

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

Before: The Honourable Mrs Justice Steyn DBE

CLAIM NO: ~~QB-2022-001263~~

BETWEEN

MR JONATHAN PRETTY

and

- (1) MILES SABIN
- (2) ZAINAB ALI
- (3) NOEL WELSH
- (4) BODIL STOKKE

Defendants



QB-2022-001263

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CONSENT ORDER

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IMPORTANT: PENAL NOTICE

IF YOU THE DEFENDANTS DO NOT COMPLY WITH YOUR UNDERTAKINGS TO THE COURT YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND IMPRISONED OR FINED, OR YOUR ASSETS MAY BE SEIZED.

ANY PERSON WHO KNOWS OF THIS ORDER AND DISOBEYS THIS ORDER OR DOES ANYTHING WHICH HELPS OR PERMITS ANY PERSON TO WHOM THIS ORDER APPLIES TO BREACH THE TERMS OF THIS ORDER MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IF YOU DO NOT UNDERSTAND ANYTHING IN THIS DOCUMENT YOU SHOULD GO TO A SOLICITOR, LEGAL ADVICE CENTRE, OR A CITIZENS' ADVICE BUREAU.

**UPON** the parties having agreed the terms of settlement set out in this Order

**AND UPON** the Parties having agreed and noted that the Defendants make no admission of liability in relation to paragraphs 9 to 14 of the Particulars of Claim

**AND UPON** the Defendants undertaking to the Court that they:

- A. Will not publish or cause or permit to be published the words complained of in defamation at paragraph 3 of the Particulars of Claim in these proceedings, or any words to the same or similar defamatory effect in respect of the Claimant; and
- B. Will not instruct, encourage or permit any third party to do so on my behalf.

**AND UPON** the Defendants agreeing to join in the Statement in Open Court as appended to this Order at **Annex A**

**BY CONSENT IT IS ORDERED THAT:**

1. All further proceedings in this claim be stayed except for the purpose of carrying the terms of settlement into effect.
2. The parties have permission to apply to carry such terms into effect or to enforce the undertakings, without the necessity to commence further proceedings.
3. The Defendants shall pay the Claimant the sum of £5,000 by way of damages in respect of the claim at paragraphs 3 to 8 of the Particulars of Claim, by 4pm on the date which is 14 days from the date of the Order.
4. The Defendants shall pay the Claimant's costs of and occasioned by the claim at paragraphs 3 to 8 of the Particulars of Claim, agreed in the sum of £15,000 by 4pm on the date which is 14 days from the date of the Order.
5. There be no further order as to costs.

**DATED** 1<sup>st</sup> March 2024

**Service of the Order**

The Court has provided a sealed copy of this Order to the serving party: Samuels Solicitors, 18 Alexandra Road, Barnstaple, North Devon, EX32 8BA (ref: PRE009/001/JMT/CXG)

KING'S BENCH DIVISION

MEDIA AND COMMUNICATIONS LIST

B E T W E E N

MR JONATHAN PRETTY

Claimant

and

MILES SABIN  
ZAINAB ALI  
NOEL WELSH  
BODIL STOKKE

Defendants

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ANNEX A TO CONSENT ORDER  
STATEMENT IN OPEN COURT

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Claimant's counsel: May it please your Lordship/Ladyship, in this action for defamation I appear on behalf of the Claimant, Jon Pretty. My [learned] friend [ ] appears on behalf of the Defendants, Miles Sabin, Zainab Ali, Noel Welsh and Bodil Stokke.

The Claimant is an IT professional and was formerly an important and active participant in the Scala community. The Scala community is a group of professional, academic and hobbyist software developers who use the Scala programming language and communicate in a variety of online forums dedicated to the technology. It is estimated to have more than a hundred thousand members, based all around the world.

The Defendants are members of the Scala community.

On or about 17 April 2021, the Defendants signed an open letter which had been prepared and drafted by third parties which was addressed to the global membership of the Scala community and was published online.

The defendants now accept that the open letter made a number of defamatory allegations about Mr Pretty, namely that:

1. Mr Pretty has sexually harassed, preyed on and victimised female members of the Scala community over an extended period under the cover of offering them mentoring, access to the community and other forms of support.
2. As a result of this conduct he abused the trust of the women which he had established.
3. This alleged conduct by him was based on multiple well-substantiated reports of his behaviour.
4. This alleged conduct traumatised the women involved and has damaged the Scala community by creating a more toxic environment for women and newcomers.

The open letter demanded that any organisation in which Mr Pretty served in a leadership or advisory role cut its ties with him, as well as encouraging others not to provide him with a platform or support his activities.

Mr Pretty was deeply distressed by the Defendants' association with the open letter. Many within his professional community are likely to have seen the words complained of in defamation, and Mr Pretty has been ostracised from the Scala community.

The Defendants now accept that the allegations in the open letter were seriously damaging and embarrassing for Mr Pretty and they wish to retract their lending any support to them and distance themselves from the statements.

The Defendants accept that they have never had any evidence to support the allegations apart from the two unverified claims published in coordination with the Open Letter. They were never in a position to make any informed judgement on the truth of the allegations, and did not seek clarification on any of the allegations from the Claimant.

My [Lord/Lady], the Defendants are here today by their representative to withdraw the allegations of which Mr Pretty has complained and to apologise publicly to him for the upset and distress which their actions have caused. They have also agreed to pay Mr Pretty's legal costs, and to give undertakings that they will not repeat any of the allegations which I have referred to.

Defendants' representative: My [Lord/Lady], on behalf of the Defendants Miles Sabin, Zainab Ali, Noel Welsh and Bodil Stokke, I wish to associate myself with everything that has been said by Counsel for the Claimant. They wish to apologise unreservedly for the damage and distress caused to the Claimant and for any damage to his reputation by their publications and express their profound and unreserved regret for all of the harm for which they are responsible.

Claimant's counsel: In the circumstances, it only remains for me to ask your [Lordship/Ladyship] to make an Order in the terms of the draft before the Court.

- ends -