

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim no: HQ14D05070

BETWEEN:

MICHAEL SEGALOV

Claimant

V

UNIVERSITY OF SUSSEX

Defendant

STATEMENT IN OPEN COURT

Counsel for the Claimant:

1. My Lord, I appear for the Claimant, Mr Michael Segalov. He is 21 years old and currently works as a freelance journalist and legal researcher. Mr Segalov is also politically active and has participated in a number of campaigns concerning matters such as legal aid, the future of higher education and environmental issues. He writes regularly on topical political issues for publications including *The Guardian*, *The Independent Online*, *Buzzfeed News* and *Vice*.
2. From September 2011 to June 2014 Mr Segalov was a full-time student on the Bachelor of Laws with International Relations (LLB) degree programme at the University of Sussex (the "University"), the Defendant to this claim. Following the successful completion of his university degree, he was elected by the student body to the position of full time Communications Officer at the University's Students' Union, and he served in this role from June 2014 to June 2015. Ultimately, Mr Segalov hopes to pursue a career in the legal profession.
3. In November and December 2013, protests took place against the privatisation of services at the University. Although Mr Segalov was not involved in leading or organising any of those protests, he did attend the protests in late November 2013. Mr Segalov was briefly suspended, and was the subject of the University's disciplinary proceedings.

4. On 5 December 2013 the University published a news bulletin on its publicly accessible website (at www.sussex.ac.uk) entitled *"University starts disciplinary process over persistent disruption of campus"*, which remained online for over a year until 10 February 2015. It stated that *"The University has started disciplinary processes in relation to five students involved in organising or leading the repeated serious disruption of campus through occupations, which have been characterised by intimidating behaviour, theft, damage and violence."*
5. On 9 December 2013 the University published a further news bulletin reporting that the suspensions had been lifted but that disciplinary proceedings were continuing against the five students.
6. The fact of Mr Segalov being one of the five suspended students was known by some staff and students on campus, as well as some members of the academic community elsewhere. Mr Segalov was therefore identifiable as one of the subjects of the publications.
7. To those readers who identified him, the news bulletins were understood to mean that Mr Segalov had led or organised the unlawful occupation of University property and the associated criminal behaviour which took place between 26 November and 3 December 2013 and, as such was guilty of having carried out (and/or having conspired with others to commit) acts of criminal behaviour, including intimidation, theft, violence and damage to University property.
8. These claims were entirely untrue.
9. The only alleged breach of the University's *"Regulation on Student Discipline"* ultimately pursued by the University against Mr Segalov related to a complaint of *"conduct injurious to the academic or administrative activities of the University (e.g. disruption of teaching, of research, of examinations, of the working staff or other campus services)"*, for which Mr Segalov received a caution from the University. However, Mr Segalov's suspension was later deemed unreasonable by the Office of Independent Adjudication, which had been asked to review the University's actions following a complaint by Mr Segalov.
10. Mr Segalov brought these proceedings to vindicate the damage to his reputation caused by the publication of the allegation of his involvement in criminal activity. After Mr Segalov's solicitors notified the Defendant of his libel complaint in February 2015, the Defendant made an unqualified offer of amends which Mr Segalov has accepted. As a result, an agreed apology to Mr Segalov will be published on the University's website, and the University is here by Counsel publicly to apologise to him.

Counsel for the Defendant

11. The University accepts that Mr Segalov did not lead or organise any unlawful occupations or associated criminal behaviour in November/December 2013. The University is also happy to confirm that Mr Segalov did not engage in any acts of criminal behaviour whatsoever in relation to those events, nor did he condone these alleged criminal activities. In particular, the University confirms that Mr Segalov is not guilty of having committed any form of intimidation, theft, assault or criminal damage, and deeply regrets that the news bulletins suggested otherwise.
12. The University is very happy to correct the record in these regards and apologise unreservedly to Mr Segalov for the significant embarrassment and upset caused to him. The University will be paying Mr Segalov damages and costs as may be agreed or determined by the Court.

Counsel for the Claimant

13. Mr Segalov has achieved the vindication of his reputation through these proceedings and is therefore content to let matters rest. All that remains is for me to ask for permission to withdraw the record.

The Defendant agrees to join in a statement in these terms

[Signature]

**Pinsent Masons
Solicitors for the Defendant**

Dated... *28 October 2015*