

It is clear from the skeleton argument and statement that the appeal raises arguable points of law and I will grant permission to appeal.

Judgment:

I am very grateful to counsel for his concise and constructive statement which advances two issues for appeal, both in law.

While I have read with great respect and care the reasons of Hallett LJ, I think that counsel's two arguments raise points of law that should be considered on appeal.

The two issues are:

1. The meaning of the words "tried to strangle" and the related allegation of "dangerous".

There is no challenge to the findings of primary fact. The challenge is to the approach in law of the judge to meaning. It is arguable that in the context of the conversation the meaning was that the Claimant had done an act [strangling] which if continued would have resulted in her death. And that he was capable of physical domestic abuse and therefore dangerous.

2. Republication – there is an arguable point of law in light of the comments of Laws LJ in *Terluk v Berezovsky* and in light of the new technology it is worthy of consideration by this court in any event.