

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION

BETWEEN:-

SIOBHAIN MCDONAGH 

Claimant

- and -

(1) NEWSGROUP NEWSPAPERS LIMITED
(2) NI GROUP LIMITED

Defendants

STATEMENT IN OPEN COURT


The Claimant's ~~Solicitor~~ - Advocate

1. My Lord, in this action I represent the Claimant and my learned friend [Dinah Rose QC / Anthony Hudson] represents the Defendants.
2. The Claimant is, and has been since 1997, the Labour Member of Parliament for Mitcham and Morden. During her parliamentary career, she was the permanent Private Political Secretary to Dr John Reid, whilst he was Secretary of State for Defence, and subsequently from May 2006 to June 2007 when he was Secretary of State for the Home Department. On 28 June 2007 she was appointed to the position of Assistant Whip.
3. The Defendants are the publishers and/or owners of *The Sun*, newspaper.
4. On 17 October 2010 the Claimant's private mobile telephone ("the Claimant's Mobile") was stolen from her car in Colliers Wood in South West London. It was immediately reported to the Police, and the matter investigated.

5. In June 2012, the Claimant was notified by police officers for Operation Tuleta that they had obtained evidence Sun Newspaper had accessed her text messages from about October 2010 and therefore appeared to have accessed and/or acquired her mobile phone. The Claimant was extremely concerned about this and wanted to know what had happened to her private and confidential information as well as her mobile telephone.
6. Accordingly on 22 June and July 2012 the Claimant applied to the High Court for Norwich Pharmacal disclosure from the Metropolitan Police. The disclosure was provided to the Claimant in September 2012. After considering the material that had been disclosed on 6 September 2012, the Claimant issued proceedings against the Defendants and sought interim non-disclosure orders and other interim orders from the High Court.
7. On 31 October 2012, the Claimant applied for interim relief from the Defendants seeking delivery up of the Claimant's mobile phone and an injunction restricting publication of private messages. The Court granted the interim Injunction and ordered delivery up of the mobile phone insofar as it was within the possession, power or control of the Defendants and/or additional information. The Defendants complied with the injunction and some additional information was provided by the Defendants. The Claimant's mobile telephone was not provided because it was not within the possession, power or control of the Defendants.
8. On 23 November 2012 the Claimant's Particulars of Claim served were served setting out extensive detail of the her legal complaints against the Defendants
9. The Defendants served their defence on 21 December 2012. In their defence, the Defendants admitted liability on nearly every part all of the claimant's claim; admitting that there was serious wrongdoing and misuse of her private information and her mobile telephone.

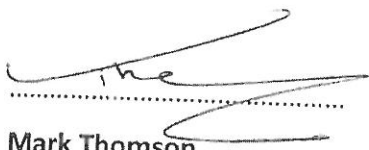
10. The Defendant has not only admitted liability but also agreed to pay the Claimant very substantial damages and give permanent undertakings to the court in similar terms to the injunction. The Defendant has also agreed to pay the Claimant her legal costs that they have had to incur.

Defendant's counsel

11. The Defendants accept what my friend has said. They accept that the information on the Claimant's mobile telephone should not have been accessed and used and furthermore accept that there has been a serious misuse of her private information. Through me they offer their unreserved apology to the Claimant for what has happened. Furthermore they have undertaken to the Court not to use any information so obtained nor to access or attempt to access by unlawful means the Claimant's private information.

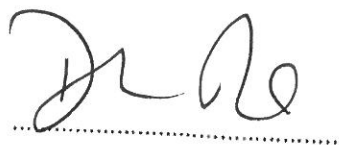
Claimant's solicitor advocate

12. My Lord, in these circumstances the Claimant has obtained significant protection and vindication of her privacy rights and is therefore content not to pursue this matter any further.

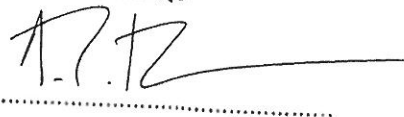


Mark Thomson

Solicitor-Advocate for the Claimant



Dinah Rose QC



Anthony Hudson