

## You label me, I libel you

Kris King – May 18<sup>th</sup> 2012

<http://www.rantinaminor.co.uk/2012/05/you-label-me-i-libel-you/>

Despite having spent much of my time since the beginning of the easter weekend in and out of the vets with a conveyor belt's worth of poorly pets (the full exciting story of which can be [read in last week's post](#)), I'm in a relatively good mood ... so much so, in fact, that I thought I'd make this week's offering a bit of a special one by giving you this site's first-ever actual proper interview (not with me, obviously, that would be mindlessly self-indulgent and bizarrely schizophrenic). Joining me almost live via email is [Vaughan Jones](#), sceptic blogger and lifter of heavy things who found himself neck-deep in lawyers recently when a christian author sued him for libel over reviews he'd written on Amazon (as well as a few comments) telling everyone that his book, a supposed satire on the religion versus science debate, was crap. So, grab yourself a cuppa and a few jaffa cakes, pull up a comfy chair, and I'll try to set the scene before asking Vaughan some (hopefully) interesting questions.

The specific author in question here is Chris McGrath, an online businessman who self-published his book, "The Attempted Murder Of God: Hidden Science You Really Need To Know" under the alias "Scrooby". McGrath began libel proceedings against Vaughan for making, in his view, a number of defamatory statements in his review and comments (including, I believe, the suggestion that McGrath was a creationist). Named alongside Vaughan as defendants were Amazon themselves, for having carried the reviews/comments, Richard Dawkins (yes, *that* Richard Dawkins), and the Richard Dawkins Foundation for Reason and Science, whose website had also carried the review and hosted discussion threads relating to it. Claiming that he had been libelled to the detriment of his reputation, McGrath put Vaughan through a year of legal and personal grief that ended on March 31st when the [final judgement](#) was made public and the case struck out, leaving the author with £75,000 in costs.

I became aware of the case towards the end of summer last year when, wandering aimlessly through some of the more secular neighbourhoods of the internet looking for sites of particular interest, I stumbled across [Vaughan's blog](#) and concluded, reasonably swiftly, that I had indeed found a site of particular interest. Since then we've exchanged the occasional tweet, comment, and email, mostly in regard to the case and what he was permitted to tell me about it at the time (which was never very much), and even a couple of texts when we found ourselves on opposite sides of London on the same day (and, regrettably, our schedules precluded the possibility of a pint or two). When he recently suggested (albeit with a smiley) after the judgement was made public that I could have an "exclusive interview", I replied (entirely without a smiley) that I thought it was a great idea.

And, so, here we are ... an interview with Vaughan Jones!

*Starting from the beginning, you first came across Scrooby's book through links from reviews for "The Grand Design" (by Stephen Hawking and Leonard Mlodinow). What was it that persuaded you to read Scrooby's book, and what were your first impressions?*

**VJ:** My first thoughts were to simply look at why the author felt it was wise to use the review section of "The Grand Design" to promote his own book. It was a clear troll on McGrath's part. So my interest in the book itself was only a result of the trolling activity. That said, my interest declined when I realised it would cost me £20 to find out what was so great about McGrath's book. However, he had provided a link on his website so that people could read one or two chapters of this masterpiece. My first impressions were that the formatting was dreadful, the syntax was weaker still and that it was going to be a tortuous read.

*Did your opinion change as you read further?*

**VJ:** Well the free chapters did not give too much away but it was obvious that it was a promotion of the Creationist subject. My interest had peaked at this point. I certainly wasn't prepared to stump up £20 for the privilege of being lectured about how science has everything wrong ... particularly when the author himself was content to spam the internet rather than rely

upon the quality of their writing to sell the premise.

Of course since then I have had the opportunity to read the entire book and my impression that this was pushing Creationist propaganda, I think, are fully confirmed.

*Did you find, as I did when reading it, that being a non-believer ceased to matter quite quickly, such that it became less about it being "a book by a christian" (and whatever potential bias one might therefore have towards it) and more about the poor reasoning, faulty arguments, and apparent general scientific ignorance of the author?*

**VJ:** I think you have hit the nail on the head. Religious or not; you will soon tire of the poor logic, faulty reasoning, the dubious standard of writing and craftsmanship and the weakness of any argument that it is putting forward. I say this with full knowledge that the author has claimed that it is a "complicated satire".

*I have to say I gave up reading by around chapter 10 or 11, and have no desire to put myself through the rest. It is, as you said, a rather turgid experience to get through.*

*At what point did you feel this was something you ought to write a review of, and what was your main reason for doing so? Was it just literary criticism, or did you feel that you wanted to "warn people" about it?*

**VJ:** It was a warning if anything. I did some research on the background of the author and the publishing company and made some comments on what I had found. No-one had to believe me or take my opinion seriously of course which is why I said that people could look for themselves and make their own mind up. To conduct a "full" review of the book itself would have been a tedious affair simply because the writer seems to be making things up on the spot, contradicts himself on a number of occasions, which makes it difficult to pin him down on a subject, and had also written the book devoid of humour and clinging onto conspiracy theories. This makes for a pretty unappetising review prospect.

*So it wasn't just that you thought it was bad, but that it was also perhaps misrepresenting itself or not being entirely honest about its intentions?*

**VJ:** The author was writing his own reviews using sock-puppet accounts so the marketing campaign was devoid of honesty from the start wasn't it? Other people were savvy enough to have worked that out for themselves; I went one step further and tried to show why the author was marketing it in that way.

*I take it then you wouldn't agree, for instance, with the author's description of it as a satirical parody of the debate between science and religion?*

**VJ:** No. When one reads it, the book offers no clue that it is parodying that debate at all. In fact, I would go as far to say that it places its arguments firmly in the Creationist camp because the author relies upon aspects of his own private life and faith. To suggest that he was parodying a Creationists faith in the Biblical account of creation, for example, is to disrespect the very thing the author appears to believe in. There are perhaps elements of a conspiracy theory involved in the book but these are always set up against the scientific voices.

If was the author was truly trying to create a parody, then one has to ask why the Creationist arguments are bolstered with intimate, supporting reasons for that position based upon the authors private life? I also found out that Mr McGrath had written, quite some time before, a message expressing a desire to write a book "in the glory of god". It makes the claim that it was only a satirical look at "god's handiwork" more far-fetched in my opinion.

*Do you think that the satire/parody aspect was something the book/author made clear from the start?*

**VJ:** If it was then I missed it... as did others.

*I missed it too ... I mean, I don't imagine myself to be an expert, but I like to think that I've been a fan of satire long enough to be able to recognise it when I see it, and I really didn't see it in McGrath's book.*

*As we know, you unmasked Scrooby as McGrath, and exposed him for having written anonymous and sock puppet reviews ... was this something that came about as a result of*

*suspensions you maybe had about the reviews and/or comments, or was it just plain old curiosity that made you wonder who Scrooby was?*

**VJ:** I just did a basic google search on the book and started sifting through the reviews. That the book had so many positive reviews seemed odd to me only because I like to think I know a good book when I read one. By that I do not mean that the book has to fit in with my ideology; many books I do not agree with at least are written well with the correct spellings, grammar and order. Not a single review seemed to remark that the book was poorly formed which surprised me.

Then when you see similar words being used and other literary devices, it soon added up in my head that perhaps these reviews were all from the same person. That I was proven right in court says nothing about my prowess in this matter; I was just the only person that pointed out what seemed obvious.

*Would you say that it was your having made these revelations, more so than simply giving a bad review of the book, that kicked off both the ensuing "flame war" (so to speak) between yourself and McGrath on Amazon, and ultimately the libel action against you?*

**VJ:** Definitely; for me to have cast aspersions on his character and motives must have bitten hard. That's just tough to be quite honest and the Judge, in giving his comments on McGrath's behaviour, said far more about his intentions, or lack of class, than I ever could have.

*You made comments regarding McGrath's children, which you acknowledge was out of order and, as I understand it, you are in fact now bound not to repeat them. While it might seem to impinge upon your right of free expression, do you think that that stipulation is a fair one as it pertains to someone's kids?*

**VJ:** I need to be clear; there is no order against me not being allowed to repeat their names or mention them in any capacity. However it is out of my own sense of principle that I won't repeat their names which, when one considers the extent to which Mr McGrath has used their names in his publicity stunts, is perhaps more ethical. Besides, all I said was that I felt sorry for them. In light of McGrath's subsequent loss and devastating costs order my expressions of sympathy have even more relevance than ever. So let me repeat that I feel sorry for them without mentioning their names. That seems a fair compromise.

*Do you think there is room to argue that such comments would have had less capacity to provoke (and subsequently less chance of resulting in legal action) had the names of McGrath's children not been made public by McGrath himself previously?*

**VJ:** As [I said] above there is no legal action that could ever have been taken for naming his kids. But it's not like I named them as a means of causing them any harm. It was merely an expression of sympathy. That said, any claim that McGrath argued was more than diluted by the numerous times he used both their names (and school of all things) to shamefully publicise his company.

*When you found out you were being sued, how did that feel? Did you think it was a joke? Did you imagine that it would go as far as it did?*

**VJ:** I felt like it was a joke at the time, particularly because I had been served with the notice on April Fool's Day. It all seemed more than a practical joke the longer the case has gone on. It's a shame that the court took so long to deliver the punchline.

*Was there ever a moment when you felt, being sued alongside Dawkins and Amazon, that you were at least in good company?*

**VJ:** Not really. You never meet the defendants, only their lawyers. Nice though they are, they are in a completely different world to the rest of us. Robert Dougans was a great guy, an exceptionally talented lawyer and I enjoyed spending time with him and his Father at different stages of this case. He is a seriously intelligent chap and comes from a very solid, family orientated background. I really like him and he has been a brilliant source of support.

*I actually meant it more in the sense that if one was being sued alongside Richard Dawkins then it might feel like one was doing something right 😊 But that's okay – your answer was much better than my question!*

*You were represented by the same legal bods as had represented Simon Singh when he was sued for libel by the British Chiropractic Association. How did that come about?*

**VJ:** Simon Singh made the introduction and Robert agreed to help wherever he could. I did, for the most part, conduct my own affairs but towards the run up to the first hearings in November Robert increasingly lent his support to such an extent that he agreed to represent me. He even found a pro bono barrister by the name of Jonathan Price who is another intelligent guy who is great to speak to.

*How were they to work with?*

**VJ:** Well Robert is a genius. I'm sure that there is nothing he doesn't know about libel law and I can see him becoming the leading defamation lawyer in the country. He is extremely knowledgeable about history which, aligned with my own degree, has led to some very funny observations and comments from time to time that only those really into their history would get. His knowledge of military euphemisms is alarmingly good too. Jonathan was methodical and precise in everything he does. He is very cool and I'm sure he has a very long and fruitful career ahead of him.

*Were they also representing the other defendants?*

**VJ:** Robert was defending Richard Dawkins and the Foundation too. Jonathan was only representing me under Robert's instruction.

*In terms of your defence it seems clear that the lawyers and yourself would aim to have the whole case thrown out, but was there much discussion between you as to what the best approach might be? Was it, for instance, focused largely on how each individual claim could be struck out, or was your attention centred mainly on the abuse of process aspect?*

**VJ:** I left the law to the lawyers to be quite honest. I understand more about defamation law than the average person on the street now but there are levels of details which were, sometimes, best not knowing. So much can be left to interpretation. The best angle for attack was, quite simply, McGrath's overall claim which was a complete pile of nonsense. I literally cannot explain how poorly it was all put together. The best thing to do was to rip apart the pleadings and reduce the meanings to a level which meant that the case was not worth pursuing financially. In the end this proved the correct strategy for me.

*How was your general mood throughout? I certainly imagine there would have been good days and bad days – any that particularly stand out for you?*

**VJ:** I do suffer from clinical depression which I used to bring into check with medication but, more recently, I focus my efforts on lifting heavy weights which is better for me.

*It must have had a pretty hefty effect on day-to-day life for both you and your family ...*

**VJ:** My wife saw the back of my head quite frequently owing to the location of the computer in the living room. All in all it was one long, stressful time and one I do not want to repeat or wish upon anyone else. My children always had the best of my time but I probably saw little of my wife in the evenings if I am honest. She deserves a medal for putting up with it.

*You had a two-day appearance at the RCJ last November in which you, naturally, made the case for having the action against you struck out. How did it feel knowing that, if things didn't go well, it would merely be the start of an even longer, more stressful, and potentially ruinous process, rather than the end of one?*

**VJ:** It simply wasn't in my thought process really. If I had imagined this going on, akin to the Simon Singh case or that of Hardeep Singh, or the Osler/Gray/Hilton shambles, I probably would have not made it into court that day. However, I had a pretty clear conviction that the claim was a load of junk and that the courts would see through it.

*I'm assuming this would have been the first time you'd have seen McGrath in person? What did you make of him? How did he come across?*

**VJ:** My opinion is that he is a little strange. His persona in person, however, is nothing like in print. He is the archetypical keyboard warrior; quite happy to make all sorts of allegations in print but won't repeat them in person. Other people had the displeasure of speaking with him

at various times and were equally unimpressed.

*Did you exchange any words, or was a sensible distance maintained?*

**VJ:** I said nothing in November; there was no need because nothing had been agreed by the courts and I didn't want to prejudice the case. When we all found out the result in December, I still said nothing but came under fire from McGrath in a calculated attack on my character. Again, I maintained a sensible distance keeping a moral high ground that had clearly escaped McGrath in his desperation. At the end of the hearing I said a couple of things to him as me and my wife walked down the corridor. He wouldn't even look at us; that said all I needed to know.

*At the end of those two days, how did you think it had gone? Did you feel you'd done enough to secure a strike out?*

**VJ:** The Judge wasn't giving much away really. But towards the end of the hearing some things seemed to click into place, particularly when the Judge was becoming quite critical of McGrath using fake accounts to attack me on Amazon. From that point onwards I knew that a balance had been struck somewhere.

*How about the lawyers?*

**VJ:** They were "hopeful". That's about as good as it gets from a lawyer, believe me.

*The final judgement was made public at the end of March this year, but you actually got the draft judgement in December. Putting aside any minor differences that there might have been between them, how did it feel to know that the outcome was almost entirely positive?*

**VJ:** I wasn't happy with some things in the Judgement but, overall, it was positive. I did feel very happy of course but also frustrated because I had to spend a long time keeping quiet.

*That must have been difficult, not being able to say anything, although I imagine it made for a much more enjoyable christmas with the family knowing the case was getting thrown out?*

**VJ:** Very much so; it made things a little easier around the home knowing I would be able to spend the time with the family rather than chewing over the various diatribes we had received in the run up to the hearing.

*Since receiving the draft judgement, when McGrath knew that the case was going to be struck out, he seemed to engage in what can only be described as a bitter smear campaign against you, labelling you as not only a fascist and a BNP supporter, but a holocaust denier. What did you think when you read the tweets and comments he was making about you?*

**VJ:** Disgusted but I wasn't surprised. What else could he do? It's all very ironic that he preaches on about reputation being important and how crucial it is to keep to the moral high ground but then decides to set up websites and accounts all focused on destroying me with half-baked theories.

*Did it help knowing that only McGrath himself seemed to believe what he was saying about you, and that everyone else had rightly dismissed it as little more than a seemingly spiteful exercise in quote-mining?*

**VJ:** It did the more that people wrote to be offering their support. I think McGrath probably lost a lot of sympathy over what he did.

*Would you say, given his actions, that he was seeming less like someone who genuinely wanted to protect "family, name and reputation" from defamatory comments, and more like someone who was massively lashing out?*

**VJ:** I think so. That was the impression that others had formed too. Now people know the result, the more it smacks of sour grapes.

*Do you think that McGrath has made things much worse for himself than they needed to be? Even Judge Moloney suggested that his behaviour would make it difficult for him to convince a jury if it went to trial.*

**VJ:** Well McGrath seemed to be able to get away with murder in both writing and in the



courtroom; the stuff he has written on websites is not even a quarter of what he sent to the courts. Perhaps one day it would be quite amusing to post some of the things he wrote to show just how unhinged his campaign sometimes was?

*It would certainly make for interesting reading, as well as being a suitably cautionary epilogue to the story. I think I read somewhere, perhaps you can confirm and maybe elaborate, that he'd asked for £1 million from Amazon to, essentially, "go away"?*

**VJ:** I recall that, somewhere, he wrote that he felt he his case was worth at least a million because he kept referencing payouts that other libel "victims" had received. When it transpired that he wanted more than that from a single defendant, I think I was more than amused.

*Does that make you question whether the whole process was ever about principles? That, instead of being about defamation or damage to an individual's reputation or business, it was more like a case of a hugely bruised ego wanting some recompense?*

**VJ:** It was perhaps a little about reputation but more about the money in the cold light of day. The guy has SERIOUS financial problems, make no mistake. His legal bill seemed to suggest that he had spent over 8 hours per day on this case for over a year. Well, that's not going to sort out the mortgage problems is it?

*So, now that you've got final judgement, what's next? We know McGrath has been hit with £75,000 in costs and 3 months to pay it, but that he also had until April 30th to challenge the ban on an appeal (which he said he will because he wants to proceed to full trial).*

**VJ:** I believe he has filed an appeal.

*Assuming he got the permission to appeal and it actually went to full trial, what do you think his chances are? (I know the judge has said such an action would basically be a waste of time given what it would cost compared to how much he could expect in damages).*

**VJ:** Not really concerned right now because the case is over for me. He not only needs permission to appeal, he needs to actually win it. I have no part in that process, I believe, until the case is "reopened". I think he is wasting his time though but, then, I would wouldn't I?

*Your case has found itself becoming part of the argument behind the growing campaign for libel reform in the UK. With the laws seeming heavily stacked against defendants, would you say that, in spite of all the grief you've had to go through with this case, it's possible that at least some good could come out of it?*

**VJ:** Well the libel laws were used to help me win. What I do think is that the process is too long. Even the decision to be given out took over 4 months. That's a serious chunk of time in what is a very short life. I'm pleased to have met so many cool people though.

*How important would you say libel reform is right now, especially as far as social media is concerned, and has your case changed your opinion or merely galvanised it?*

**VJ:** I wasn't even aware of it until I was sued. I like to think I have played a part in raising awareness and I hope to be a part of it in the future.

*Do you think your case is going to have an impact on other bloggers like yourself who are increasingly finding themselves on the receiving end of pernicious libel laws that can be wielded to silence legitimate criticism? I'm thinking, for instance, of [Dan Buzzard, an Australian sceptic who is being sued by a homeopath](#).*

**VJ:** Well I hope to be able to offer these people some support in the same way I have been supported by people like Hardeep Singh. I think my case clarifies a few matters here and there but I think that there is a long way to go until we get to the bottom of what articles have been pulled because of the threat of libel; there is often a public interest which supersedes the right to privacy and/or people saying damaging things.

I like the idea of a free and open media with responsibility; I do not see how take down notices provide the vindication of character that people seek when issuing libel claims. If someone lies about another person in print and is forced to write a retraction, this is far more damaging to the writer than the libelled.

*And, while not libel-specific but still a matter of free-speech, we now have three people*

*charged over things they've said on Twitter.*

**VJ:** Which is ridiculous really.; there are certain laws in this country, which I have blogged about, which offer a strange balance against protest and humour. It is a shocking state of affairs and far worse than we can imagine. It will only get worse before it gets better. The harsh thing is, if you want to protest against those laws the authorities can lock you up using them. It's all very Orwellian.

*It goes without saying that having the support of your family and friends would have been crucial to getting through all this with your sanity intact, but how important has it been to have had the encouragement of people like Hardeep Singh, or even total strangers who tweet you or comment on your blog? Does it reassure you to know that there's a supportive community of sceptics who realise that it could just have easily been them in your position?*

**VJ:** Well I want to thank every single person who has sent me messages, donated to my legal fund and helped me spread the word about my case. I cannot say how much their support has meant to me. Hardeep Singh has been brilliant... he is a great guy who I can call a friend.

Every blogger who has written about the case has raised my profile and that of Libel Reform in ways which are far reaching. My thanks to those who have taken the time out of writing about other issues to focus on mine. Big thanks to James O'Malley too of the Pod Delusion, John Gray who bought me a meal on the night of the final hearing and who is also someone I can call a friend.

Thanks to you too for all of your hard work behind the scenes. I hope to be able to repay you one day.

Most of all a big thank you to my family and my two best friends, Neil Porter and Trevor Gill; without them, I would not have been able to find the humour in the entire situation. The two best guys a fella could ask for.. so funny and satirical. Unlike... 😊

*I particularly enjoyed Unity's [recent post on the Ministry of Truth blog](#) which, aside from making a minor point about your opinions at the time having possibly been a little naïve, thoroughly discredit McGrath's accusations as being a blatant attempt to smear you. Are you tempted to sue McGrath in a reciprocal libel action for those accusations, or do you think it would be a waste of time (or worse, seen as vindictive)?*

**VJ:** Er.. no comment on potential legal pleadings haha.

Naïve is an interesting phrase because it supposes that I was not, or am not, aware of the risk that far right groups pose. What I did do is apply a traditional military tactic of risk analysis and utilised my experience studying History and Politics and formed my own opinion about the threat of the BNP and EDL in this country. I stand by what I said; they represent people who legally vote for them and therefore are allowed a platform. Democracy in this country does not work by banning organisations or people who we dislike. I also said that there is no chance in hell that they would be a force in this country and I have been proven right based on their recent results. I also said, at the time, that they represented people with legitimate views; views which the mainstream parties now accept. Again, I was proven right. Perhaps a career in political commentary awaits?

But look, I write a LOT more on the AKP in Turkey and no-one is accusing me of being a Muslim fundamentalist so I think McGrath has a fundamental misunderstanding of how politics works. That much has been evident to me in his character assassination.

I do not need to respond to McGrath's wild accusations, I'm very comfortable with where my political allegiances are.

*A question from a colleague (thanks Dave!), has it put you off reviewing other books, or made you more wary in general of what you say on the internet in future? (his original, less-serious question was initially, "How many hours per day do you spend laughing at what a massive plonker McGrath has been?")*

**VJ:** I'll review them if I feel it is necessary. I much prefer doing other things. People need to realise that this was a short, 3 day conversation outing an author who was using unethical publicity tactics to promote a crap book. It's not a career for me. It was just a random event in my life which culminated in something which permeated my reality.

I'll be more careful in the future when writing but I won't change dramatically. How could I? McGrath would have won then.

In response to his real question, probably more hours than is healthy.

*If there was anything that you could say to McGrath and know that he'd listen, what would it be?*

**VJ:** I feel sorry for your kids.

Get your shit in order and reprioritise your life; you spend far too much time dreaming instead of thinking about what will actually put food on your family's table.

Go on a writing course.

Take criticism and abuse the same way as normal people can.

Accept that you are not special, the same as everyone else.

Thanks for the journey. I enjoyed the opportunity to be an example and show how people stand up to bullies.

I want to thank Vaughan Jones for sparing the time to answer my (now that I stand back and look at it all) rather substantial bunch of questions, and wish him and his family all the best for, what must surely be, a massively less stressful year ahead ...

