

IN THE HIGH COURT OF JUSTICE

CLAIMS NO: HC11C01997

CHANCERY DIVISION

BETWEEN:

GAVIN HENSON

Claimant

and

(1) NEWS GROUP NEWSPAPERS LIMITED
(2) GLENN MICHAEL MULCAIRE

Defendants

STATEMENT IN OPEN COURT

Solicitor Advocate for the Claimant

1. In this action for misuse of private information, breach of confidence and harassment, I appear for the Claimant. My learned friend, Michael Silverleaf QC, appears for the First Defendant.
2. The Claimant is a well-known professional rugby player, who has played international rugby for Wales as well as for the British and Irish Lions. The Claimant has been the subject of intensive media scrutiny and intrusion into his private life for a number of years. These intrusions were particularly fierce after he achieved national and international prominence for having kicked the winning penalty in an England v Wales rugby international in February 2005 and, shortly afterwards, beginning a relationship with the singer Charlotte Church.
3. The First Defendant was the publisher of the News of the World newspaper which had a considerable readership in this jurisdiction and which also published its

content on its website www.newsoftheworld.com. The Second Defendant was a private investigator engaged by the First Defendant to carry out various investigative activities. His methods included blagging information from mobile phone companies and the unlawful interception of voicemail messages.

4. From 2005 onwards, there were a number of articles published in the News of the World about the Claimant, which contained intrusive and private information, a lot of which was untrue. The Claimant did not know the source of this information and could not understand how journalists were obtaining this private information and making it public knowledge. He initially suspected Charlotte Church's family of leaking the information and this led to arguments within the family.
5. The manner in the Claimant's private information was entering the public domain caused him to have suspicions as to the security of his mobile telephone. As a consequence he began regularly to change his mobile telephone number. He never changed the "PIN" code needed to access his voicemail remotely but chose two personal passwords for his mobile phone accounts.
6. In May 2011, after the commencement of Operation Weeting, the Claimant was approached by the Metropolitan Police. The police showed the Claimant evidence that his voicemail messages had been intercepted. They also showed him notes recording other confidential information relating to him, including his personal passwords.
7. The evidence made it plain to the Claimant that his private information had been intercepted over a considerable period of time, covering at least 2005-2006. The Claimant was surprised and angered by the extremely invasive detail of the information he was shown, which did not only relate to him but also his friends and family.

8. On 13 June 2011, the Claimant issued proceedings against the First and Second Defendants for misuse of private information, breach of confidence and harassment. Both Defendants indicated their intention to defend the claim and duly served defences. The First Defendant's defence contained a number of limited admissions.
9. On 13 December 2011, the First Defendant made a series of more extensive admissions in relation to the general practice of intercepting voicemail messages by the News of the World. It has become clear, and the First Defendant now accepts, that the Defendants targeted the Claimant and the Claimant's voicemail messages in at least 2005 and 2006.
10. I am here today to announce that the First Defendant has accepted liability and has agreed to pay damages to the Claimant in the sum of £40,000 plus his legal costs. Furthermore, both Defendants have also undertaken not to further access the Claimant's voicemail messages or to publish the Claimant's unlawfully obtained private information or to put him under surveillance.

Counsel for the First Defendant


11. My Lord, on behalf of the First Defendant, I confirm everything my Friend, Mr Thomson, has said.
12. The First Defendant is here today through me to offer its sincere apologies to the Claimant for the damage, as well as the distress, caused to him by the blagging of his confidential information from sources, the accessing of his voicemail messages and the publication of the private information obtained from this unlawful activity. The First Defendant acknowledges that the information should never have been obtained or used in the manner it was and that the First Defendant is liable for misuse of private information and breach of confidence.

Solicitor- Advocate for the Claimant

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



Mark Thomson



Michael Silverleaf QC