

Neutral Citation No: [2026] NIKB 1	Ref: COL12942
<i>Judgment: approved by the court for handing down (subject to editorial corrections)*</i>	ICOS No: 23/48813/01
	Delivered: 16/01/2026

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND

KING’S BENCH DIVISION

BETWEEN:

**MACNAUGHTON BLAIR LTD
STEVEN WHYTE
ANDREW McCARRON
ASHLEIGH MORGAN**

Plaintiffs

and

CATHERINE EDGAR

Defendant

**Mr Peter Girvan (instructed by Worthingtons Solicitors) for the Plaintiffs
The Defendant appeared in person**

ADDENDUM

SUMMARY DISPOSAL

COLTON LJ

Introduction

[1] This judgment should be read in conjunction with the substantive judgment in this action [2025] NIKB 60, delivered on 24 October 2025. Subsequent to the court’s directions set out at para [85] of that judgment in this action, the defendant on 5 November 2025 submitted a “Notice of Motion for stay of execution and directions pending appeal”.

[2] In a statement in support of the notice of motion the defendant indicated that she did not intend to make any offer of amends under section 2 of the 1996 Act (“the Act”).

[3] At a review hearing on 21 November 2025 the court indicated that it would not grant a stay until such times as a final order had been made. As the summary disposal application had not been finalised an appeal would be premature. The defendant was informed that time in respect of her intended appeal would run from the date of the final order.

[4] After the review hearing the court received written submissions from the defendant opposing any grant of summary relief, written submissions from the plaintiffs on the issue of summary relief, an affidavit from the plaintiffs' solicitors dated 11 December 2025 and a response to the plaintiffs' submissions from the defendant on 15 December 2025.

[5] The court conducted a final oral hearing in relation to the matter on Friday 12 December 2025.

[6] Summarising her written submissions opposing the grant of summary relief, the defendant says that the judgment does not identify the specific statements which are to be the subject of relief nor is there a finding that such statements have been published by the defendant or that they have been found to be false. She points out that in the materials relied upon by the plaintiffs, some of the posts in issue are expressly attributed to the Twitter account "@NI_litigant's" and "ladieswholitigate." In the absence of a determination on the authorisation of posts originating from those Twitter accounts she says any summary disposal cannot stand.

[7] Following on from this she argues that not all potential defendants are before the court, something which must be considered under section 8(4) before moving to summary disposal. She submits that there has not been consideration of the extent of publication.

[8] Whilst the defendant has indicated that she does not intend to make any offer of amends she points out in her written submissions that on 6 June 2024 she made a "good faith offer to settle." The offer stated:

"If Macnaughton Blair (MB) consider (collectively) acknowledging and admitting publicly that they did wrong (what 'wrong' is negotiable, need not be specific but 'a' wrong must be acknowledged and admitted), and announce that they will donate a substantial (seven figures – tax free) amount to the Cedar Foundation as reparations, and agree a written contract to work with the Cedar Foundation to understand and raise awareness of brain injury/hidden disability within MB premises.

If MB announce publicly that they agree to establish a relationship/written contract to work with the Equality

Commission, to develop understanding and raise awareness of hidden disability overall, then we may be able to have a conversation.”

[9] To suggest that this offer constitutes a serious effort to resolve the issues between the parties in this litigation is frankly disingenuous.

[10] In light of the defendant’s election not to make an offer to make amends then in accordance with para [86] of the judgment the court now proceeds to consider whether it should make orders for summary relief under section 9 of the Act.

[11] In relation to the question of the identity of publications and authorship, the court notes that no issue was taken in the defences relied upon as to the identity of the person responsible for the publications complained of in the statement of claim. To the contrary, the defendant admitted making the statements which the plaintiff alleges to be defamatory. The defence has sought to justify the statements complained of. There is no denial of publication.

[12] That said the issue raised by the defendant is of no avail to her. Any order of the court is limited to posts published by the defendant which the court has found to be defamatory and not capable of being defended for the reasons set out in the judgment. It is clear from the judgment the tweets complained of refer to those posted by the plaintiff on her Twitter (now X) and Substack account. Any reference to the accounts “@NI_litigants” and “ladieswholitigate” is solely in respect of circulation of the tweets posted by the plaintiff.

[13] Therefore, the publications complained of and that are the subject of the court’s determination, are adequately identified in both the statement of claim and the judgment and properly attributed to the defendant. To ensure absolute clarity, the relevant posts have been identified in an affidavit from the plaintiff’s solicitor dated 11 December 2025, which is discussed below under the heading “Injunction”.

[14] Turning then to the question of potential orders for summary disposal, the court repeats the fundamental determination made in the substantive judgment that the pleaded defences have no realistic prospect of success and there is no reason why the action should be tried.

[15] As to the latter and the issue raised by the defendant in respect of potential other defendants it is clear from section 8(4) of the Act that claims against two or more defendants (or possible defendants) are unlikely to be the subject of summary disposal unless all defendants are before the court. However, it is clear from the statement of claim and all the affidavit evidence in support of the summary application that the plaintiffs’ action is confined to the posts attributed to the defendant. There is no question or issue of proceedings against any other defendant. For these reasons and the reasons set out more fully in the judgment the requirements of section 8(4) of the Act are met.

Relief under section 9 of the 1996 Act

[16] I turn now to relief under section 9 of the Act. Since the application for summary relief is brought by the plaintiffs it is not necessary for the court to be satisfied that summary relief “will adequately compensate” the plaintiffs “for the wrongs they have suffered” – see section 8 of the Act.

Declaration

[17] Turning to the specific reliefs provided for in section 9 of the Act the court confirms that it is appropriate to make a declaration that the statements complained of in the statement of claim were false and defamatory of each of the plaintiffs under section 9(1)(a). The reasons for that declaration are clearly set out in the substantive judgment. As to the defendant’s complaint that there has been no express finding of falsity in the substantive judgment, the rejection of the pleaded defence of truth establishes the falsity of the statements complained of.

Apology

[18] The court notes that the plaintiffs do not seek a correction or apology under section 9(1)(b) and no such order is made.

Damages

[19] In relation to section 9(1)(c) the first-named plaintiff, that is the corporate Macnaughton Blair Ltd, does not seek damages.

[20] The remaining three plaintiffs seek damages under section 9(1)(c). It will be noted that there is a cap in respect of any damages that can be awarded under this heading of £10,000.

[21] When awarding damages under this procedure the practice appears to be for the court to state what the award of damages would have been were it not for the cap. Thus, in *Jon Richard Ltd v Anna Gormall* [2013] EWHC 1357, Mr Justice Smith says at para [33] of his judgment:

“This being the summary procedure, damages cannot exceed £10,000, but the established course in such cases as this is for the court to consider what award of damages would otherwise be appropriate and then to apply the limit. It is not appropriate for the court simply to say that it is clear that damages of at least £10,000 are appropriate and, therefore, that sum will be awarded.”

[22] When there are multiple plaintiffs, each plaintiff is to be considered separately for the purpose of damages under section 9. The statutory cap applies individually to each claimant, and the court must assess the reputational impact on each of them in turn. This approach was adopted by the High Court in England and Wales in *Ernst & Young LLP & Ors v Coomber LLP & Ors* [2010] EWHC 2387 (QB) – paras 33-46 and *Mahfouz v Brisard (No 3)* [2006] EWHC 1191 (QB), paras 9-18.

[23] In assessing damages for each individual plaintiff I refer briefly to their affidavit evidence in support of the application for summary judgment.

[24] The plaintiff Steven Whyte, is a former General Manager and Company Director of Macnaughton Blair Ltd. In his affidavit he strongly refutes the allegations made against him by the defendant in her tweets and points out that the allegations she made were rejected by the unanimous decision of the tribunal and the Court of Appeal. At para 11 of his affidavit he states:

“I can confirm that these serious and offensive defamatory statements have caused me considerable annoyance, distress and anxiety. There was no legal or factual basis for the defendant to have named me as an individual respondent in the tribunal proceedings in the first place. Contesting unfounded allegations of disability discrimination is a stressful and unpleasant experience. The defendant then proceeded to target me alongside other witnesses in her defamatory social media campaign, repeatedly making serious and entirely unfounded allegations online that I was blatantly dishonest and had told lies, that I had tampered with or fabricated evidence and that I had acted with malicious intent towards the defendant. The defendant’s defamatory characterisation of me of my evidence to the tribunal could not be further from the truth. The defendant has sought repeatedly online to denigrate my integrity, professional reputation and good character. This has been particularly unwelcome and frustrating in the lead up to and following my retirement, after over 30 years of service with the company.”

[25] Andrew McCarron was a Branch Manager employed by Macnaughton Blair for 20 years. In his affidavit he describes the defendant as “a valuable member of staff and an excellent Counter Sales Assistant, as evidenced by my request in January 2020 that the company pay her some extra pay on top of the standard sick pay entitlement, when she was absent due to ill health in December 2019”.

[26] He too denies the allegations made against him which included deliberately lying, dishonesty, disregard of duty of care towards the defendant and reasonable

adjustment requirements under the law, demonstrating psychological and physical abuse, cruelty, harassment, mistreatment, lawbreaking and disability discrimination.

[27] He notes that the defendant disputes that the publications caused him distress and anxiety. In response he says at para 9 of his affidavit:

“I confirm that the publication of the serious defamatory statements which are attacking my integrity and good character, my professional life and reputation at work are offensive and entirely unacceptable and have caused me distress, anxiety and annoyance.”

[28] The plaintiff Ashleigh Morgan is employed by Macnaughton Blair as the group Health and Safety and Wellbeing Manager and has worked for the company since December 2016. She too strenuously denies the allegations of deliberate lies, psychological abuse, cruelty, harassment, mistreatment, lawbreaking and disability discrimination made by the defendant against her.

[29] At para 9 of her affidavit she avers that:

“I can confirm that the serious, defamatory and offensive statements the defendant has published about me online have caused me considerable upset, annoyance and anxiety. I currently hold membership in both the Institute of Occupational Safety and Health (IOSH) and the Institute of Environmental Management and Assessment (IEMA) – these organisations have codes of professional conduct which require me to act with honesty and integrity. It is deeply hurtful and distressing to have untrue and derogatory comments about myself and my evidence to the tribunal published online. The allegations the defendant has made about me on social media including blatant dishonesty and telling lies seek to critically and publicly undermine my integrity, good character and professionalism; values that I hold dear in both my work and private life.”

[30] In assessing an appropriate award for damages, absent the cap, I take into account a number of factors. The declaration provided in this judgment is a clear rejection of the pleaded defences and provides vindication to each of the plaintiffs.

[31] That said the court reminds itself that the central purpose of damages is to provide vindication to a plaintiff who has been defamed. Vindication requires that the award be pitched at a level which answers the defamatory allegation, restores the plaintiff’s standing and reduces the continuing or lingering effects of the publication.

[32] When considering the issue of damages, I bear in mind the well-established principles set out by Hirst LJ in *Jones v Pollard* [1996] EWCA Civ 1186 (discussed in this jurisdiction by Stephens J in *Elliot v Flanagan* [2017] NI 265 and by McAlinden J in *Foster v Jesson* [2021] NIQB 56).

[33] Hirst LJ highlighted the following matters as relevant in assessing damages for defamation:

- “1. The objective features of the libel itself, such as its gravity, its prominence, the circulation of the medium in which it was published, and any repetition.
2. The subjective effect on the plaintiff’s feelings (usually categorised as aggravating features) not only from the publication itself, but also from the defendant’s conduct thereafter both up to and including the trial itself.
3. Matters tending to mitigate damages, such as the publication of an apology.
4. Matters tending to reduce damages, e.g. evidence of the plaintiff’s bad reputation, or evidence given at the trial which the jury are entitled to take into account in accordance with the decision of this court in *Pamplin v Express Newspapers Ltd* [1988] 1 W.L.R. 116.
5. Special damages.
6. Vindication of the plaintiff’s reputation past and future.”

[34] In respect of each of the plaintiffs there is no doubt that the allegations are serious ones. Allegations involving criminality, dishonesty, professional misconduct particularly in the context of evidence in court are self-evidently serious. The allegations were directed at persons in a position of trust. I accept the affidavit evidence in respect of the impact it has had on each of the plaintiffs. The damages have been aggravated because the defendant has maintained an unsustainable defence of truth and repeated/embellished the allegations in the materials placed before the court.

[35] The court is particularly influenced by the fact that the plaintiffs made an open offer to waive damages at an earlier stage in the proceedings which the defendant

rejected, despite being offered ample opportunities by the court to reflect on the offer and the potential implications of proceeding to trial.

[36] An important mitigating factor in relation to damages is that the publication in question is limited. The court was told that those who viewed the posts was limited in numbers to hundreds. This is a further factor pointing against the claim being tried.

[37] Taking into account all these matters I consider that the proper compensatory figure would easily exceed the statutory limit. I have not heard evidence from each of the plaintiffs on oath, but it seems to the court that at the very least and absent the cap, I would have in mind an award in the range of £30,000 to each of the plaintiffs. I do not consider it appropriate to distinguish between each of the plaintiffs in terms of an appropriate award.

[38] That being so I consider that it is appropriate to make an award of the statutory maximum of £10,000 damages in favour of the second, third and fourth plaintiffs against the defendant.

Injunction

[39] The plaintiffs also seek an injunction pursuant to section 9(1)(d) of the Act. Specifically, they seek an order under this statutory limb as “an order restraining the defendant from publishing or further publishing the matters complained of in the Statement of Claim.”

[40] In his submissions, Mr Girvan provides a draft order setting out the terms of the injunction sought. He points out that there are two limbs namely:

- (a) An order that the defendant be generally restrained from publishing (now and in the future) defamatory statements which comprise the allegations set out in the judgment at para [30]-[31].
- (b) An order requiring the defendant to remove from publication the posts/publications which remain published as specified in the statement of claim and rehearsed in the judgment at paras [13], [14], [17], [18] and [27].

[41] Before any such order should be considered the plaintiffs’ solicitors undertook to aver upon affidavit the URLs which had been published by the defendant, and which are to be the subject matter of the requested injunction. The court received the affidavit from the solicitor on 11 December 2025. The affidavit clearly sets out (a) the defamatory tweets which remain published by the defendant; (b) the tweets which comprise the defamatory statements in tandem with trademark distortion (see judgment paras [100]-[106]); and (c) the Substack content that is comprised of tribunal documents but only where the document also contains the defamatory statements

added by the defendant (see judgment paras [87]-[99]). These URLs are confined to publications by the defendant.

[42] The court is conscious that it is not making an interim injunction or an interim restraint order. The court, therefore, makes this order having determined there is no defence to the plaintiffs' claims. It has fully taken into account the article 10 ECHR rights of the defendant as further protected by section 12(1) of the Human Rights Act 1998. The interference with the plaintiff's article 10 rights clearly breach the well-established principles set out by the Supreme Court in *Bank Mellat v HM Treasury* No.2 [2013] UKSC 39.

[43] In the court's view injunctive relief of the nature sought by the plaintiffs is justified. The declaration of the court and the damages awarded to the plaintiff go a considerable length to provide satisfaction to the plaintiffs. However, the court's findings and the defendant's intention not to remove the defamatory posts and to continue her assertions justify an order of the type being sought by the plaintiffs. It would be unconscionable for these posts to remain published or for their contents to be republished in circumstances where the court has ruled that they are defamatory and that there is no reasonable prospect of the defendant defending the plaintiffs' claims.

[44] The court, therefore, makes an injunction in the terms of the schedule attached hereto.

Costs

[45] The court considers that this is an appropriate case to apply the normal rule that costs follow the event in accordance with general principles and Order 62 rule 3 of the Rules of the Court of Judicature (Northern Ireland). The court, therefore, orders that the defendant pay the plaintiffs all the costs of this action to include applications made to the court and in respect of summary relief. Such costs are to be taxed in default of agreement on the standard basis.

Final Order

[46] The court, therefore, makes the following final order by way of disposal of this action:

- (a) The defendant's defences to the plaintiffs' claim for defamation are dismissed pursuant to Order 18 rule 19(1) of the Rules of the Court of Judicature on the grounds that they disclose no reasonable defence and constitute an abuse of the process of the court.
- (b) The court makes an order pursuant to sections 8, 9 of the Defamation Act 1996 and Order 82 rule 9 of the Rules of the Court of Judicature (Northern Ireland) in the following terms:

- (i) The publications set out in the schedule to the order for the injunction referred to at (iii) below were false and defamatory of each of the plaintiffs.
 - (ii) The second, third and fourth named plaintiffs shall each be awarded £10,000 damages against the defendant.
 - (iii) The plaintiffs shall be granted an injunction in the terms set out in the schedule attached hereto.
- (c) The court makes no order in respect of the pleas of breach of confidence and breach of trademark.
- (d) The defendant shall pay the plaintiffs' costs of this action, with such costs to be taxed in default of agreement.

Stay of the judgment

[47] The defendant has already indicated to the court her intention to appeal the court's judgment and disposal. No permission for appeal is required. That being so, I consider it appropriate to place a stay on the enforcement of the court's order for six weeks or until the conclusion of any appeal.

SCHEDULE:

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
KING'S BENCH DIVISION
BEFORE LORD JUSTICE COLTON

BETWEEN:

MACNAUGHTON BLAIR LIMITED
STEVEN WHYTE
ANDREW McCARRON
ASHLEIGH MORGAN

Plaintiffs

-and-

CATHERINE EDGAR

Defendant

SCHEDULE

IMPORTANT: PENAL NOTICE

If you disobey this order you may be found guilty of contempt of court and may be sent to prison or be fined or have your assets seized. You should read the order carefully and are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this order.

UPON the Plaintiffs application by Summons dated 12 June 2023 for an order for summary judgment for damages pursuant and for an injunction pursuant to section 9(1)(c) and (d) of the Defamation Act 1996.

AND UPON HEARING Counsel for the Plaintiffs and the Defendant as a Litigant in Person on 14 June 2022, 22 June 2023, 13 September 2023, 1 March 2024, 21 March 2024, 11 April 2024, 6 June 2024, 6 September 2024, 25 October 2024, 6 December 2024, 24 October 2025, 21 November 2025 and 12 December 2025.

AND PURSUANT TO the Court's inherent jurisdiction and having considered the principle and application of Article 10 of the European Convention of Human Rights and section 12 of the Human Rights Act 1998 including the rights of the public at large.

AND PURSUANT TO the judgment dated 16 January 2026.

IT IS ORDERED THAT:

1. The Defendant is restrained from publishing the defamatory statements or any words to similar effect, namely that:
 - (a) That the Plaintiffs were guilty of unlawful discrimination and harassment against the Defendant during the course of her employment by the company.
 - (b) That the second, third and fourth plaintiffs are dishonest, malicious and gave false evidence under oath during the Tribunal proceedings.
2. The Defendant is restrained from publishing and required to remove from publication the X (formerly Twitter) and Substack social media postings set out by their Uniform Resource Locator at Schedule 1 and social media postings which contain the defamatory distortion of the First Plaintiffs trademark set out at Schedule 2.

PUBLIC DOMAIN

For the avoidance of doubt, nothing in this Order shall prevent any third party served with a copy of this Order from publishing, communicating or disclosing information which is already in the public domain in Northern Ireland other than as a result of breach of the terms of this Order.

THIRD PARTIES

It is a contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of the Order. Any person doing so may be found guilty of contempt of court and may be sent to prison or be fined or have his assets seized.

DURATION OF THIS ORDER

This Order will remain in force until it is varied or discharged by a further Order of this Court or the Court of Appeal.

VARIATION OR DISCHARGE OF THIS ORDER

The parties (or anyone notified of this Order) may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person) but anyone wishing to do so must inform the Court and the Plaintiff's Solicitors giving adequate notice in writing thereof and in any event not less than 2 clear working days.

NAME AND ADDRESS OF THE PLAINTIFFS' SOLICITOR

By Worthingtons Solicitors, 24-38 Gordon Street, Cathedral Quarter, Belfast
BT1 2LG

INTERPRETATION OF THIS ORDER

In this Order the words "he" "him" or "his" include "she" or "her" or "it" or "its".

A Defendant or third party who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

All communications to the Court should be sent to the Royal Courts of Justice, Chichester Street, Belfast quoting the case number and name. The office is open between 10:00 am and 4:00pm Monday to Friday.

SERVICE OF THIS ORDER

Copies of this Order endorsed with a notice warning of the consequences of disobedience shall be served by the Plaintiff (and may be served by any other party to the proceedings):

- (i) By service on such newspaper and sound or television broadcaster or cable or satellites service or internet service providers, intermediary or information society service as they think fit, in each case by fax or first class post or e-mail addressed to the editor (in the case of a newspaper) or senior news editor (in the case of a broadcasting or cable or satellite service) or the administrator of any internet service providers, intermediary or information society service or upon their respective legal departments.
- (ii) On such other person as the parties think fit,

by personal service.

Proper Officer

16 January 2026.

Schedule 1

The following Tweets including the related Thread of Comments,
Re-Tweets,
Hyperlinks and other Engagements are to be removed from the
Accounts specified
below ("the Postings"):

Twitter Account	https://twitter.com/CatherineEdgar
Substack Account	https://catherinedgar.substack.com/p/andrew-mccarron

The Uniform Resource Locator (URL) for Posting to be removed are
as follows:

Twitter Account

<https://twitter.com/CatherineEdgar/status/1646777215273644033>

<https://twitter.com/CatherineEdgar/status/1646944142096736267>

<https://twitter.com/CatherineEdgar/status/1646458006501048323>

<https://twitter.com/CatherineEdgar/status/1644616989237817345>

<https://twitter.com/CatherineEdgar/status/1646421312976351232>

<https://twitter.com/CatherineEdgar/status/1651507010574209024>

<https://twitter.com/CatherineEdgar/status/1651507008577650689>

<https://twitter.com/CatherineEdgar/status/1654396248097472515>

<https://twitter.com/CatherineEdgar/status/1647677709374423040>

<https://twitter.com/CatherineEdgar/status/1644616992316334080>

<https://twitter.com/CatherineEdgar/status/1658050101925822466>

<https://twitter.com/CatherineEdgar/status/1656736483800121345>

<https://twitter.com/CatherineEdgar/status/1656007195916419074>

<https://twitter.com/CatherineEdgar/status/1662374220662288384>

<https://twitter.com/CatherineEdgar/status/1663994012942860289>

<https://twitter.com/CatherineEdgar/status/1665806994417000448>

<https://twitter.com/CatherineEdgar/status/1666092392376832004>

Substack Account

<https://catherinedgar.substack.com/p/andrew-mccarron>

<https://catherinedgar.substack.com/p/steven-whyte>

<https://catherinedgar.substack.com/p/5-august-2020-meeting-transcript>

<https://catherinedgar.substack.com/p/judgment-paragraphs-53-61>

<https://catherinedgar.substack.com/p/ashleigh-morgans-credibility>

<https://catherinedgar.substack.com/p/notice-of-appeal>

<https://catherinedgar.substack.com/p/letter-before-action-from-macblair>

Schedule 2



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