordinary, decent passengers face every day on public transport.
11. Mr Embery wrote to Dr Grady asking her to apologise and withdraw the allegations. She refused to do this, forcing Mr Embery to take legal action and launch a crowdfunding campaign in order to clear his name and secure vindication.
12. Claims were asserted against Dr Grady for libel and inaccurate/unfair data processing under the UK General Data Protection Regulation.
13. Dr Grady has now agreed to pay Mr Embery substantial damages and legal costs. She has additionally undertaken not to repeat the allegations or similar allegations.
14. Mr Embery intends to donate his damages to charity.
15. My Lord, in the circumstances, Mr Embery is prepared to let the matter rest.

BRETT WILSON LLP
Solicitors for the Claimant

9 May 2023