



Neutral Citation Number: [2022] EWHC 173 (QB)

Case No: QB-2020-001139

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

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 1 February 2022

Before :

THE HONOURABLE MR JUSTICE MURRAY

Between :

SAYED ZULFIKAR ABBAS BUKHARI

Claimant

- and -

SYED TAUQEER BUKHARI

Defendant

Mr Jacob Dean (instructed by **Stone White Solicitors**) for the **Claimant**
The **Defendant** appeared in person.

Hearing date: 14 June 2021

Approved Judgment

I direct that copies of this version as handed down may be treated as authentic.

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MR JUSTICE MURRAY

Covid-19 Protocol: This judgment was handed down remotely by circulation to the parties' representatives by email and release to BAILII. The date and time for hand-down are deemed to be 10:30 am on 1 February 2022.

Mr Justice Murray :

1. This is a trial of preliminary issues in respect of the claim brought by the claimant, Mr Sayed Zulfikar Abbas Bukhari, against the defendant, Mr Syed Tauqeer Bukhari, for libel and harassment in respect of words and images contained in various Tweets and videos embedded in Tweets posted by the defendant to his Twitter account @TauqeerBukahri1 from around mid-2019 to March 2020, when he filed his claim. The claimant says that the defendant has continued his campaign of harassment against the claimant since the filing of his claim and continues to post defamatory Tweets and videos.
2. The preliminary issues to be tried, in relation to each of the statements complained of, are:
 - i) the natural and ordinary meaning of the statement;
 - ii) whether that meaning is defamatory at common law; and
 - iii) whether the statement is a statement of fact or opinion.
3. This trial takes place further to, and in accordance with the directions given in, the order of Julian Knowles J made on 21 December 2020 (“the Knowles J Order”), although the hearing eventually took place on 14 June 2021, outside the trial window specified in the Knowles J Order. The judgement of Julian Knowles J setting out his reasons for making the Knowles J Order was handed down on 21 December 2021 (neutral citation: [2020] EWHC 3469 (QB)).

Factual background

4. In his judgment, Julian Knowles J succinctly summarised the factual background to this matter as follows:
 - “3. The Claimant is commonly known as Zulfi Bukhari. He is a dual British and Pakistani national. Paragraph 1 of his Particulars of Claim avers that he is a very well-known and successful businessman in the UK and is involved in various charitable and humanitarian projects in the UK. He is currently based in Pakistan, having been appointed as an adviser to Prime Minister Imran Khan in September 2018. He visits England regularly, where many members of his family live, including his young children.
 4. The Claimant and the Defendant are cousins.
 5. Since about September 2019 the Defendant has published many hundreds of Tweets concerning the Claimant, often several times a day. The Claimant’s case is that the Tweets contain a number of common themes, namely that the Claimant is corrupt, that his family wealth is derived from serious crime, and that

the Defendant and his father are the victims of criminal conduct by the Claimant and the Claimant's father. Many of the Tweets contain embedded videos of the Defendant speaking to camera in Urdu, making allegations concerning the Claimant and his father. The Defendant's tweeting has continued on a regular basis throughout the progress of these proceedings.

6. The Claimant alleges that the Defendant deliberately publishes his Tweets in such a way so as to ensure that they come to the attention of the Claimant, and of a large number of other Twitter users. For example, [9.1.3] of the Particulars of Claim avers:

‘On several occasions the Defendant's aim of using his Twitter account to bring his allegations to the attention of an audience much larger than his own followers has been very successful. By way of example, a Tweet dated 18 November 2019 (Tweet 163), in which the Defendant accused the Claimant of corruption and of being behind an attack on the Defendant at his home, was Retweeted by the well-known Pakistani journalist Reham Khan, who has over 2.4million Twitter followers. This led to the video embedded in that Tweet (Video 11) being viewed over 10,000 times. The inference will be invited that a very substantial proportion of those views were made by Urdu speakers within this jurisdiction.’

7. The Defendant's Tweets during the relevant period of which the Claimant is aware are set out in a Table of Tweets in Appendix One to the Particulars of Claim. This Table gives each Tweet a number, sets out the content of the Tweet, states whether there was a video embedded within it (by reference to the number given to the video as described below) and states the number of any Retweets or 'likes' which the Tweet attracted.
8. The content of the embedded videos is given in the Table of Videos in Appendix Two to the Particulars of Claim. That Table gives each video a number and sets out the original Urdu language of the video along with a true English translation.
9. The defamatory meanings relied upon by the Claimant number some 20 in total and are listed in [14] of the Particulars of Claim, and further detailed in Appendix 3 to that document. They include that the Claimant dishonestly pretends to have made his money as a businessman when in fact his wealth is derived

from family money obtained from illegal activity; that he is a perjurer and a criminal; that he is corrupt and a thief; and that he has committed a fraud against, and stolen land and valuables from, the Defendant's father. These are plainly very serious allegations. Paragraphs 16 and 17 of the Particulars of Claim aver:

‘Each of the meanings set out above under paragraph 14 are defamatory of the Claimant at common law and are seriously so. Given the extent of publication of the Tweets in question, and the nature and identity of the publishees, the Claimant will invite the inference that serious harm has been caused to his reputation by the publication of each such Tweet.

Damage

17. In addition to serious harm to his reputation the Claimant has been caused very severe distress and embarrassment by reason of the publication of the defamatory Tweets complained of and has been caused serious alarm, anxiety and distress by reason of the harassing course of conduct complained of.’ ”

5. Appendix 1 to the Particulars of Claim sets out in tabular form the texts of 249 sequentially numbered Tweets posted by the defendant to his Twitter account, all but four of which are in English. Four of the texts are in Urdu, accompanied by an English translation. In the hearing bundle for this trial, the entry for each numbered Tweet in Appendix 1 is hyperlinked to a screen shot of the relevant Tweet as it appeared on Twitter.
6. A number of the Tweets have embedded videos, featuring the defendant speaking to camera in Urdu. Five of the Tweets have only an embedded video and no additional text.
7. Appendix 2 to the Particulars of Claim sets out in tabular form the transcripts of 21 sequentially numbered videos embedded in Tweets posted by the defendant to his Twitter account. Each entry in Appendix 2 includes a transcript in Urdu with an English translation and words in bold indicating who the speaker is or providing other identifying information. With a few exceptions, the speaker is the defendant. In two instances, the speaker is the defendant’s father. Two videos feature an unidentified speaker. In the hearing bundle for this trial, the entry for each numbered video is hyperlinked to a Dropbox location containing a copy of the relevant video.
8. There appears to be no dispute as to the accuracy of the English translations of the Tweets in Urdu or of the Urdu transcripts of the videos embedded in Tweets posted by the defendant.

9. Only a portion of the Tweets and videos embedded in Tweets posted by the defendant are relied upon for the libel claim. The full set of Tweets and videos is relied upon to show the defendant's course of conduct for purposes of the harassment element of the claim.
10. At the time of the hearing before Julian Knowles J, the claimant was relying on 58 Tweets posted by the defendant and on 13 videos embedded in Tweets posted by the defendant in respect of his libel claim.
11. As discussed in more detail in the judgment of Julian Knowles J, it appears that initially the defendant agreed that, in relation to the libel claim, there should be a trial of preliminary issues as to meaning, fact/opinion, and defamatory nature in relation to all of the Tweets and videos complained of by the claimant. At some point, the defendant resiled from that position and took the view that, in the interests of proportionality, the claimant should select the "best" ten examples from the statements complained of, in respect of which the preliminary issues would then be determined. Julian Knowles J concluded, however, at [51] of his judgment that it was not overly burdensome for the defendant to set out his case on the restricted number of statements in the libel claim, namely, 58 Tweets and 13 videos.
12. Accordingly, in the Knowles J Order, Julian Knowles J ordered that there be a trial of preliminary issues in relation to the statements complained of in the libel claim, namely, the preliminary issues set out at [2] above. Julian Knowles J also gave directions to trial, including a direction in paragraph 3 of the Knowles J Order that the defendant should inform the claimant's solicitors by 4:00pm on 18 January 2021 of his position in respect of each of the preliminary issues in relation to each statement complained of in the libel claim. Julian Knowles J also ordered that the defendant pay the claimant's costs of the hearing before him, summarily assessed in the sum of £6,820. In his view, the defendant had advanced no good reason for resiling from his position in May 2020 when it had been agreed between the parties that there should be a trial of preliminary issues of the restricted number of statements in the libel claim.

Procedural history

13. Julian Knowles J set out the "not entirely straightforward" procedural history of this matter prior to the Knowles J Order in his judgment at [11]-[30]. I do not repeat that here.
14. At the hearing before Julian Knowles J, the defendant had been represented by specialist counsel. On 12 January 2021 he dismissed his legal representatives and has since been acting in person in respect of this claim.
15. The claimant considered that the defendant's first attempt to comply with paragraph 3 of the Knowles J Order, which was provided to the claimant's solicitors on 1 February 2021, was inadequate as it did not set out his case on the meaning issues but instead summarised intended substantive defences. Also, it was not limited to the Tweets and videos complained of in the libel claim. Further correspondence between the claimant's solicitors and the defendant ensued, following which on 8 April 2021 the defendant provided a document that purports to set out the defendant's position on the

preliminary issues in relation to each statement complained of. That document is relied on for purposes of this trial by the defendant.

16. Following receipt of the defendant's document of 8 April 2021, the claimant maintains that the defendant has taken an "unrealistic approach to the issue of common law defamatory status and meaning, perhaps arising from his unrepresented status". As a result, according to the claimant, much of the case management benefits identified by Julian Knowles J in his judgment of having the defendant set out his case in advance of this trial of preliminary issues has been lost and there has not been the expected narrowing of the issues between the parties. For that reason, the claimant says, and "solely in the interests of proportionality, without any admissions being made", the claimant has decided to delete a number of Tweets and videos from its libel claim, although it will continue to rely on them as part of its harassment claim. Accordingly, for the purposes of this trial, the claimant now relies on 32 Tweets and 8 videos (rather than the 58 Tweets and 13 videos previously relied on).

The alleged defamatory statements

17. The claimant has prepared an Appendix A to his skeleton argument ("Appendix A") that identifies each Tweet and video relied on as part of the original libel claim. Each Tweet is identified by a designation beginning "T" followed by a number, that number being the number given that Tweet in Appendix 1 to the Particulars of Claim. For example, "T9" means the Tweet numbered "9" in Appendix 1. Similarly, each video is identified in Appendix A by a designation beginning "V" followed by a number (for example, "V2"), that number being the number given that video in Appendix 2 to the Particulars of Claim. For example, "V2" means the video numbered "2" in Appendix 2. In this regard, see [5]–[8] above.
18. In Appendix A, the "T" and "V" designations for the Tweets and videos that the claimant intends to remove from the libel claim are shown as struck through. In relation to the remaining 32 Tweets and 8 videos, there are four columns in Appendix A:
 - i) The "T" or "V" designation, as appropriate, together with the location in the hearing bundle of the screenshot of the relevant Tweet, including the Tweet in which any relevant video appears;
 - ii) the claimant's pleaded meaning of the relevant Tweet or video as identified by Appendix 3 to the Particulars of Claim by reference to the pleaded meanings in paragraph 14 of the Particulars of Claim;
 - iii) the defendant's position on each preliminary issue in relation to each relevant Tweet and video as set out in his document of 8 April 2021; and
 - iv) the issues to be decided by the court, which, generally speaking, are the first two of the three preliminary issues, the defendant appearing to agree (while disputing the meaning) that most of the relevant Tweets and videos are statements of fact rather than opinion.

Relevant legal principles

19. For the purposes of the law of defamation, the so-called “single meaning rule” applies, namely, that an allegedly defamatory statement has only a single “right” meaning: *Slim v Daily Telegraph Ltd* [1968] 2 QB 157 (CA) 171-174 (Diplock LJ), approved by Lord Bridge in *Charleston v News Group Newspapers Ltd* [1995] 2 AC 65 (HL) 71-72; *Gatley on Libel and Slander* (12th edition), 3.16. The court must establish a single meaning, that is, a meaning which the court finds would be understood by a hypothetical reasonable reader: *Rothschild v Associated Newspapers Ltd* [2012] EWHC 177 (QB) [23] (Tugendhat J).
20. For purposes of the single meaning rule, a statement has a “natural and ordinary” meaning, which may or may not be defamatory. The relevant principles governing the determination of the natural and ordinary meaning of a statement are set out in *Koutsogiannis v The Random House Group Limited* [2020] 4 WLR 25 [11]-[13] (Nicklin J). I have had regard to them. It is not necessary for me to set them all out here, but of particular relevant are the following principles from *Koutsogiannis* [12]:

“...

(ix) In order to determine the natural and ordinary meaning of the statement of which the claimant complains, it is necessary to take into account the context in which it appeared and the mode of publication.

(x) No evidence, beyond publication complained of, is admissible in determining the natural and ordinary meaning.

(xi) The hypothetical reader is taken to be representative of those who would read the publication in question. The court can take judicial notice of facts which are common knowledge, but should beware of reliance on impressionistic assessments of the characteristics of a publication’s readership.

(xii) Judges should have regard to the impression the article has made upon them themselves in considering what impact it would have made on the hypothetical reasonable reader.

...”
21. Since *Koutsogiannis*, the Supreme Court in *Stocker v Stocker* [2019] UKSC 17, [2020] AC 593 [41]-[45], a case involving a social media post on Facebook, and the Court of Appeal in *Tinkler v Ferguson* [2019] EWCA Civ 819 [15]-[18] have emphasised the importance of the considering the medium of publication and context when assessing the meaning (*Koutsogiannis* at [12(ix)]).
22. In this case, all of the relevant defamatory statements were made on Twitter, via a Tweet or via a video embedded in a Tweet. As Lord Kerr of Tonaghmore JSC said in *Stocker v Stocker* [43]:

“... it is wrong to engage in elaborate analysis of a tweet The imperative is to ascertain how a typical (i.e. an ordinary reasonable) reader would interpret the message. That search would reflect the circumstance that this is a casual medium; it is in the nature of a conversation rather than carefully chosen expression; and that it is pre-eminently one in which the reader reads and passes on.”

23. In *Riley v Murray* [2020] EWHC 977 (QB) [28(v)], in relation to the Tweet complained about in that case, Nicklin J said:

“What appeared in the immediate context in the timelines of the Defendant’s followers would have depended entirely on who else each of them followed. In that respect, Twitter is perhaps one of the most inhospitable terrains for argument based on the context in which any particular Tweet appeared.”

24. In his skeleton argument, the claimant notes the foregoing passage from *Riley v Murray* and says at paragraph 25 of the skeleton argument:

“Nevertheless the screenshots of the Tweets which are in the bundle at [bundle page references] do show some of the context in which the Tweet would have appeared, particularly where it was a reply to another Tweet, or a ‘quote tweet’ of another Tweet. This is material on which [the defendant] can make any relevant argument on context.”

25. I agree. In this case, the mode of publication is Twitter. The immediate context is shown by screenshots and, where relevant, embedded videos, bearing in mind the observation of Nicklin J in *Riley v Murray* that I have quoted at [23] above.
26. In relation to whether a statement complained of contains an allegation of fact or an expression of opinion, I have had regard to the guidance given by Sharp LJ in *Butt v Secretary of State for the Home Department* [2019] EWCA Civ 933 [32]-[40] and by Nicklin J in *Koutsogiannis* [16], which was approved by the Court of Appeal in *Millet v Corbyn* [2021] EWCA Civ 576, [2021] EMLR 19 (CA) [12], [14].
27. I have taken note of the observation made by Warby LJ in *Millet v Corbyn* at [13] that the usual approach, where there is a dispute as to whether a statement is an expression of fact or opinion, is to determine this question before assessing whether it is defamatory at common law. The reason for the usual approach is said to be that a statement of opinion may be less reputationally damaging than an allegation of fact. I have taken this approach in analysing the Tweets and videos on which the claimant now relies for his libel claim.
28. Finally, in relation to the determination of whether a statement is defamatory at common law, I have had regard to the relevant principles set out in *Allen v Times Newspapers Ltd* [2019] EWHC 1235 (QB) [19] (Warby J). I have also had regard to *Monroe v Hopkins* [2017] EWHC 433 (QB), [2017] 4 WLR 68 [50]-[51], a case involving statements made on Twitter, where Warby J emphasised the need for the behaviour or views attributed to the claimant by the offending statement to be

“contrary to common, shared values of our society”. I have also borne in mind that the common law test has a threshold of seriousness, so as to exclude trivial claims, as discussed by Tugendhat J in *Thornton v Telegraph Media Group Limited* [2010] EWHC 1414 (QB), [2011] 1 WLR 1985 [90]-[96].

Analysis of the alleged defamatory Tweets

29. Before the hearing and before considering the respective contentions of the parties, I read the texts of the Tweets complained of, read the English translations of the transcripts of the videos complained of, in order to capture my initial reaction to each statement as a reader. Although I do not speak or understand Urdu, I also viewed each video, to observe the manner in which the statement in each video was made.
30. In the following part of this judgment, in relation to each of the 32 Tweets and 8 videos now complained of in the libel claim, I set out:
 - i) the text of the relevant statement if made in English or, otherwise, the English translation, and any relevant immediate context;
 - ii) the claimant’s views on the three preliminary issues;
 - iii) the defendant’s views on the three preliminary issues; and
 - iv) my conclusions on the three preliminary issues.
31. I have followed the order set out in Appendix A. This has involved considering Tweets and videos as they appear in chronological sequence, rather than, say, considering all of the relevant Tweets first followed by the videos.
32. It is important to note that in relation to some Tweets alleged to contain a defamatory statement, there is an embedded video also alleged to contain a defamatory statement. In other cases, the Tweet in which a video complained of is not itself said to be defamatory, only the video. There are also cases in which a Tweet said to be defamatory contains a video that is not said to be defamatory but is noted as part of the immediate context of the Tweet. In every case of a video embedded in a Tweet (whether or not either or both of the video and the Tweet are complained of as defamatory by the claimant), I have assumed that the ordinary reasonable reader may be taken to have read the Tweet and watched the embedded video.
33. Below, I refer to the Tweet designated as “T9” as “Tweet 9”, and the video designated as “V2” as “Video 2”. I follow this naming convention throughout.
34. Any reference below to a video embedded in a Tweet made by the defendant is, unless context indicates otherwise, a reference to the statement made in the video.
35. At the end of some of the Tweets posted by the defendant, other Twitter accounts are named, which has the effect of drawing the Tweet to the attention of the named account holder, described by Julian Knowles J in his judgment at [14] as an “electronic knock on the door”. See, for example, Tweet 63, the text of which is set out at [72] below.

36. I turn now to consideration of the individual Tweets and individual videos embedded in Tweets that the claimant maintains are defamatory of him, setting out, in each case, the claimant's position, the defendant's position, and then my conclusions on the natural and ordinary meaning of the alleged defamatory statement, whether it is a statement of fact or opinion, and whether it is defamatory at common law, followed by a brief summary of my reasons for those conclusions.
37. In relation to a number of the statements complained of by the claimant, the statement is more specific (and, therefore, arguably more injurious) than the pleaded meaning. For example, Tweet 9 refers to money obtained from human trafficking, whereas the claimant's pleaded meaning refers more generically to money obtained from illegal activity. I bear in mind *Koutsogiannis* [12(xiii)] that the court cannot find a meaning that is more injurious than the claimant's pleaded meaning.
38. In his document of 8 April 2021, the defendant sets out, in relation to a number of the relevant Tweets and videos a long narrative, which he maintains is relevant "context". That narrative background (if its truth can be established) may be, to a greater or lesser extent, relevant to possible substantive defences to the libel claim that the defendant might seek to argue at a subsequent stage, but it is irrelevant to the determination of the preliminary issues.
39. At the end of his document of 8 April 2021, the defendant has listed 48 bullet points under the heading "Context I rely on". These are simply short references without explanatory text, in relation to which, at this stage, the defendant has provided no further information or documents. The bullet points appear to be titles of articles and news items, for example, the seventh bullet point reads in its entirety: "Build it and they will come Mayfair Times", with no indication of the date of publication, and no indication or explanation of the content or relevance of article.
40. The defendant does not argue that all of these matters referred to in his document of 8 April 2021 would have been known to every reader of the statements complained about such that they provide necessary context for determination of the natural and ordinary meaning of the alleged defamatory statements. I have carefully read the defendant's lengthy background narratives for a number of Tweets and videos in the defendant's document of 8 April 2021 and his list of bullet points under "Context I rely on". I find, however, that this material is irrelevant to the determination of the preliminary issues, whatever its possible relevance might be at a later stage of the libel claim.

Tweet 9

41. On 25 September 2019, the defendant posted Tweet 9 to his Twitter account, replying to a Tweet by a journalist, Mona Kazim Shah, concerning her interview with the claimant for Deutsche Welle:
- "Did you get the opportunity to ask Zulfi how his own father made money through human trafficking 2300 innocent Pakistanis the wealth that Zulfi so proudly pretends he's made honestly & donates to PTI."
42. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant dishonestly pretends to have made his money as a businessman when in fact his wealth is derived from family money obtained from illegal activity.”

43. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant has inherited illegal wealth from his father who was convicted of human trafficking.”

44. It is common ground that the Tweet is a statement of fact.

45. The claimant maintains that this Tweet is defamatory at common law. The defendant denies that it is.

46. My conclusions on the preliminary issues in relation to Tweet 9 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the clear accusation made by the statement that the claimant pretends that he has earned his personal wealth honestly.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 16

47. On 29 September 2019, the defendant posted Tweet 16 to his Twitter account, replying to a short series of Tweets by others discussing the claimant’s obligations given his role as an adviser to Imran Khan. Tweet 16 reads as follows:

“Zulfis father and my uncle!! My family are human traffickers, money launderer and illegal weapons dealers & the apples does not fall far from the tree. ”

48. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant is corrupt.”

49. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant as an SAPM [Special Assistant to the Prime Minister] has failed and is duty bound to investigate the defendant’s father’s complaint as an Overseas Pakistani. The National Accountability Bureau is not investigating fairly and is corrupt.”

50. It is common ground that the Tweet is a statement of fact.

51. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

52. My conclusions on the preliminary issues in relation to Tweet 16 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. “The apple does not fall far from the tree” is a well-known expression indicating that the type of corrupt conduct attributed to the claimant’s father and uncle by this statement is also attributed to the claimant. The defendant’s meaning is wholly unrealistic. There is no reference, explicit or implicit, to the claimant’s role and official duties as a Special Assistant to the Prime Minister or to the National Accountability Bureau in Tweet 16. The defendant’s meaning ignores the part of the statement attributing to the claimant corrupt conduct of a type attributed to the claimant’s father and uncle.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 50 and Video 2

53. On 6 October 2019, the defendant posted Tweet 50 to his Twitter account, replying to a Tweet announcing the opening of a police station in Islamabad that was intended to address the needs of overseas Pakistanis. Video 2 is embedded in Tweet 50.
54. Tweet 50 reads:

“My 81 year old father an OVERSEAS [Pakistan flag icon] would like to make a formal complaint against PTi MPA YAWER Bukhari & ZULFI Bukhari who have committed fraud and stolen his land and valuables from HBI Attock City?”
55. The claimant says that the natural and ordinary meaning of Tweet 50 is:

“The claimant has committed a fraud against, and stolen land and valuables from the defendant’s father.”
56. The defendant says that the natural and ordinary meaning of this Tweet is:

“My father would like to make a formal complaint against all the people who have prevented him getting justice.”
57. It is common ground that the Tweet is a statement of fact.
58. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
59. My conclusions on the preliminary issues in relation to Tweet 50 are:
 - i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the express reference to the claimant and the accusation that he committed fraud and stole land and valuables from the defendant’s father.
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law.

60. In Video 2 the defendant's father is speaking to camera in Urdu. The English translation of the transcript of his remarks is:

“I, Sayyed Gulzar Hussain Bukhari, appeal [to] the Chief Justice that my brother, Ijaz Hussain Bukhari, ex chairman, and his son-in-law, Yawar Abbas Bukhari PTI ... err ... MPA PTI, conspired together [and] having prepared my ... err ... their false power of attorney, broke my bank's locker and took all jewellery there.

And I had land there, which they also transferred to their name with that false power of attorney. I appeal [to] the Chief ... err ... Chief Justice to please provide justice to me. In this fraud, Zulfi Bukhari and his father, Wajid Bukhari, helped him.”

61. The claimant says that the natural and ordinary meaning of Video 2 is:

“The claimant has committed a fraud against, and stolen land and valuables from the defendant's father.”

62. The defendant says that the natural and ordinary meaning of the video is:

“The defendant's father has been a victim of fraud and crime and wants justice. He has been denied justice in Pakistan. The claimant has inherited ill-gotten money from his father. The Bukhari family have worked with the Gaddafi regime.”

63. It is common ground that the statement made in Video 2 is a statement of fact.
64. The claimant maintains that the video is defamatory at common law. The defendant denies that it is.
65. My conclusions on the preliminary issues in relation to Video 2 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning ignores the direct accusation made at the claimant and includes a reference to the claimant's family working with the Gaddafi regime that cannot realistically be contended to be part of the natural and ordinary meaning of the statement made in this video.
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law.

Tweet 53

66. On 6 October 2019, the defendant posted Tweet 53 to his Twitter account, replying to a Tweet posted by the official account of the Ministry of Overseas Pakistanis and Human Resource Development of the Government of Pakistan announcing the inauguration on the following day of the “Overseas Police Station” in Islamabad. The Ministry's Tweet was followed by a short exchange between the Ministry and another

user (@SMahmood79) comprised of four Tweets, preceding Tweet 53. Tweet 53 reads:

“Do you think that my 81 year old father might just get some help he’s had his land grabbed and valuables stolen from HBL by PTI MPA and Zulfi Bukhari are you going to acknowledge our complaint or continue to ignore us? Oh yes he’s also complained to almost every department in [Pakistan flag icon]”

67. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant has stolen land and valuables from the defendant’s father.”

68. The defendant says that the natural and ordinary meaning of this Tweet is:

“The defendant is requesting that his father’s theft and fraud case be acknowledged.”

69. It is common ground that the Tweet is a statement of fact.

70. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

71. My conclusions on the preliminary issues in relation to Tweet 53 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the clear accusation made against the claimant.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 63

72. On 8 October 2019, the defendant posted Tweet 63 to his Twitter account, replying to a Tweet posted by a journalist, David Rose (@DavidRoseUK). Tweet 63 reads:

“David, might you be interested in reporting the dirty money laundering case of Zulfi Bukhari. His father laundered money to Uk buying multiple properties in Swiss Cottage. Imran’s Khans special friend claims to be an imaginary entrepreneur @ImranKhanPTI @CMShehbaz @BBhuttoZardari”

73. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant dishonestly pretends to have made his money as a businessman when in fact his wealth is derived from family money obtained from illegal activity.”

74. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant has inherited illegal wealth from his father, who was convicted of human trafficking.”

75. It is common ground that the Tweet is a statement of fact.
76. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
77. My conclusions on the preliminary issues in relation to Tweet 63 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the part of the statement that accuses the claimant of pretending (“claims to be” and “imaginary”) to have made his money legitimately as a businessman (“entrepreneur”).
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law.

Tweet 67

78. On 12 October 2019, the defendant posted Tweet 67 to his Twitter account, replying to a Tweet posted by the claimant to his Twitter account @sayedbukhari. Tweet 67 reads:
- “[3 laughing emojis] Rich coming from you!!! who stole from my fathers and left him penniless. Hilarious [3 laughing emojis, one raised eyebrow emoji]”
79. The claimant says that the natural and ordinary meaning of this Tweet is:
- “The claimant stole from the defendant’s father.”
80. The defendant says that the natural and ordinary meaning of this Tweet is:
- “The claimant and his father took all my father’s properties in the UK, leaving him helpless and penniless.”
81. It is common ground that the Tweet is a statement of fact.
82. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
83. My conclusions on the preliminary issues in relation to Tweet 67 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning is consistent with the claimant’s pleaded meaning but provides more detail.
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law. The defendant’s contention that Tweet 67 is not defamatory even on his own contended-for meaning appears to indicate

that he does not understand the meaning of “defamatory at common law”, which is perhaps understandable given his unrepresented status.

Tweet 74

84. On 16 October 2019, the defendant posted Tweet 74 to his Twitter account, replying to a Tweet by a journalist, Inamullah Khattak (@Khan_Inam1). Tweet 74 reads:

“You are mistaken my cousin Zulfi has not earned a penny in London his source of money is all from human trafficking in Pakistan money laundered to UK. The seed of money is dirty and was invested in UK properties. Zulfis pretend assets that he worked so hard for [two laughing emojis]”

85. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant dishonestly pretends to have made his money as a businessman when in fact his wealth is derived from family money obtained from illegal activity.”

86. The defendant says that the natural and ordinary meaning of this Tweet is:

“The Claimant has inherited illegal wealth from his father who was convicted of human trafficking.”

87. It is common ground that the Tweet is a statement of fact.

88. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

89. My conclusions on the preliminary issues in relation to Tweet 74 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the direct accusation against the claimant that he dishonestly pretends that his wealth was earned legitimately rather than its being “all from human trafficking in Pakistan money laundered to UK”.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 75

90. On 16 October 2019, the defendant posted Tweet 75 to his Twitter account, replying to Tweets by Inamullah Khattak and @JunaydMalik. Tweet 75 reads:

“Problem is that the assets were all made in Pakistan Through human trafficking & money launderer to UK and then 30 years later.... wow Zulfis got a property business. Its time people stop supporting a criminal his moneytrail needs to be fully investigated.”

91. The claimant says that the natural and ordinary meaning of this Tweet is:
- “The claimant is a criminal.”
92. The defendant says that the natural and ordinary meaning of this Tweet is:
- “My family, the Bukharis, have ill-gotten wealth made from human trafficking and illegal arms sales. The claimant’s inherited property business was made from this wealth.”
93. It is common ground that the Tweet is a statement of fact.
94. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
95. My conclusions on the preliminary issues in relation to Tweet 75 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning is consistent with the claimant’s pleaded meaning but provides more detail.
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law. Given the defendant’s meaning, it is wholly unrealistic for the defendant to contend that this statement is not defamatory at common law.

Video 5 (embedded in Tweet 84)

96. On 23 October 2019, the defendant posted Tweet 84 to his Twitter account, in reply to a Tweet referring to an interview with the claimant, in which Video 5 is embedded. Tweet 84 has no separate text.
97. Video 5 shows the defendant speaking to camera in Urdu. The English translation of the transcript of his remarks is:

“Brother Zulfi, buddy, there is a limit to lies as well. You told so many lies in Mr. Badami’s show that I was laughing. The papers containing your lies are with me.

Alright? If you have even an ounce of self-respect, then come face-to-face [with me] and do a show. I will disclose your and your father’s frauds to the world. If you have just a little amount of courage... And if... er... as far as Mr. Khursid Shah is concerned, there is no comparison between him and us.

They are rich by birth/inheritance and our grandfather was only an ordinary peon, and your father was an ordinary clerk.”

98. The claimant says that the natural and ordinary meaning of Video 5 is:
- “The claimant is dishonest; the claimant is guilty of fraud.”

99. The defendant says that the natural and ordinary meaning of the video is:

“The claimant is the son of a human trafficker, whose father invested ill-gotten wealth in UK properties, which the claimant inherited.”

100. It is common ground that the video is a statement of fact.

101. The claimant maintains that the video is defamatory at common law. The defendant denies that it is.

102. My conclusions on the preliminary issues in relation to Video 5 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning takes no account of the direct references to the character and history of the claimant.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Video 5 (embedded in Tweet 85)

103. On 23 October 2019, the defendant posted Tweet 85 to his Twitter account, in reply to a Tweet by Naveed Iqbal (@Naveed03873849), which embedded a video of a television interview with the claimant. Tweet 85 is not itself relied on for the libel claim, but as context for the publication of Video 5. The English translation of the transcript of Video 5 is set out at [97] above.

104. Tweet 85 reads:

“I openly challenge Zulfi in the media that his seed of wealth is from human trafficking & money laundering and corruption of his father Wajid Bukhari while he was a minister.
@sayedzbukhari @WaseemBadami @MediaCellPPP
@BBhuttoZardari @pmln_org”

105. Each of the parties takes the same position on the preliminary issues in relation to Video 5 when published in Tweet 85 as when published in Tweet 84. My conclusions on the preliminary issues are the same as those set out at [102] above.

Tweet 98

106. On 23 October 2019, the defendant posted Tweet 98 to his Twitter account.

107. Tweet 98 reads:

“I am a real life victim of Imran Khan’s advisor Zulfi Bukhari. I am his first cousin. Zulfi & his father stole our assets in UK & Pakistan using their political power. I & my family need your help for justice. Stay tuned for our story. Allah will reward you for your help.”

108. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant stole the defendant’s assets.”

109. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant’s father deceived my father and stole his properties. All the wealth is now in the possession of the claimant. The claimant is the son of a human trafficker whose father invested ill-gotten wealth in UK properties, which the claimant inherited.”

110. It is common ground that the Tweet is a statement of fact.

111. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

112. My conclusions on the preliminary issues in relation to Tweet 98 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning fails to account for the direct reference to the conduct of the claimant in Tweet 98.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 99

113. On 23 October 2019, the defendant posted Tweet 99 to his Twitter account.

114. Tweet 99 reads:

“Dear @WaseemBadami u gave one hour to Zulfi Bukhari on ARY to lie to viewers. I am his real first cousin & victims. He and his father stole our money and assets. I will prove with documents. Please give me time on your show. U have a duty to truth. My DM is open and i await.”

115. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant is dishonest; the claimant stole the defendant’s assets.”

116. The defendant says that the natural and ordinary meaning of this Tweet is:

“The defendant requests the opportunity to give his side of the story after being given no coverage and no justice. The claimant has inherited illegal wealth from his father, which was made from human trafficking and invested in UK property. The defendant’s father’s properties were stolen by the claimant’s father.”

117. It is common ground that the Tweet is a statement of fact.
118. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
119. My conclusions on the preliminary issues in relation to Tweet 99 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning fails to account for the direct reference to the conduct of the claimant in Tweet 99.
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law.

Tweet 100

120. On 24 October 2019, the defendant posted Tweet 100 to his Twitter account, replying to a Tweet by @SamiaHaque:
- “And his best friend Zulfi Bukhari name is also in Panama papers whose source of income is from human trafficking by selling ex Pakistani soldiers and money laundering and corruption in Pakistan illegal arms supplying in uk [UK flag icon].”
121. The claimant says that the natural and ordinary meaning of this Tweet is:
- “The claimant's source of income is from human trafficking.”
122. The defendant says that the natural and ordinary meaning of this Tweet is:
- “The claimant's father's source of income is from human trafficking, which the claimant has inherited.”
123. It is common ground that the Tweet is a statement of fact.
124. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
125. My conclusions on the preliminary issues in relation to Tweet 100 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning is unrealistic. There is no reference to the claimant's father in Tweet 100. It ignores the direct reference in the Tweet to the claimant's source of income.
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law.

Video 5 (embedded in Tweet 101)

126. On 24 October 2019, the defendant posted Tweet 101 to his Twitter account, in reply to @hijabza72928322 and to the claimant @sayedzbukhari. Tweet 101, which is not itself relied on for the libel claim but as context for the publication of Video 5. The English translation of the transcript of Video 5 is set out at [97] above.

127. Tweet 101 reads:

“This is the truth dear brother Zulfi wake up and smell the coffee [coffee icon] @WaseemBadami”

128. Each of the parties takes the same position on the preliminary issues in relation to Video 5 when published in Tweet 101 as when published in Tweet 84. My conclusions on the preliminary issues are the same as those set out at [102] above.

129. *Tweet 103*

130. On 26 October 2019, the defendant posted Tweet 103 to his Twitter account, replying to @hijabza72928322 and the claimant @sayedzbukhari:

“If you are so honest & innocent then do a live program @DrDanish5 and prove everyone wrong. I’m happy to expose You & your fathers Illegal money trail & corruption with proof & witnesses @ranamubashir01.”

131. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant is dishonest; the claimant is guilty of fraud.”

132. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant is the son of a human trafficker whose father invested ill-gotten wealth in UK properties, which the claimant inherited.”

133. It is common ground that the Tweet is a statement of fact.

134. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

135. My conclusions on the preliminary issues in relation to Tweet 103 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s contended ignores the direct references to the character and conduct of the claimant in Tweet 103.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 117 and Video 10

136. On 29 October 2019, the defendant posted Tweet 117 to his Twitter account:

“Overseas SAPM @sayedzbukhari threatening his Overseas first Cousin after highlighted his illegal true moneytrail. @pmnl @MediaCellPPP @BBhuttoZardari”

137. Embedded in Tweet 117 is Video 10, in which the defendant is speaking to camera in Urdu. The English translation of the transcript of his remarks is:

“Hey Zulfi, is this all? You are having your men call and threaten me. Mate, tell your men that I am not afraid of them. You first had your sister call me. I did not take any action, thinking that it was a matter concerning the sister, [so] I’d not report her, it is okay. You had my car broken, I remained quiet. I did not consider it an issue.

Today, you had your men call me. I am not afraid of your men. These Butt <a caste/family name> men... err... these Butt men of yours... I am neither afraid of them nor will be afraid of them, and I will never be quiet. Unless my father and I get justice, I will speak daily.

I am neither afraid of you nor your father, your men, your Imran Khan.”

138. The claimant says that the natural and ordinary meaning of Tweet 117 is:

“The claimant has been guilty of threatening the defendant.”

139. The defendant says that the natural and ordinary meaning of this Tweet is:

“The defendant has been victimised and a continuous effort has been made to prevent his complaint being heard by the Pakistani media.”

140. The claimant contends that the Tweet is a statement of fact. The defendant contends that the Tweet is a statement of opinion.

141. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

142. My conclusions on the preliminary issues in relation to Tweet 117 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the direct reference to the conduct of the claimant.
- ii) It is not recognisable as comment. It is a statement of fact.
- iii) It is defamatory at common law.

143. The claimant says that the natural and ordinary meaning of Video 10 is:

“The claimant has been guilty of threatening the defendant.”

144. The defendant says that the natural and ordinary meaning of this video is:

“The defendant has been victimised and a collective effort has been made by the claimant’s family members to silence the defendant’s telling the truth.”

145. It is common ground that the video is a statement of fact.

146. The claimant maintains that the video is defamatory at common law. The defendant denies that it is.

147. My conclusions on the preliminary issues in relation to Video 10 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning understates the attribution to the claimant of responsibility for being the source of the threat and it understates the conduct attributed to the claimant (namely, a threat rather than simply an effort to silence that might stop short of a threat).
- ii) It is not recognisable as comment. It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 119 and Video 12

148. On 29 October 2019, the defendant posted Tweet 119 to his Twitter account:

“After a recent program by @DrDanish5 I am receiving threats by @sayedzbukhari Thugs. The matter has been reported to the Metropolitan Police. @NazShahBfd @SayeedWarsi @ImranKhanPTI”

149. Embedded in Tweet 119 is Video 12, the video portion of which shows a still photograph of the claimant and the audio portion of which appears to be a recording of a telephone call made to the defendant, with an unidentified male speaker speaking in Urdu. The English translation of the exchange between them is:

“Defendant: Hello!

Male speaker: Tauqir, child, listen to me. You will remain jealous and die hungry, you dog, you scoundrel. All your jealousy will come to an end, barking like this won’t <inaudible>. You are a blackmailer. Dog, you have been barking a lot. There will be no outcome of it.

We are big fans of Mr. Zulfi. In Pakistan, we are 20/30 million fans. Each one of them will give you a beating, scoundrel. Your next generation will remember [it]. Who the hell are you? And,

you are a patient of epilepsy. You collapse, scoundrel. You...
err... you are already a patient. Do you want your disease to
worsen, scoundrel?

Clean the gutters there and earn money. Get some money.
Alternatively, come here in Pakistan. I have five/six gutters.
Clean them and I will pay you money. Scoundrel, you bark.
Stop barking, scoundrel. <Call ending tone>”

150. The claimant says that the natural and ordinary meaning of Tweet 119 is:

“The claimant has used thugs to threaten the defendant.”

151. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant’s associates have been given the personal details
of the defendant to harass and intimidate him after his father’s
theft case was raised by a journalist in Pakistan.”

152. The claimant contends that Tweet 119 is a statement of fact. The defendant contends
that it is a statement of opinion.

153. The claimant maintains that the Tweet is defamatory at common law. The defendant
denies that it is.

154. My conclusions on the preliminary issues in relation to Tweet 119 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant,
particularly having regard to Video 12 as part of its immediate context. The
defendant’s meaning understates the clear attribution to the claimant of being
the source of the threat made by his ”thugs”.
- ii) It is not recognisable as comment. It is a statement of fact.
- iii) It is defamatory at common law.

155. The claimant says that the natural and ordinary meaning of Video 12 is:

“The claimant has used thugs to threaten the defendant.”

156. The defendant says that the natural and ordinary meaning of this video is:

“An associate of the claimant has been given the personal
details of the defendant, who is being harassed and degraded
about his health.”

157. The claimant contends that the video is a statement of fact. The defendant contends
that the video is a statement of opinion.

158. The claimant maintains that the video is defamatory at common law. The defendant
denies that it is.

159. My conclusions on the preliminary issues in relation to Video 12 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant, particularly having regard to Tweet 119 as part of its immediate context. The defendant's meaning understates the clear attribution to the claimant of being the source of the threat made by his purported associate.
 - ii) It is not recognisable as comment. It is a statement of fact.
 - iii) It is defamatory at common law.

Tweet 125

160. On 30 October 2019, the defendant posted Tweet 125 to his Twitter account, replying to @MTFthoughts and the claimant @sayedzbukhari:

“Unfortunately you are asking the wrong person for help Zulfi Bukhari & his father are Thief's who did not spare their own 81 year old uncle/brother & have wronged 2300 innocent Pakistanis by selling them to Libya.”

161. The claimant says that the natural and ordinary meaning of this Tweet is:
- “The claimant is a thief.”
162. The defendant says that the natural and ordinary meaning of this Tweet is:
- “The claimant, who is the Special Assistant on Overseas Pakistanis and human resource development, has a duty to assist me but has failed to do so.”
163. It is common ground that the Tweet is a statement of fact.
164. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
165. My conclusions on the preliminary issues in relation to Tweet 125 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning is wholly unrealistic. There is no reference in Tweet 125 to the claimant's being a Special Assistant to the Prime Minister of Pakistan or to his duties in that role. There is no reason to consider that an ordinary reasonable reader would understand the words of Tweet 125 to bear the meaning contended-for by the defendant.
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law.

Tweet 142

166. On 6 November 2019, the defendant posted Tweet 142 to his Twitter account, replying to the Associated Press of Pakistan (APP) (@appsocialmedia), @sayedzbukhari, and @mophrd:

“Mean while @sayedzbukhari the pretend entrepreneur land grabs & steals from his 81 year old uncle. Supporting & protecting @SYABukhariwho stole from HBL bank. Stop this act of pretending to care for pensioners. It’s hypocrisy.”

167. Embedded in Tweet 142 is a photo of a man with a bandaged head. The natural inference, given the context, is that it is a photo of the claimant’s 81-year-old uncle.

168. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant has stolen land and valuables from the defendant’s father.”

169. The defendant says that the natural and ordinary meaning of this Tweet is:

“The defendant’s father is a victim of fraud and theft. The claimant, the Special Assistant on Overseas Pakistanis, is not facilitating the complaint. The claimant has inherited illegal wealth from his father who was convicted of human trafficking.”

170. It is common ground that the Tweet is a statement of fact.

171. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

172. My conclusions on the preliminary issues in relation to Tweet 142 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning fails to reflect the direct reference to alleged reprehensible conduct of the claimant made by Tweet 142. There is no reference in Tweet 142 to the claimant’s official role or his duties in that role.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 163 (with Video 11 embedded)

173. On 18 November 2019, the defendant posted Tweet 163 to his Twitter account, in which Video 11 is embedded. Video 11 is not relied on as part of the libel claim but is part of the context of the publication of Tweet 163.

174. Video 11 is 1 minute, 1 second in duration. Video 11 begins with CCTV footage, apparently taken at night from a camera placed in a doorway, of a person dressed in black, wearing a hood, his face mostly obscured. The person is facing the door. He is

holding a cable aloft with his arms upstretched. He turns and goes to a white car, which then drives off. The next part of the video shows the interior of a white car, which appears to have been trashed. It is a natural inference that this is the same car that drove off in the first part of the video. The camera pans over the interior for about 16 seconds, then resolves to a still photograph of Imran Khan and a young woman. During this part of the video an unidentified male speaking in Urdu says, “You people will see what happens, okay?” This phrase is repeated on a loop a total of ten times.

175. Tweet 163 reads:

“After I exposed corruption of my corrupt offshore cousin Zulfi Bukhari & his father (my uncle), I have been attacked at home in London. My aged parents hav been threatened by gangsters. I want to bring it on record that Imran Khan & his govt will be responsible if Zulfi harms us.”

176. The claimant says that the natural and ordinary meaning of Tweet 163 is:

“After the defendant exposed his corruption, the claimant was responsible for an attack on the defendant and for the defendant’s aged parents being threatened by gangsters.”

177. The defendant says that the natural and ordinary meaning of this Tweet is:

“The defendant holds the Prime Minister and his government responsible for the harassment and victimisation he and his family have suffered.”

178. The claimant contends that the Tweet is a statement of fact. The defendant contends that it is a statement of opinion.

179. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

180. My conclusions on the preliminary issues in relation to Tweet 163 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the direct attribution to the claimant of corruption and responsibility for the attack on the defendant’s property and threat to the defendant’s parents.
- ii) Tweet 163 is not recognisable as comment. It is a statement of fact.
- iii) It is defamatory at common law.

Video 13 (embedded in Tweet 165)

181. On 19 November 2019, the defendant posted Tweet 165 to his Twitter account. Tweet 165 is not itself relied on for the libel claim but as context for the publication of Video 13.

182. Tweet 165 reads:

“BREAKING NEWS- Fraud Against Pakistan [seven Pakistan flag icons] SCANDAL Zulfi Bukhari, Aneel Mussarat & PIA Management. @ImranKhanPTI @pmln_org @MediaCellPPP @BBhuttoZardari”

183. Video 13 shows the defendant speaking to camera in Urdu. The English translation of the transcript of his remarks is:

“Hello! Today, I am going to tell you all a new fraud by Zulfi. There is a hotel of PIA, Roosevelt Hotel, in New York, Manhattan. This person is trying to sell for a meagre amount of money. In this fraud, Zulfi Bukhari, Anil Musarrat and PIA management are involved.

This hotel was tried to be sold for 1.7 Billion dollars 15 years ago as well, but the public agitated and it's sale stopped. But now again, it is being tried to be sold for a meagre amount of money. In this regard, Mr. Imran Khan has formed a special task force, Privatization Task Force. Zulfi Bukha...err...Zulfi Bukhari is made a member of it. He has nothing to do with it and his ministry also has nothing to do with it. But even then Zulfi Bukhari is made a member of it, and these people are together trying to sell it for a meagre amount of money. I request the public to save this precious asset of the nation.

Save it from being sold. Save it from being sold for a meagre of amount of money. Everyone please raise your voice for it.”

184. The claimant says that the natural and ordinary meaning of Video 13 is:

“The claimant is guilty of fraud.”

185. The defendant says that the natural and ordinary meaning of the video is:

“The claimant is involved in a conflict of interest and was part of an illegal task force.”

186. It is common ground that the video is a statement of fact.

187. The claimant maintains that the video is defamatory at common law. The defendant denies that it is.

188. My conclusions on the preliminary issues in relation to Video 13 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning ignores the clear attribution to the claimant of responsibility for fraud in relation to the attempted sale of the Roosevelt Hotel in New York.
- ii) It is a statement of fact.

- iii) It is defamatory at common law.

Tweet 166 and Video 13

189. On 23 November 2019, the defendant posted Tweet 166 to his Twitter account, replying to Nafisa Shah (@ShahNafisa), a member of the National Assembly of Pakistan.

190. Tweet 166 reads:

“Zulfi Bukhari, Aneel Mussarat & PIA Management FRAUD”

191. Embedded in Tweet 166 is Video 13, the English translation of the transcript of which is set out at [183] above.

192. The claimant says that the natural and ordinary meaning of Tweet 166 is:

“The claimant is guilty of fraud.”

193. The defendant says that the natural and ordinary meaning of this Tweet is:

“The defendant has raised awareness in the recent PIA [Pakistan International Airlines] case and the illegal task force for the Roosevelt Hotel in Manhattan, highlighting the discrepancy in the sale of the hotel.”

194. It is common ground that the Tweet is a statement of fact.

195. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

196. My conclusions on the preliminary issues in relation to Tweet 166 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant, given the immediate context, which includes the embedded Video 13. The defendant’s meaning is unrealistic and fails to reflect the effect of the inclusion of the word “FRAUD” in Tweet 166.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

197. Each of the parties takes the same position on the preliminary issues in relation to Video 13 when published in Tweet 166 as when published in Tweet 165. My conclusions on the preliminary issues are also the same, as stated at [188] above.

Tweet 171

198. On 30 November 2019, the defendant posted the following Tweet to his Twitter account, replying to @kashmir_up, @Samiaimtiaz3 and @MariaSartaj:

“[one laughing emoji] u can b jealous of my good looks & attack on my illness which Allah ordained for me. But I hold

my head up high unlike @sayedzbukhari I am NOT a corrupt son of a human trafficker, money launderer who supplied weapons that murder PC Yvonne Fletcher. U & me both know the TRUTH.”

199. The claimant says that the natural and ordinary meaning of Tweet 171 is:

“The claimant is corrupt.”

200. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant is the son of a convicted human trafficker, who has inherited ill-gotten wealth.”

201. It is common ground that the Tweet is a statement of fact.

202. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

203. My conclusions on the preliminary issues in relation to Tweet 171 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning refers to the claimant as the “son of a convicted human trafficker”, which is clearly a reference to the claimant, but omits the word “corrupt” which appears in Tweet 171 and which modifies the words “son of a human trafficker, money launderer who supplied weapons that murder PC Yvonne Fletcher”.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 172

204. On 30 November 2019, the defendant posted the following Tweet to his Twitter account, replying to a Tweet posted by PTI North Punjab (@PtiNorthPunjab) on the prior day:

“[Two laughing emojis] You Hypocrite Blind Liar @ImranKhanPTI The son @sayedzbukhari of a Human Trafficker money launderer @Wajidbukhari12 is sitting in your cabinet. Have some shame and start telling the TRUTH. Proof witness & evidence of their corruption can be provided. [Pakistan flag icon][UK flag icon][UAE flag icon][Malta flag icon][Malaysia flag icon][USA flag icon]”

205. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant is corrupt.”

206. The defendant says that the natural and ordinary meaning of this Tweet is:

“Imran Khan is a liar and a hypocrite. The claimant’s father is a convicted corrupt human trafficker.”

207. It is common ground that the Tweet is a statement of fact.
208. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
209. My conclusions on the preliminary issues in relation to Tweet 172 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The reference in Tweet 172 to “the son @sayedzbukhari of a human trafficker ...” is a clear reference to the claimant. The words “their corruption” clearly refer to the claimant as well as his father. The defendant’s meaning therefore understates the meaning of Tweet 172.
 - ii) It is a statement of fact.
 - iii) It is defamatory at common law.

Tweet 177

210. On 2 December 2019, the defendant posted the following Tweet to his Twitter account, replying to a Tweet posted on the prior day by the Zulfi Bukhari Fanclub (@ZulfiFanclub):

“The Son of a Corrupt Human trafficker, money launderer & illegal Arms Supplier @sayedzbukhari The British Frontman of @ImranKhanPTI supporting, assisting managing all illegal activities. #zulfibukhari ”

211. The claimant says that the natural and ordinary meaning of this Tweet is:
- “The claimant manages illegal activities for Pakistan Prime Minister Imran Khan.”
212. The defendant says that the natural and ordinary meaning of this Tweet is:
- “The claimant is the front man of Imran Khan, who is involved in everything Prime Minister Imran Khan does.”
213. The claimant contends that the Tweet is a statement of fact. The defendant contends that the Tweet is a statement of opinion.
214. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.
215. My conclusions on the preliminary issues in relation to Tweet 177 are:
- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the reference in Tweet 177 to “all illegal activities”, which are attributed to Pakistan Prime Minister Imran Khan (whose

Twitter account is @ImranKhanPTI) and in relation to which the claimant is said to be “The British Frontman ... supporting, assisting[,] managing ...”.

- ii) Tweet 177 is not recognisable as comment. It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 180

216. On 3 December 2019, the defendant posted the following Tweet to his Twitter account, replying to a Tweet posted by the Zulfi Bukhari Fanclub (@ZulfiFanclub) earlier that day:

“Look I will stop talking about the corrupt son of a human trafficker money launderer @sayedzbukhari & his father @Wajidbukhari12 as soon as he can provide his Moneytrail to NAB. Until then I will continue to state the Truth about his & his father corruption STAY TUNED ”

217. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant is corrupt.”

218. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant is the son of a corrupt convicted human trafficker who has ill-gotten wealth.”

219. It is common ground that the Tweet is a statement of fact.

220. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

221. My conclusions on the preliminary issues in relation to Tweet 180 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the direct reference in Tweet 180 to “the corrupt son of a human trafficker money launderer @sayedzbukhari ...”, which is clearly a reference to the claimant and a clear attribution to him of corruption.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 185

222. On 6 December 2019, the defendant posted Tweet 185 to his Twitter account, replying to a Tweet by Muhammad Afzal (@MafzalMuhammad) during an exchange of Tweets that commenced with a comment by Jahangir Khan Tareen (@JahangirKTareen) on a Tweet by the claimant posted earlier that day. Tweet 185 reads:

“I have every department in Pakistan unfortunately no action. Zulfi Bukhari will not let my complaint get investigated. So I disagree with u my cousin is not the hope of all Pakistanis he’s a dishonest person and the nation is being fooled. What you see is not what u get.”

223. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant is dishonest.”

224. The defendant says that the natural and ordinary meaning of this Tweet is:

“The defendant and his father have been denied justice. The Special Assistant on Overseas Pakistanis and Human Resource Development misuses his power to stop my complaint being investigated.”

225. It is common ground that the Tweet is a statement of fact.

226. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

227. My conclusions on the preliminary issues in relation to Tweet 185 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning does not take into account the reference in Tweet 185 to the claimant as a “dishonest person ... [by whom] the nation is being fooled”.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Video 13 (embedded in Tweet 187)

228. On 7 December 2019, the defendant posted Tweet 187 to his Twitter account, in reply to a Tweet in Urdu by Muhammad Kashif (@KashifMeoPAK. Video 13 is embedded in Tweet 187. Tweet 187 has no separate text.

229. The English translation of the transcript of Video 13 is set out at [183] above.

230. Each of the parties takes the same position on the preliminary issues in relation to Video 13 when published in Tweet 187 as when published in Tweet 165. My conclusions on the preliminary issues are the same as those set out at [188] above.

Tweet 191 (with Video 11 embedded)

231. On 12 December 2019, the defendant posted Tweet 191 to his Twitter account. Video 11 is embedded in Tweet 191. Video 11 is not relied on as part of the libel claim but is part of the context of the publication of Tweet 191. It is described at [174] above.

232. Tweet 191 reads:

“Dear @arsched @DrDanish5 @adeelraja @KlasraRauf @AmirMateen2 @HamidMirPAK please watch how Madina ki Riyasat minister and PM Imran Khan's right hand man Zulfi Bukhari staged attack on my home in London after I challenged him and exposed his corruption. I have reported to police.”

233. The claimant says that the natural and ordinary meaning of Tweet 191 is:

“After the defendant exposed his corruption, the claimant staged an attack on the defendant’s home in London.”

234. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant’s sister, Masooma Bukhari, called and threatened the defendant after her brother was mentioned on television by the defendant’s parents, warning him of the consequences to follow.”

235. The claimant contends that Tweet 191 is a statement of fact. The defendant contends that it is a statement of opinion.

236. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

237. My conclusions on the preliminary issues in relation to Tweet 191 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning is wholly unrealistic. There is no reference to the claimant’s sister or any conduct by her in Tweet 191. The defendant’s meaning fails to address the direct reference to the claimant in Tweet 191 and the accusation that the claimant “staged attack on my home” after the defendant “exposed his corruption”.
- ii) Tweet 191 is not recognisable as comment. It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 193 and Video 13

238. On 13 December 2019, the defendant posted Tweet 193 to his Twitter account. Tweet 193 reads:

“STOP the sale of Roosevelt hotel Corruption at its PEAK!!!
Save Roosevelt Hotel from Imran Khans corrupt friend
@sayedzbukhari @RehamKhan1 @BBhuttoZardari
@MaryamNSharif @pmln_org @MediaCellPPP
@ImranKhanPTI #SaveRoosevelHotel”

239. Embedded in Tweet 193 is Video 13, the English translation of the transcript of which is set out at [183].

240. The claimant says that the natural and ordinary meaning of Tweet 193 is:

“The claimant is corrupt.”

241. The defendant has not addressed the natural and ordinary meaning of Tweet 193 in his document of 8 April 2021.

242. It is common ground that the Tweet is a statement of fact.

243. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

244. My conclusions on the preliminary issues in relation to Tweet 193 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant has not disputed the claimant’s contended-for meaning by setting out an alternative meaning.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

245. Each of the parties takes the same position on the preliminary issues in relation to Video 13 when published in Tweet 193 as when published in Tweet 165. My conclusions on the preliminary issues are also the same, as stated at [188] above.

Video 14 (embedded in Tweet 194)

246. On 15 December 2019, the defendant posted Tweet 194 to his Twitter account. Tweet 194, which is not itself relied on for the libel claim but as context for the publication of Video 14, is in Urdu. The English translation of Tweet 194 reads:

“Zulfi Bukhari, it was good that you sent me a notice. Take me to the court on Monday, instead of Wednesday, so I can give the detail of all the corruption by you and your father.”

247. Video 14 shows the defendant speaking to camera. The English translation of the transcript of Video 14 is:

“Thank you Zulfi that you have sent me a notice of defamation. I want that... rather, you to tell your lawyer to file it in the High Court on Monday... on Monday instead of Wednesday and take me to the High Court. My friend, Wednesday is far away, I want to expose your and your father’s corruptions, as well as the people who helped you and your father. And I want to expose all these things, so please ask him to do it on Monday and secondly I want to say that those who speak the truth are not afraid of your notices. You can take me to the High Court, Supreme Court or in the court of Allah. I will always speak the truth and I will be successful, by the grace of Allah, and the faces of you and your father will go black.

Always remember this. Until now, only I was saying that Imran Khan's friend Zulfi Bukhari is a thief. From now onwards, the whole world will shout along with me that Imran Khan's friend Zulfi Bukhari and his father are thieves. And, by the grace of Allah... [this was point] number 1, and number 2, I want that the whole media, Pakistani media and international media should cover this thing...err...this case now. Thank you."

248. The claimant says that the natural and ordinary meaning of Video 14 is:

"The claimant is corrupt; the claimant is a thief."

249. The defendant says that the natural and ordinary meaning of this video is:

"Appreciation for the positive response allowing the defendant the opportunity to get justice in the UK legal system after being denied justice in Pakistan."

250. It is common ground that Video 14 is a statement of fact.

251. The claimant maintains that the statement made in the video is defamatory at common law. The defendant denies that it is.

252. My conclusions on the preliminary issues in relation to Video 14 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning is unrealistic. Video 14 is ostensibly addressed directly to the claimant as a challenge. It fails to take account of (a) the reference in the first paragraph of the transcript for Video 14 to the claimant's "corruptions" and (b) the accusation in the second paragraph of the transcript that the claimant is a thief.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Video 14 (embedded in Tweet 195)

253. On 15 December 2019, the defendant posted Tweet 195 to his Twitter account. Tweet 195, which is not itself relied on for the libel claim but as context for the publication of Video 14.

254. Tweet 195 reads:

"Tell your solicitor @sayedzbukhari to file a case against me on Monday pls don't wait till Wednesday. Looking forward to expose the TRUTH about your fathers money made from human trafficking, money laundering and illegal arms sales & your moneytrail to NAB."

255. The English translation of the transcript of Video 14 is set out at [247] above.

256. Each of the parties takes the same position on the preliminary issues in relation to Video 14 when published in Tweet 195 as when published in Tweet 194. My conclusions on the preliminary issues are also the same, as stated at [252] above.

Tweet 198 and Video 14

257. On 21 December 2019, the defendant posted the following Tweet to his Twitter account, replying to a Tweet by Bakhtawar B-Zardari (@BakhtawarBZ) earlier that day. Video 14 is embedded in Tweet 198.

258. Tweet 198 reads:

“Well said [three clapping hands emojis] @BakhtawarBZ to the son of a human trafficker, money launderer & illegal arms dealer @sayedzbukhari and is it not time that his father served his 14 years jail sentence. It’s time that @ImranKhanPTI stops harbouring criminals. ”

259. The claimant says that the natural and ordinary meaning of Tweet 198 is:

“The claimant is corrupt; the claimant is a criminal; the claimant is a thief.”

260. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant’s father should serve his 14 year sentence given to him in Pakistan in 1982 and the Prime Minister of Pakistan should stop protecting criminals.”

261. It is common ground that Tweet 198 is a statement of fact.

262. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

263. My conclusions on the preliminary issues in relation to Tweet 198 are:

- i) It does not bear the natural and ordinary meaning ascribed to it by the claimant. Its natural and ordinary meaning is closer to the defendant’s meaning. There is no direct reference to the claimant that supports the attribution of corruption to him or that constitutes an accusation that he is a thief. The general reference to “criminals” in Tweet 198 appears to refer to the claimant’s father, but this does not extend necessarily to the claimant in this context. The ordinary reasonable reader would not, in my view, understand this Tweet to include an accusation that the claimant is a criminal, even bearing in mind the natural and ordinary meaning of the statement made by Video 14, which carries a separate meaning. In my view, the natural and ordinary meaning of Tweet 198 is:

“The claimant’s father is a human trafficker, money launderer and illegal arms dealer who should serve the sentence of 14 years’ imprisonment that was passed upon

him. The Prime Minister of Pakistan should stop protecting criminals such as the claimant's father.”

- ii) The first part of Tweet 198 is a statement of fact ending with the words “illegal arms dealer”. From the words “who should serve ...” onwards, Tweet 198 is a statement of opinion.
- iii) It is not defamatory at common law in respect of the claimant.

264. The English translation of the transcript of Video 14 is set out at [247] above.

265. Each of the parties takes the same position on the preliminary issues in relation to Video 14 when published in Tweet 195 as when published in Tweet 194. My conclusions on the preliminary issues are also the same, as stated at [252] above.

Tweet 201 and Video 2

266. On 24 December 2019, the defendant posted the following Tweet to his Twitter account, replying to a Tweet posted by the claimant earlier that day. Video 2 is embedded in Tweet 201.

267. Tweet 201 reads:

“Drop the ACT You Hypocrite Liar son of a human trafficker, money launderer & illegal arms supplier. U are the only reason why my overseas Pakistani 82 year old DEAD father could not get justice for his HBL locker breakage & land grabbed case. U & I both know your moneytrail.”

268. The claimant says that the natural and ordinary meaning of Tweet 201 is:

“The claimant is dishonest; the claimant is corrupt.”

269. The defendant says that the natural and ordinary meaning of this Tweet is:

“”My 82 year old father died helplessly after approaching every department in Pakistan. He was failed by the Special Assistant on Overseas Pakistanis and Human Resource Development.”

270. It is common ground that the Tweet is a statement of fact.

271. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

272. My conclusions on the preliminary issues in relation to Tweet 201 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning fails to address the direct references in the Tweet to the character of the claimant.
- ii) It is a statement of fact.

iii) It is defamatory at common law.

273. The English translation of the transcript of Video 2 is set out at [60] above.

274. Each of the parties takes the same position on the preliminary issues in relation to Video 2 when published in Tweet 201 as when published in Tweet 50. My conclusions on the preliminary issues are also the same, as stated at [65] above.

Tweet 206

275. On 1 January 2020, the defendant posted Tweet 206 to his Twitter account, with an image of a news article in Urdu embedded in the Tweet. Tweet 206 reads:

“Good start to the Year Pakistani Courts have stopped the sale of Roosevelt Hotel New York @sayedzbukhari & Aneel Mussarat corruption stopped. LETS EXPOSE @ImranKhanPTI corrupt people TOGETHER & REBUILD Quaid e Azam Pakistan. @RehamKhan1”

276. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant is corrupt.”

277. The defendant says that the natural and ordinary meaning of this Tweet is:

“To raise awareness about the injustices and corruption in Pakistan and to rebuild Quaid i Azam Muhammad Ali Jinnah visions for Pakistan.”

278. It is common ground that the Tweet is a statement of fact.

279. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

280. My conclusions on the preliminary issues in relation to Tweet 206 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the direct reference to the claimant in this Tweet.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Video 15 (embedded in Tweet 210)

281. On 10 January 2020, the defendant posted Tweet 210 to his Twitter account. Tweet 210 is not itself relied on for the libel claim but as context for the publication of Video 15.

282. Tweet 210 reads:

“Please help me Stand up against PIA CEO Arshad Malik NEPOTISM & CORRUPTION @ImranKhanPTI in Naya

Pakistan @Official_PIA @DrHasanMasood @BBhuttoZardari
@MaryamNSharif @pmln_org @MediaCellPPP
@PTIKPOfficial @asbabar786 @RehamKhan1 ”

283. Video 15 shows the defendant speaking to camera. The English translation of the transcript of Video 15 is:

“Many people have interest in collecting nice cars and steps, but our PM has interest in collecting corrupt and incompetent people.

...First name comes in my list is Zulfi Bukhari, my first cousin, because he is corrupt as well as incompetent, but today we will not talk about him. Today we will talk about...Mr. Arshad Malik, who is CEO of PIA and brother of... Dr. Hasan Malik, who is officer of PTI in Faislabad and... his job is illegal and it is proved illegal by high court also. Neither he has qualifications nor experience for this job... but this person is still [Urdu] to continue his job and wasted 79 lacs rupees of PIA, because this time... [inaudible] is going, their worker have not received salary, still this person is wasting 79 lacs rupees of PIA to save his job... in which 50 lacs rupees is the fees of Mr. Bukhari, 20 lacs rupees is his hotel and...travelling expenses and 9 lacs rupees is admin fees.

He is the same person, who try to sell... Roosevelt hotel with Zulfi Bukhari and Anir Mussarad and this person is also trying to... sell anonyms properties of PIA in France, while workers of PIA has not received salary.

Please you all... raise your voice with me and remove this person from this job and those workers who have right on this money, help them get their salary.

Please help me.”

284. The claimant says that the natural and ordinary meaning of this video is:

“The claimant is corrupt.”

285. The defendant says that the natural and ordinary meaning of this video is:

“The Prime Minister has a team of corrupt incompetent people.”

286. It is common ground that the Tweet is a statement of fact.

287. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

288. My conclusions on the preliminary issues in relation to Video 15 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning ignores the direct reference to the claimant in the video.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 212 (with Video 1 embedded)

289. On 17 January 2020, the defendant posted Tweet 212 to his Twitter account, replying to a Tweet posted earlier that day by the claimant. Video 1 is embedded in Tweet 212. It is not relied on as part of the libel claim but is part of the context of the publication of Tweet 212.

290. Tweet 212 reads:

“You Shamelessly LIE @sayedzbukhari you & I both know The Bukhari's made their wealth. from Human Trafficking, money launderer and illegal arms sales which killed Yvonne Fletcher. Allah is As Samee & Al Basser.

Your corruption will be exposed in UK Highcourt without IK Influence!”

291. Video 1 was first posted on 27 September 2019, embedded in Tweet 14. In Video 1, the defendant is speaking to camera in Urdu. The English translation of the transcript of his remarks is:

“Mr. Imran Khan, if you are so concerned about accountability, then do accountability of your beloved Zulfiqar Bukhari. Hold his father accountable who was the son of a mere peon. Zulfi Bukhari is the son of a mere account assistant.

They ... err ... they are traitors to both Pakistan and Pakistan army. They so ... err ... sold Pakistan ar ... err ... army ... err ... twenty three hundred army men to Libya, and they laundered that money to the UK. They formed properties here. Their greed went to such an extent that they also did arms dealing here in collaboration of the Libyan embassy, because of which PC ... err ... PC Fletcher was died ... err ... killed here. He was murdered by the arm supplied by them. The factories that they have established ... your M ... err ... MPA, your MPA Yawar Bukhari. Hold him accountable as well. Investigate your MP ... err ... ex MPA Ijaz Hussain Bukhari who is my uncle. Investigate him as well. Investigate his factories ... err ... ice factories in Hattian etc. as well.

All these are setup via money ... err ... money laundering and human ... err ... human trafficking, and I will provide you the proof and the witness.”

292. The claimant says that the natural and ordinary meaning of Tweet 212 is:

“The claimant is corrupt; the claimant is dishonest.”

293. The defendant says that the natural and ordinary meaning of this Tweet is:

“The Bukhari wealth is made from human trafficking and the sales of illegal arms. The Bukhari worked with the Gaddafi regime.”

294. It is common ground that the Tweet is a statement of fact.

295. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

296. My conclusions on the preliminary issues in relation to Tweet 212 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning ignores the direct references to the claimant in Tweet 212, which is addressed to him.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 216 and Video 14

297. On 27 January 2020, the defendant posted Tweet 216 to his Twitter account. Video 14 is embedded in Tweet 216.

298. Tweet 216 reads:

“All talk no ACTION!! @sayedzbukhari another one of Imran Khans brain [brain icon] waves to promote a new party strategy. [three pencil icons]”

299. The claimant says that the natural and ordinary meaning of Tweet 216 is:

“The claimant is corrupt.”

300. I note that Appendix A to the claimant’s skeleton argument assigns the meanings set out in paragraph 14(2) (“The Claimant is corrupt”) and paragraph 14(9) (“The Claimant is a thief”) of the Particulars of Claim to Tweet 216, however Appendix 3 to the Particulars of Claim only assigns the meaning in paragraph 14(2) of the Particulars of Claim. So, only the former meaning is pleaded in relation to Tweet 216.

301. The defendant says that the natural and ordinary meaning of Tweet 216 is:

“Imran Khan fails to keep his election manifesto and his choice and decision reflect nepotism and cronyism.”

302. It is common ground that the Tweet is a statement of fact.

303. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

304. My conclusions on the preliminary issues in relation to Tweet 216 are:

i) The natural and ordinary meaning of Tweet 216 is:

“Imran Khan’s choice of the claimant to promote a new party strategy is a poor one.”

The claimant’s meaning is not reflected in the text of this Tweet, nor would the ordinary reasonable reader understand this Tweet to bear the meaning he ascribes to it. The embedded Video 14 is part of the immediate context, but it makes a separate statement. The defendant’s meaning reflects inferences that would not necessarily be made by the ordinary reasonable reader, particularly in relation to nepotism and cronyism.

ii) It is recognisable as comment. It is a statement of opinion.

iii) It is not defamatory at common law.

305. The English translation of the transcript of Video 14 is set out at [247] above.

306. Each of the parties takes the same position on the preliminary issues in relation to Video 14 when published in Tweet 216 as when published in Tweet 194, as stated at [252] above.

Video 17 (embedded in Tweet 218)

307. On 1 February 2020, the defendant posted Tweet 218 to his Twitter account, replying to a Tweet by the claimant. Tweet 218 is not itself relied on for the libel claim but as context for the publication of Video 17.

308. Tweet 218 reads:

“It’s about time The son of a Human Trafficker @sayedzbukhari apologised to a well respected TRUTHFUL journalist @DrDanish5 or else prove yourself right & go on his show!!”

309. Video 17 shows the defendant speaking to camera. The English translation of the transcript of Video 17 is:

“Well, Mr. Zulfi, as I told you before, even the rats of Bani Gala are lions. So, Mr. Lion, come out of Bani Gala, be true.

Be a man’s son and go and face Dr. Danish, as the pressure you people are putting on PEMRA... What can the personnel of PEMRA do? If they receive call from PM house, they would have to listen to you, don’t they? They will believe in your truth, your lies, everything, because they are retired officers; they have to save their jobs. They can’t afford standing against you.

On the other hand, Dr. Danish gave you two chances to go sit in his programme and prove yourself to be true. You won't go there. I know that. I know you are avoiding him. You know Dr. Danish is telling the truth and that's why you are running away.

You did programmes at another place to prove yourself to be true. Go to the person who is calling you. Tell him that your documents are wrong. Go, you have a chance.

He is calling you again in his program. Go and prove him wrong, which you won't do. I know that you will not do that. I challenge you to go and prove him wrong. ”

310. The claimant says that the natural and ordinary meaning of this Tweet is:

“The claimant is dishonest.”

311. The defendant says that the natural and ordinary meaning of this Tweet is:

“The claimant is misusing his power and position to silence anyone who speaks against him.”

312. It is common ground that the Tweet is a statement of fact.

313. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

314. My conclusions on the preliminary issues in relation to Video 17 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant's meaning is not reflected in the text of the English translation of the transcript of the video nor would inferences as to the claimant's alleged misuse of his power and position to silence opponents necessarily be drawn by an ordinary reasonable reader.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

Tweet 228 and Video 2

315. On 24 February 2020, the defendant posted Tweet 228 to his Twitter account, replying to a Tweet by the Pakistan Ministry of Overseas Pakistanis and Human Resource Development (@mophrd). Video 2 is embedded in Tweet 228.

316. Tweet 228 reads:

“Stop this publicity Stunt My dear first cousin @sayedzbukhari
What was the crime of this person twitter.com/tahirmughalpm
... & my 82 year old father (your own Taya) who you looted,

land grabbed & personally took it on board to prevent justice.
My father died without justice”

317. The claimant says that the natural and ordinary meaning of Tweet 228 is:

“The claimant had stolen land and valuables from the defendant’s father.”

318. The defendant says that the natural and ordinary meaning of this Tweet is:

“The defendant claims that his 81-year-old father was denied justice and was a victim of crime.”

319. It is common ground that the Tweet is a statement of fact.

320. The claimant maintains that the Tweet is defamatory at common law. The defendant denies that it is.

321. My conclusions on the preliminary issues in relation to Tweet 228 are:

- i) It bears the natural and ordinary meaning ascribed to it by the claimant. The defendant’s meaning fails to take account of the direct references to the claimant, to whom Tweet 228 is addressed.
- ii) It is a statement of fact.
- iii) It is defamatory at common law.

322. The transcript of the English translation of Video 2 is at [60] above.

323. Each of the parties takes the same position on the preliminary issues in relation to Video 2 when published in Tweet 228 as when published in Tweet 50, as stated at [65] above.

Next steps

324. I will now give directions for the determination of the remaining issues.