

support

From: WAPI-Open-E_Group@yahoo.com on behalf of Ian Withers - Priority Investigations [ian@pilimited.com]
Sent: 15 March 2011 13:27
To: UK2
Cc: Irish PI Group
Subject: [WAPI] UK: British lawyer uses Facebook to serve court summons

British lawyer uses Facebook to serve court summons

<http://www.telegraph.co.uk/technology/facebook/8382570/British-lawyer-uses-Facebook-to-serve-court-summons.html>

A lawyer has used Facebook to serve a court summons, in what is believed to be the first such case in Britain.

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Solicitor Hilary Thorpe was finding it difficult to get a debtor to attend court to answer questions about their finances.

When all over avenues failed, she recalled a case in Australia in which the Supreme Court gave permission for the social networking website to be used for serving legal documents.

She wondered if a British court would accept the same principle.

Eventually, staff at Hastings County Court in East Sussex accepted her request, and Ms Thorpe has logged onto Facebook to serve the court order.

She said yesterday: "It is great to see that the courts are willing to embrace new technology.

"We have had great trouble serving the debtor in question.

"Being able to use Facebook to do so will certainly assist in the case and allow our client creditor the possibility of obtaining further information to enforce the debt."

While having problems bringing the debtor to court, Ms Thorpe recalled a case in Australia in 2008.

In that case, lawyer Mark McCormack, who was representing a financial lender, applied to use Facebook to serve legally-binding documents on a couple.

He needed to inform them that they had lost their home because they had defaulted on a loan.

Mr McCormack had earlier failed several times to contact the couple at their house and by email.

Ms Thorpe, who works for the firm Gaby Hardwicke in Eastbourne, explained she had tried all the conventional methods of trying to contact the debtor.

The company said on its website: "She had exhausted all conventional ways of trying to contact the defendant.

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"As a last resort, she decided to make the application for service via Facebook, following the reasoning in a similar Australian case.

Gaby Hardwicke submitted an application on behalf of its client, showing the defendants frequent visits to Facebook and the reasons why service in this way would be appropriate."

Ms Thorpe is a senior associate solicitor in the firms commercial litigation department.

She specialises in directors disqualifications and insolvency work. She has worked for Gaby Hardwicke since January 2009.

Submitted by:

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