

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION

B E T W E E N:

SAMMY WINWARD

Claimant

and

NEWSGROUP NEWSPAPERS LIMITED

Defendant

STATEMENT IN OPEN COURT

Solicitor for the Claimant

1. In this action for misuse of private information, I appear for the Claimant. My learned friend, _____, appears for the Defendant.
2. The Claimant is an actress best known for her long running role in the popular television soap, Emmerdale, which she started in 2001 and continued until February 2015. In 2002, the Claimant started a relationship with the footballer David Dunn with whom she had a child. During the relevant period, David Dunn played for Blackburn Rovers Football Club and England.
3. The Defendant was the publisher of the News of the World newspaper, which had a considerable readership in this jurisdiction, until its closure in July 2011, and which also published its content on its website, www.newsoftheworld.com. The Defendant is currently the publisher of The Sun newspaper, which also publishes its content on its website, www.thesun.co.uk.
4. From about 2001 until at least 2007, the Claimant experienced suspicious telephone calls and private information appearing in the media. The Claimant

and her friends became paranoid and suspicious as to who was the source of the disclosures, which put the Claimant and those close to her under a lot of pressure. The Claimant started to distrust some of the people who were close to her.

5. In 2015, the Claimant was contacted by police officers from Operation Weeting and Operation Pinetree and was informed that her name appeared in documents and that it was possible that she had been targeted by *News of the World* journalists. Accordingly she instructed solicitors in order to investigate her potential claim and an application was made in order to obtain formal disclosure of copies of the documents that the police had.
6. After receiving copies of the documents in relation to Glenn Mulcaire and the *News of the World*, the Claimant was shocked to discover that her details, and details relating to people close to her, appeared in the notes of Mr Mulcaire, the private investigator working for the News of the World. The Claimant was also told that her mobile phone number was listed in the Palm Pilot of *News of the World* journalist, Dan Evans.
7. In hindsight, the Claimant now believes that the suspicious telephone activity was consistent with the unauthorised accessing of her voicemails rather than people close to her leaking private information to the media.
8. On 12 April 2016, a formal letter of claim was sent to the Defendant identifying a number of suspicious articles both in the *News of the World* and in *The Sun* newspaper as well as seeking proposals for resolution of her claim. Unfortunately, it was not possible to resolve her claim and, on 21 June 2016, the Claimant issued proceedings against NGN. On 5 July 2016, the Claimant set out the details of her claim, in which she relied upon 16 suspicious articles, some of which contained private and medical information, 12 of which were published in

The Sun and 4 articles which were published in the *News of the World*.

9. On 13 September 2016, the Defendant served a Defence, which contained some limited admissions in respect of the activities of Glenn Mulcaire and the *News of the World* but no admissions in respect of *The Sun*. It denied liability for the entirety of the claim.

10. After disclosure of documents was given in June of this year, it was directed that witness statements be exchanged in November in order that the Court could consider whether the claim should be selected to be tried in January 2018.

11. Following discussion between the parties, I am here today to announce that the Defendant now accepts that there has been an invasion of the Claimant's privacy by individuals working for or acting on behalf of the *News of the World*. The Defendant accepts that this activity should never have taken place and it has agreed to apologise to the Claimant and undertake not to repeat such actions. It has also agreed to pay a substantial amount in damages for the distress the Claimant has suffered. NGN makes no admission of liability in relation to the Claimant's allegations of voicemail interception and/or other unlawful information gathering at *The Sun*. NGN has agreed to pay the Claimant's costs.

Counsel for the Defendant

12. My Lord, on behalf of the Defendant, I confirm everything my friend, _____, has said.

13. The Defendant is here today through me to offer its sincere apologies to the Claimant for the distress caused by the invasion of the Claimant's privacy by individuals working for or on behalf of the *News of the World*. The Defendant accepts that such activity should never have taken place and has provided an undertaking to the Court and to the Claimant to ensure that this will not happen

again.

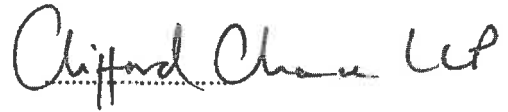
Solicitor- Advocate for the Claimant

14. In the light of the order which has been made and this statement, the Claimant considers that she is fully vindicated.

A handwritten signature in black ink, appearing to read 'Nicola McCann', written over a horizontal dotted line.

Nicola McCann

Solicitor for the Claimant

A handwritten signature in black ink, appearing to read 'Clifford Chase LLP', written over a horizontal dotted line.

Solicitors for the Defendant